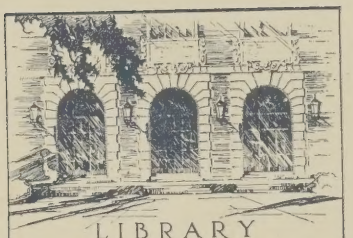
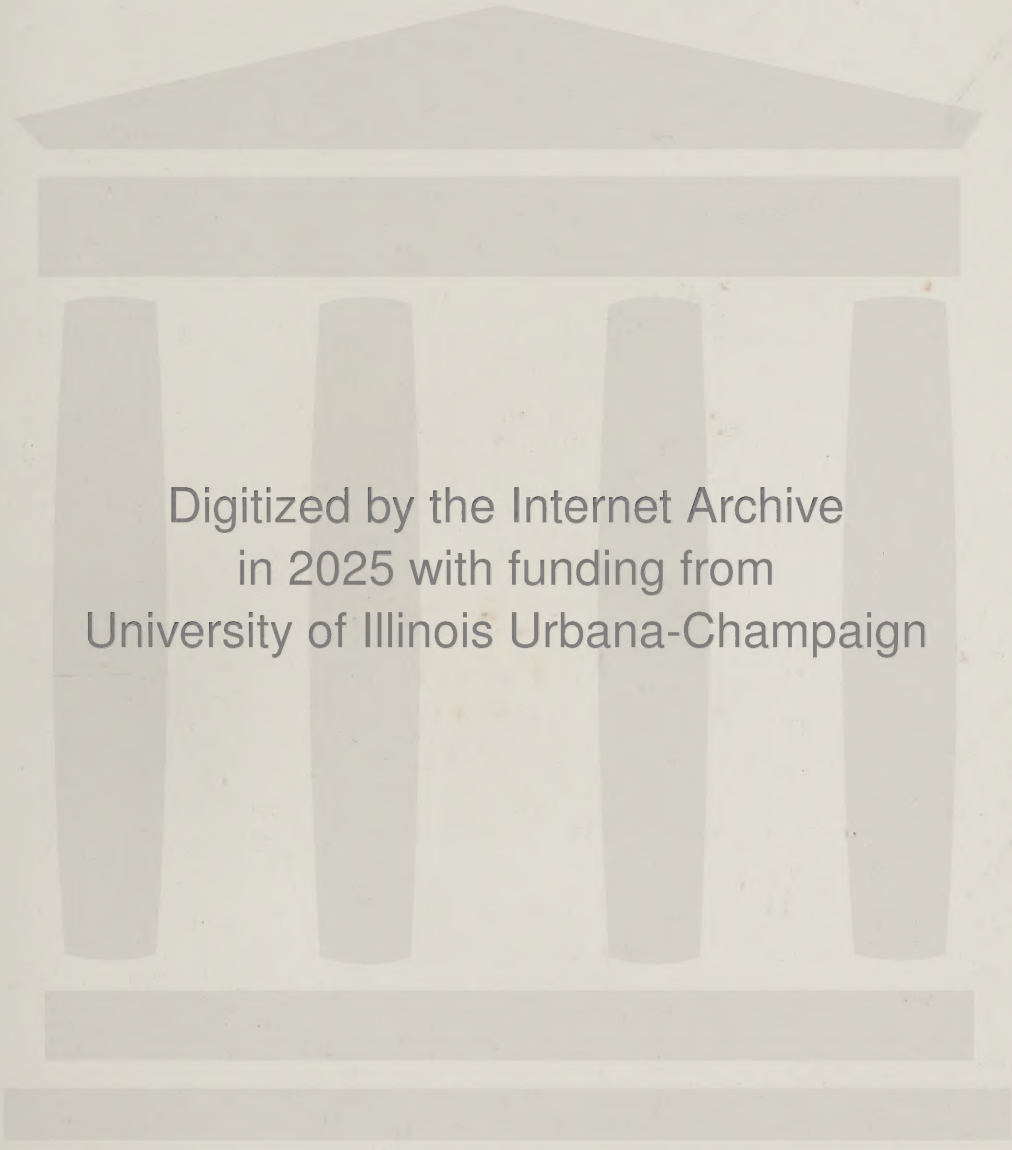


LIBRARY
OF THE
UNIVERSITY
OF ILLINOIS

328.7481
P381
1941
V.1



Digitized by the Internet Archive
in 2025 with funding from
University of Illinois Urbana-Champaign

https://archive.org/details/legislativejour1941penn_0

328.7481
P381
1941
v.1

LIBRARY
UNIVERSITY OF ILLINOIS
URBANA

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, JANUARY 7, 1941. No. 1.

SENATE

January 7, 1941, 12 O'clock Noon

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the members of the Senate together with the Senators-elect chosen at the last general election held on November 5, 1940, assembled in the Senate Chamber.

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) called the Senate to order at 12 o'clock noon.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Our Heavenly Father, may it please Thee to see and hear our devotion unto Thy holy Name this day as we reverently bow before Thee as we begin this regular session of this Senate. We would be properly girded with Thy power and understanding for the duties and responsibilities which devolve upon our shoulders. Momentous issues both of State and nation confront us. Vexatious problems within our Commonwealth must be met and solved. Differences of opinion and methods of operation are inevitable within any legislative hall so that our wisdom ably to cope with all our problems is not sufficient. Teach us to depend heavily upon Thy wisdom. For this we pray in the interest of each Senator here assembled whether he be one for the first time assuming his duties or one whose honorable service hitherto is well-known.

Bless, we pray Thee, the President of the United States as he labors in these troubled times under the heavy burdens of his high office. May the decisions and subsequent applications upon vital issues made by him be attuned to Thy divine plan for us as a people. Make plain Thy ways unto his excellency, the Governor of this Commonwealth and all associated with him in the faithful discharge of the responsibilities of our government. Guide the deliberations of the new Congress and our General Assembly for, who knows but Thee, with what tremendous issues they may be called upon to deal ere this year has sped very far in its way.

Preserve our freedom and democracy that it may not perish from the earth through the evil machinations of those who would willingly destroy them. May we live worthily as a part of that democracy. Temper the minds of all true Americans that we may effect our national defense as though we were one dedicated unto that sacred common cause upon which depends our continued peace and happiness.

Hear the petitions here expressed and unexpressed for Jesus' sake. Amen.

HEICKE
APR 6
V. 1
1941
1 7 M 43

The PRESIDENT. An examination of the Journal of the Senate reveals that only on rare occasions has the President of the Senate made any remarks at the organization of the second Session of his term of the Senate.

However, at this time, the Chair wishes to ask the indulgence of the members of the Senate to permit the Chair to clearly state his position as your presiding officer and make known his official status, as he understands it to be.

Approximately two years ago, to be more specific, on January 17, 1939, after taking the oath of office of Lieutenant Governor, the Chair among other things said:

"I propose to decide impartially without fear or favor all questions of procedure."

During the Regular Session of 1939 and the Special Session of 1940 the Chair conscientiously and steadfastly endeavored to fulfill that pledge; how well he succeeded is a matter of record.

At the assemblying of this Session of the Senate the Chair repeats his pledge to decide impartially without fear or favor all questions of procedure. The change in the political complexion of the Senate from that of 1939 will not influence the Chair as your presiding officer; no individual person or group of persons, political or personal designs or private or personal interests or ambitions will cause the Chair to swerve from this determination. The Chair will be guided only by his conscience, the Constitution, the acts of assembly, and the adopted rules and regulations of this Senate.

RETURNS OF ELECTIONS OF SENATORS IN ODD NUMBERED DISTRICTS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to introduce Honorable S. M. R. O'Hara, the Secretary of the Commonwealth.

The SECRETARY OF THE COMMONWEALTH. Your Excellency and Gentlemen of the Senate of the Commonwealth of Pennsylvania, I have the honor of laying before you Returns of Elections of Senators in the odd-numbered Senatorial Districts of this Commonwealth are, twenty-five in all.

The PRESIDENT. The Clerk will read the election returns.

SENATORS IN THE GENERAL ASSEMBLY

FIRST SENATORIAL DISTRICT

	Anthony J. DiSilvestro	John Da Grossa	Charles Pasner
Philadelphia (part)	67,238	34,241	1

THIRD SENATORIAL DISTRICT

	H. Jerome Jaspan	John R. K. Scott	Edward Jenkins
Philadelphia (part)	19,618	15,424	111

FIFTH SENATORIAL DISTRICT

	Israel Stiefel	Frank M. Lissy
Philadelphia (part)	39,235	23,215

SEVENTH SENATORIAL DISTRICT

	Harry Shapiro	Charles W. Sweeney	Protho Waymon	Herbert A. Pinto	Allen Redmond
Philadelphia (part)	55,054	27,783	358	267	1

NINTH SENATORIAL DISTRICT

	J. Walter Turner	Weldon B. Heyburn	Newlin P. Palmer
Delaware County	57,453	80,501	190

ELEVENTH SENATORIAL DISTRICT

	Frank W. Ruth	Darlington R. Kulp	George M. Rhodes	A. Rachel Heisler	Jacob Lesher	Ralph Bigony
Berks County	47,561	31,548	5,512	336	1	1

THIRTEENTH SENATORIAL DISTRICT

	James N. Lightner	Frederick L. Homsher
Lancaster County	21,572	29,582

FIFTEENTH SENATORIAL DISTRICT

	William C. Dickinson	M. Harvey Taylor
Dauphin County	36,099	42,811

SEVENTEENTH SENATORIAL DISTRICT

	Gideon R. Light	Clarence D. Becker
Lancaster County	9,779	15,117
Lebanon County	12,628	13,818
Total	22,407	28,935

NINETEENTH SENATORIAL DISTRICT

	Robert R. Whiteside	George B. Scarlett	Lloyd Coulston
Chester County	20,913	28,798	1

TWENTY-FIRST SENATORIAL DISTRICT

	Leo C. Mundy	Chas. McCarthy
Luzerne County	55,396	40,210

TWENTY-THIRD SENATORIAL DISTRICT

	John E. Snedeker	Cyrus B. Tyler	Judson N. Bailey
Bradford County	6,752	14,293	138
Susquehanna County	4,954	9,523	81
Wyoming County	2,127	5,465	124
Total	13,833	29,281	343

TWENTY-FIFTH SENATORIAL DISTRICT

	Philo A. Johnson	Thomas B. Wilson
McKean County	6,807	14,475
Potter County	2,651	5,092
Tioga County	4,206	11,539
Total	13,664	31,106

TWENTY-SEVENTH SENATIORIAL DISTRICT

	James F. Kelley	George A. Deitrick
Northumberland County	21,616	26,799
Snyder County	2,255	5,840
Union County	2,029	5,649
Total	25,900	38,288

TWENTY-NINTH SENATORIAL DISTRICT

	Thomas A. Flannery	G. Harold Watkins
Schuylkill County	44,505	46,664

THIRTY-FIRST SENATORIAL DISTRICT

	Hermas L. Weary	George N. Wade
Cumberland County	15,511	15,250
Juniata County	3,495	3,487
Mifflin County	6,565	6,466
Perry County	4,338	5,948
Total	29,909	29,351

LIBRARY UNIVERSITY OF ILLINOIS URBANA

THIRTY-THIRD SENATORIAL DISTRICT

	J. McDowell Sharpe	Paul M. Crider
Adams County	7,324	8,391
Franklin County	12,560	13,032
Total	19,884	21,423

THIRTY-FIFTH SENATORIAL DISTRICT

	*John J. Haluska	Harry E. Simmons	*John J. Haluska	Kenneth A. Beaner	Earl Browder	Dennis Westrick
Cambria County	36,778	34,356	131	507	1	1
	Hiram Andrew	Harry Andrews	H. G. Andrews	Herman E. Baumer	Hiram G. Andrews	Herman Baumer
Cambria County	4	1	5	2	22	2

THIRTY-SEVENTH SENATORIAL DISTRICT

	Bert B. Brumbaugh	Henry I. Wilson	Mary E. Smith
Indiana County	11,249	15,656	279
Jefferson County	8,648	11,408	219
Total	19,897	27,064	498

THIRTY-NINTH SENATORIAL DISTRICT

	John H. Dent	John R. Madden	Elmer E. Myers
Westmoreland County	58,819	45,567	1,110

FORTY-FIRST SENATORIAL DISTRICT

	C. Hale Sipe	Jacob W. Carr	H. T. Goodling
Armstrong County	11,934	14,019	135
Butler County	14,000	18,693	214
Total	25,934	32,712	349

FORTY-THIRD SENATORIAL DISTRICT

	Joseph M. Barr	Owen B. Hannon
Allegheny County	49,202	27,664

FORTY-FIFTH SENATORIAL DISTRICT

	John Fremont Cox	James G. Fulton	Bert E. Kabo
Allegheny County	82,091	74,433	542

FORTY-SEVENTH SENATORIAL DISTRICT

	J. K. McQuiddy	W. Sharp Fullerton	Paul C. Millard
Beaver County	31,601	24,854	322
Lawrence County	17,349	19,431	386
Total	48,950	44,285	708

FORTY-NINTH SENATORIAL DISTRICT

	Everett F. Zurn	Joe Ziesenheim	Ford A. Persons
Erie County	32,418	34,329	179

The PRESIDENT. From the returns just read I declare the following Senators duly elected:

First District—Anthony J. DiSilvestro.
Third District—H. Jerome Jaspan.
Fifth District—Israel Stiefel.
Seventh District—Harry Shapiro.
Ninth District—Weldon B. Heyburn.
Eleventh District—Frank W. Ruth.
Thirteenth District—Frederick L. Homsher.
Fifteenth District—M. Harvey Taylor.
Seventeenth District—Clarence D. Becker.
Nineteenth District—George B. Scarlett.
Twenty-first District—Leo C. Mundy.
Twenty-third District—Cyrus B. Tyler.
Twenty-fifth District—Thomas B. Wilson.
Twenty-seventh District—George A. Deitrick.
Twenty-ninth District—G. Harold Watkins.
Thirty-first District—George N. Wade.
Thirty-third District—Paul M. Crider.
Thirty-fifth District—John J. Haluska.
Thirty seventh District—Henry I. Wilson.
Thirty-ninth District—John H. Dent.
Forty-first District—Jacob W. Carr.
Forty-third District—Joseph M. Barr.
Forty-fifth District—John Fremont Cox.
Forty-seventh District—J. K. McQuiddy.
Forty-ninth District—Joe Ziesenheim.

The PRESIDENT. Those gentlemen I have declared to have been elected, I will ask to approach the rostrum in order that they may take the oath of office, which will be administered by a former member of this body, Hon. John E. Fox, a member of the Dauphin County Courts.

The Clerk will call the names of the Senators to be sworn. Those who swear by the Bible will present themselves first and those with uplifted hand second and those who affirm last.

The PRESIDENT. The Chair believes it would be well, for the convenience of the Senators and the visitors, as well as the Chair, if the baskets of flowers are removed from the desks of the Senators.

ROLL CALL

The Chief Clerk called the roll and the following Senators were present:

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,

Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,	Kephart,	Snowden,	Ziesenheim,

The PRESIDENT. A quorum of the Senate being present the Senate will proceed with its business.

LEAVES OF ABSENCE

Mr. GELTZ asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, for the month of January.

Mr. SHAPIRO asked and obtained leave of absence for the Senator from Luzerne, Mr. MUNDY.

NOMINATIONS FOR PRESIDENT PRO TEMPORE

Mr. GELTZ. Mr. President, I move that the Senate do now proceed with election of a President Pro Tempore.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

Mr. MALLERY. Mr. President and Members of the Senate, my colleagues on the right have given me a most pleasing assignment, which is to place in nomination for the office of President Pro Tempore of the Senate the Honorable Charles H. Ealy of Somerset County.

Senator Ealy for a period of over fourteen years has served his constituents and the great Commonwealth of Pennsylvania zealously and with great fidelity.

I therefore take pleasure in placing in nomination for the honorable office of President Pro Tempore of the Senate the Honorable Charles H. Ealy, of Somerset County, being assured he will perform all of the duties pertaining to that high and honorable office with honor and distinction.

The PRESIDENT. Are there any other nominations?

Mr. LANIUS. Mr. President, I respectfully place in nomination for the high office of President Pro Tempore of the Senate the Honorable Harry S. Shapiro, Senator from Philadelphia.

Mr. COLEMAN. Mr. President and Members of the Senate, no more pleasant assignment could be given to me in my service than this of rising to second the nomination of the gentleman from Philadelphia, Mr. Shapiro.

> Some ships sail East and others West,
> While the self same breezes blow,
> But it's the set of the sails and not the gales,
> That bids them where to go,—

Guiding the good ship democracy into the port of good government, and while he might have tempestuous sailing, we are confident he himself and his colleagues are bound to reach their destination.

I never have seen anybody on the floor of the Senate who is able to fight as effectively on the floor as is the gentleman from Philadelphia.

Every ten years in this world from this human existence there appears and disappears into the dim dust of that eternity that lies beyond five hundred million human souls and out of that vast number there is but a mere handful that has made any lasting impression on society, and that handful is made up of men, and women too, who have spent the greater part of their lives fighting for an ideal.

I have seen the gentleman from Philadelphia attacked on the floor of the Senate, even abused, and always he would meet the opposition first with a smile and then with arguments, plain, direct and effective, that invariably challenged the admiration of the opposition.

I like the type of leadership that Senator Shapiro represents, not the type that makes you follow but rather the type that inspires following.

I am definitely certain, Mr. President, that his appointment as President Pro Tempore of this Senate will be in line with the policy of appointing one of the outstanding members of the General Assembly to that particular office.

I know of no man who has a greater grasp on the fiscal picture of the Commonwealth, no man who has as profound a knowledge of government problems as this same gentleman from Philadelphia, and I consider it a rare privilege and an honor to be able to second the nomination of my colleague for President Pro Tempore of the Senate, the gentleman from Philadelphia, Mr. Shapiro.

Mr. JAMES. Mr. President, it affords me great honor to second the nomination of my colleague from Somerset County, the Honorable Charles H. Ealy, as President Pro Tempore.

His record in the Senate speaks for itself and requires no elaboration by me in telling how we appreciate what he has done in behalf of the Commonwealth and the people of the Commonwealth of Pennsylvania.

It, therefore, Mr. President, affords me the greatest pleasure to second the nomination of the Honorable Charles H. Ealy and I, therefore, second the nomination.

Mr. CAVALCANTE. Mr. Chairman, as I desire to vote as my conscience and duty impel me, I want to vote for a member of this Senate that I feel deserves my vote.

I recall very distinctly in the Session of 1935 we were but nineteen Democratic Senators in this House, and there were thirty-one Republicans, and during that Session the things that transpired were unparalled with any other Session that could transpire for many years, and those nineteen Democratic Senators had been referred to often and often in this State as the nineteen immortals.

Among those nineteen, Mr. President, were men who had served the Democratic party faithfully and loyally, right during that Session and every Session since then, served faithfully and loyally not only their party but the constituents of this Commonwealth.

I am very sensitive, Mr. President, of the fact that here today, regardless of how I vote, the majority side of this House will succeed in electing the Honorable Charles H. Ealy as President Pro Tempore of this Senate, and with that in mind my conscience dictates and my duty impels that I show that degree of affection that one mortal ought to show to another in respecting one of those nineteen immortals who had also served his party and his constituents faithfully and loyally prior thereto.

I wish to vote and I want the record to show that I am casting my vote for the Honorable Henry E. Lanius.

Mr. REED. Mr. President, I wish to preface my vote by a few remarks. I deem it my duty to vote for a man whom I have known in the Democratic party from way back through the years. I knew him when he served faithfully in the House; I knew him later as he came to this body; he was one of the faithful men in the Democratic party in this Commonwealth, when that party was very weak. He was a very active man in the party up until the time that he lost his sight, and since that time he has continued to stand for the outstanding princi-

ples of Jefferson and the former leaders of that great party.

I may never have another opportunity to show my honor to that distinguished Democrat and I deem it a duty, a conscientious duty, to vote for a man who has been faithful over a few things in the Democratic party back through the years, and I, therefore, cast my vote and I desire that it be recorded as such, for my friend and colleague, the Honorable Henry E. Lanius, of the great county of York.

Mr. SHAPIRO. Mr. President, in following the usual custom of voting as a matter of courtesy for my opponent I want to take advantage of this occasion to say that it is more than a mere courtesy to have the privilege of extending my vote for the gentleman from Somerset, the Honorable Charles H. Ealy.

In fact, through the years I have been here I have learned to respect and admire him and have found him a very able opponent and a very respectful one and nothing gives me greater pleasure than to cast my vote for my good friend the Senator from Somerset, the Honorable Charles H. Ealy.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. Are there any further nominations?

There being none the Chair suggests a motion that nominations be closed.

Mr. GELTZ. Mr. President, I move that the nomination for President Pro Tempore be closed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the President Pro Tempore the Chief Clerk will call the roll, and the clerks of the Senate will act as tellers. The candidates are the Honorable Charles H. Ealy, of Somerset County, the Honorable Henry E. Lanius, of York County, and the Honorable Harry Shapiro, of Philadelphia County.

The roll was called and resulted as follows:

FOR MR. EALY

Bartlett,	Edmonds,	Mallery,	Thomas,
Becker,	Farrell,	Miller,	Tyler,
Carr,	Geltz,	Scarlett,	Wade,
Chapman,	Heyburn,	Shapiro,	Walker,
Crider,	Homsher,	Snowden,	Watkins,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Deitrick,	Kephart,	Tallman,	Wilson, T. B.,
	Letzler,	Taylor,	Ziesenheim,

FOR MR. SHAPIRO

Barr,	DiSilvestro,	Lanius,	Mundy,
Coleman,	Ealy,	McCreesh,	Ruth,
Cox,	Frey,	McGinnis,	Stiefel,
Dent,	Haluska,	McQuiddy,	

FOR MR. LANIUS

Cavalcante,	Jaspan,	Reed,

The PRESIDENT. The Clerks agree in their tally, and the results show that the Honorable Charles H. Ealy received 31 votes, the Honorable Harry Shapiro received 15 votes and the Honorable Henry E. Lanius received 3 votes. The Chair declares the Honorable Charles H. Ealy elected President Pro Tempore of the Senate of Pennsylvania.

APPOINTMENT OF COMMITTEE TO ESCORT PRESIDENT PRO TEMPORE TO THE CHAIR

The PRESIDENT. The Chair appoints the following Committee to escort the President Pro Tempore to the rostrum to be sworn in.

The Senator from Blair, Mr. Mallery, the Senator from Lackawanna, Mr. Coleman, and the Senator from Philadelphia, Mr. Shapiro.

The Committee escorted the President Pro Tempore to the rostrum.

Mr. MALLERY. Mr. President, this Committee is honored to present the President Pro Tempore, the Honorable Charles H. Ealy.

The PRESIDENT. The Committee is discharged, with the thanks of the Senate.

ADMINISTRATION OF OATH TO THE PRESIDENT PRO TEMPORE

The PRESIDENT. The oath of office will be administered to the newly elected President Pro Tempore by the Honorable John E. Fox, of Dauphin County.

The oath of office was accordingly administered.

The PRESIDENT. The Chair now has the honor of presenting to the members of the Senate the newly elected President Pro Tempore of the Senate, the Honorable Charles H. Ealy, of Somerset County.

Mr. EALY. Mr. President, and Members of the Senate, I appreciate very deeply the honor conferred upon me by this election. It is some satisfaction to have received this position at the close of a service longer than the average term of Senators rather than at an earlier date, through some unexpected upturn of events.

The times demand our best service and I hope in the deliberations of this body we may as far as humanly possibly banish partisanship from our considerations, and may we remember in the long run the best service is the best politics.

It seems to be customary for an elected President Pro Tempore to make a few remarks when he is inducted into office and I hope I may be pardoned in taking this opportunity to say just a few words, not merely to the members of this body, but to our constituents in general.

As individuals and as groups and as municipal subdivisions we are too prone to turn to the central government for assistance in every real or supposed emergency; consequently our government has become very complex. I think we have too much government. I would that as citizens we might become more self-reliant; that the stronger might be more ready to sacrifice for those who need; and that those who make a finanical demand on the government be brought to realize that gratuities mean higher taxes and more regulation and in the end frequently fall with a greater weight on those already in want.

I would that this great Commonwealth of Pennsylvania might set an example for the other states in the Union in solving its own problems so that the hand of Federal bureaucracy may be prevented from seizing control of our schools, of our churches, and other affairs which belong purely to our own State.

It surely can not be a matter of partisanship, or so regarded, that we seek to maintain the integrity of the State as a separate entity under our system of constitutional government.

There is another matter: the business of legislating for the Commonwealth should be regarded not merely as a matter for the members of the Assembly but for all the people. Government should be the concern of all,

and no other State has so many problems because no other State has so many diversified interests.

During a session of the Legislature the members are constantly importuned by citizens and associations which seek some change in the law for their supposed benefit. It is right and proper that we hear their arguments and give them full consideration.

But I have often wished, Mr. President, that we might have disinterested advice on many questions which come before us. I have wished that those of sound judgment and unaffected by self-interest might give us their reasons why laws should be passed or rejected. Such advice is needed now more than ever before.

I express a hope that in the serious affairs of these times our people might come to a fuller realization of their responsibilities as members of our government; that legislation be sought after, not for personal advantage merely but for the welfare of the whole people, and I trust that it is not too much to hope that we, as members of this Assembly, and our people generally, may become more tolerant of the viewpoint of the other; that we may press with what vigor we possess the honest convictions of our hearts, but that at the same time we may accord the same right to those of opposite views and may not unjustly condemn them as false and corrupt.

I bespeak for this Legislature the help and cooperation of the people of our State, and I shall use my best endeavors to fulfill in a faithful manner the trust which is reposed in me.

Thank you.

NOMINATIONS FOR SECRETARY OF THE SENATE

Mr. GELTZ. Mr. President, I nominate for the secretary of the Senate the Honorable George F. Holmes, of Philadelphia.

Mr. STIEFEL. Mr. President and Members of the Senate, I deem it a signal honor to nominate for the secretaryship of the Senate a person whose service during the 1936 Special Session, during the Session of 1937, and during the Session of 1938 established a new high mark in ability, sterling devotion and unexcelled application, a man whose affability left an indelible impression upon the membership of this august body—the Honorable John C. Morlock, of Philadelphia.

Mr. DiSILVESTRO. Mr. President and Members of the Senate, I consider it both a privilege and an honor to second the nomination of John C. Morlock, a man for whom I have the highest regard as to his integrity and his honesty and I think he is a very very able candidate for the secretaryship of this Senate.

Mr. HEYBURN. Mr. President, I am happy to be directed by the Republican Caucus to second the nomination of George F. Holmes, of Philadelphia, for the secretaryship of this Senate.

SENATOR MUNDY REPORTED PRESENT IN THE SENATE

Mr. SHAPIRO. Mr. President, may I take advantage of the lull in the proceedings to announce the earnest and speedy recovery of my colleague, the Senator from Luzerne, Senator Mundy, and his presence in the Senate.

The PRESIDENT. The Chair has noted the presence of the Senator from Luzerne, Dr. Mundy.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. Are there any further nominations?

There being none the Chair suggests a motion that nominations be closed.

Mr. GELTZ. Mr. President, I move that the nomination for Secretary of the Senate be closed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the Secretary of the Senate, the Chief Clerk will call the roll, and the clerks of the Senate will act as tellers. The candidates are the Honorable George F. Holmes, of Philadelphia, and the Honorable John C. Morlock, of Philadelphia.

The roll was called and was as follows:

FOR MR. HOLMES

Bartlett,	Edmonds,	Mallery,	Tyler,
Becker,	Farrell,	Miller,	Wade,
Carr,	Geltz,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,
Ealy,	Letzler,	Thomas,	

FOR MR. MORLOCK

Barr,	DiSilvestro,	McCreesh,	Reed,
Cavalcante,	Frey,	McGinnis,	Ruth,
Coleman,	Haluska,	McQuiddy,	Shapiro,
Cox,	Jaspan,	Mundy,	Stiefel,
Dent,	Lanius,		

The PRESIDENT. George F. Holmes, having received 31 votes, and John C. Morlock having received 18 votes, I therefore declare George F. Holmes, of Philadelphia, duly elected Secretary of the Senate.

NOMINATIONS FOR CHIEF CLERK OF THE SENATE

Mr. GELTZ. Mr. President, I nominate for Chief Clerk of the Senate, the Honorable William J. Ridge.

Mr. JAMES Mr. President, it is my privilege to second the nomination of William J. Ridge.

Mr. HALUSKA. Mr. President, it is my honor and privilege to present the name of a young man from my county, whom I have known for a great many years, who is well fitted to fill this post, and who, I believe, like the present Clerk of the Senate, would serve this body with honesty, fidelity and distinction.

Therefore, I present the name of Mr. Sheldon C. Schettig, of Cresson, Pennsylvania.

Mr. DENT. Mr. President, it gives me pleasure to second the nomination of Sheldon C. Schettig, of Cresson, Pennsylvania.

ADMINISTRATION OF OATH OF OFFICE TO THE SENATOR FROM LUZERNE, MR. MUNDY

The PRESIDENT. The Members of the Senate will recall that leave of absence was requested for the Senator from Luzerne, Dr. Mundy. The Chair notes that Dr. Mundy is now present in the chamber and the Chair therefore requests that the Senator from Luzerne, Dr. Mundy, come forward and take the oath of office. Judge Fox will now administer the oath.

The oath was accordingly adminstered by the Honorable John E. Fox.

ELECTION OF CHIEF CLERK

The PRESIDENT. Are there any further nominations? There being none the Chair suggests a motion that nominations be closed.

Mr. GELTZ. Mr. President, I move that the nomination for Chief Clerk of the Senate be closed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the Chief Clerk of the Senate, the Clerk will call the roll, and the clerks of the Senate will act as tellers. The candidates are the Honorable William J. Ridge, of Tioga County and the Honorable Sheldon C. Schettig, of Allegheny County.

The roll was called as follows:

FOR MR. RIDGE

Bartlett,	Edmonds,	Mallery,	Tyler,
Becker,	Farrell,	Miller,	Wade,
Carr,	Geltz,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,
Ealy,	Letzler,	Thomas,	

FOR MR. SCHETTIG

Barr,	DiSilvestro,	McCreesh,	Reed,
Cavalcante,	Frey,	McGinnis,	Ruth,
Coleman,	Haluska,	McQuiddy,	Shapiro,
Cox,	Jaspan,	Mundy,	Stiefel,
Dent,	Lanius,		

The PRESIDENT. William J. Ridge, having received 31 votes and Sheldon C. Schettig having received 18 votes, I therefore declare William J. Ridge, of Tioga County, duly elected Chief Clerk of the Senate.

NOMINATIONS FOR LIBRARIAN OF THE SENATE

Mr. GELTZ. Mr. President, I nominate for the post of Librarian of the Senate, the Honorable Alex. S. Cooper, of Dauphin County, as Senate Librarian.

Mr. JAMES. Mr. President, it gives me great pleasure to second the nomination of Alex. S. Cooper.

Mr. BARR. Mr. President and Members of the Senate, I take great pleasure in nominating for Librarian of the Senate a man who has the wisdom and has had experience in the Senate of Pennsylvania, the Honorable John E. Philbin.

Mr. COX. Mr. President, I rise to second the nomination of John E. Philbin, of the City of Pittsburgh.

ELECTION OF LIBRARIAN

The PRESIDENT. Are there any further nominations? There being none the Chair suggests a motion that nominations be closed.

Mr. GELTZ. Mr. President, I move that the nomination for Senate Librarian be closed.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the Librarian of the Senate, the Chief Clerk will call the roll, and the clerks of the Senate will act as tellers. The candidates are the Honorable Alex. S. Cooper, of Dauphin County, and the Honorable John R. Philbin, of Cambria County.

The roll was called and was as follows:

FOR MR. COOPER

Bartlett,	Edmonds,	Mallery,	Tyler,
Becker,	Farrell,	Miller,	Wade,
Carr,	Geltz,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,
Ealy,	Letzler,	Thomas,	

FOR MR. PHILBIN

Barr,	DiSilvestro,	McCreesh,	Reed,
Cavalcante,	Frey,	McGinnis,	Ruth,
Coleman,	Haluska,	McQuiddy,	Shapiro,
Cox,	Jaspan,	Mundy,	Stiefel,
Dent,	Lanius,		

The PRESIDENT. The Chair announces the results of the election of Librarian: Alex. S. Cooper, 31 votes; John R. Philbin, 18 votes. The Chair declares Alex. S. Cooper elected Librarian of the Senate of Pennsylvania.

OATHS OF OFFICE ADMINISTERED TO OFFICERS OF THE SENATE

The PRESIDENT. The officers elect of the Senate, George F. Holmes, Secretary of the Senate; William J. Ridge, Chief Clerk of the Senate; and Alex. S. Cooper, Librarian of the Senate, will approach the rostrum in order that the oath of office may be administered.

Oath of Office was administered by Honorable John E. Fox.

RESOLUTION THANKING THE HONORABLE JOHN E. FOX FOR ADMINISTERING THE OATHS

Mr. ZIESENHEIM offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That the thanks of the Senate are hereby tendered to Honorable John E. Fox, Judge of the Court of Common Pleas of Dauphin ounty for his service in qualifying the newly elected Senators, the President Pro Tempore and the several officers of the Senate.

NOTIFICATION TO THE HOUSE

Mr. DEITRICK offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That a committee of three be appointed to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business.

NOTIFICATION TO THE GOVERNOR

Mr. CROWE offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That a committee of three be appointed to await upon his Excellency, the Governor, and inform him that the Senate is organized and ready to receive any communicaitons he may be pleased to make.

AUTHORIZING APPOINTMENT OF COMMITTEES

Mr. EDMONDS offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That the President Pro Tempore of the Senate be authorized to appoint all special and standing committees of the Senate, and shall be ex-officio a member of all special and standing committees.

APPOINTMENT OF COMMITTEE TO NOTIFY THE HOUSE

The PRESIDENT. The President Pro Tempore appoints the following committee to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business:

The Senator from Northumberland, Mr. Deitrick; the Senator from Cumberland, Mr. Wade; and the Senator from Berks, Mr. Ruth.

APPOINTMENT OF COMMITTEE TO NOTIFY GOVERNOR

The PRESIDENT. The President Pro Tempore appoints the following committee to notify the House of Representatives that the Senate is duly organized and ready to receive any communications he may be ready to make.

The Chair requests that the committee immediately proceed to perform its duties.

INTRODUCTION OF THE SECRETARY OF THE COMMONWEALTH

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to introduce the Secretary of the Commonwealth, the Honorable S. M. R. O'Hara.

The SECRETARY OF THE COMMONWEALTH. Your Excellency and gentlemen of the Senate, I have several communications to place before your honorable body.

I have the honor to present the Returns of the Election for the office of Auditor General of the Commonwealth of Pennsylvania.

I have likewise the honor to present Returns of Election for the office of State Treasurer of the Commonwealth of Pennsylvania.

The PRESIDENT. Pursuant to the provisions of the Constitution those returns will be computed in the Joint Session of the Legislature.

The SECRETARY OF THE COMMONWEALTH. Your Excellency and Members of the Senate, I also have the honor to present Returns of the Secretary of the Commonwealth of Publications of Proposed Amendments to the Constitution adopted by the General Assembly in the last Session of the Legislature.

TELLER TO COMPUTE AND COUNT VOTE FOR STATE TREASURER AND AUDITOR GENERAL

Mr. THOMAS offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That the Senator from Northampton County, Mr. BARTLETT, be appointed Teller on the part of the Senate for the purpose of witnessing the opening, computing and counting the vote for Auditor General and State Treasurer.

POSTAGE ON THE LEGISLATIVE JOURNAL

Mr. FARRELL offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the Bills, Calendars and Histories be provided for in the Appropriation Bill.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

WHEN BILLS AND JOINT RESOLUTIONS MAY BE INTRODUCED

Mr. HOMSHER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That no bills shall be presented in the Senate until after the appointment of the standing committees of the Senate.

PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES

Mr. MILLER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That all petitions, memorials and remonstrances be presented by handing the same to the Chief Clerk, properly endorsed with the date thereon, in accordance with the practice of the last session.

PRINTING OF GOVERNOR'S APPOINTMENTS

Mr. LETZLER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, December 7, 1941.

Resolved, That the list of appointments which may be sent to the Senate by the Governor, as having been made during the recess be printed for the use of the Senate under the direction of the Chief Clerk.

NOTARIES PUBLIC TO BE LAID ON THE TABLE

Mr. JAMES offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Whereas, The reference to committee of nominations by the Governor for appointment of Notaries Public has resulted in the past in duplication of printing and an avoidable expense in the matter of printing, therefore, be it,

Resolved, That nominations by the Governor for the appointment of Notaries Public be laid on the table until further actions.

REPORT OF THE COMMITTEE TO WAIT UPON THE GOVERNOR

Mr. CROWE. Mr. President, the Committee appointed to wait upon the Governor and inform him that the Senate is organized and ready to receive any communications he may be pleased to make, has performed that duty, and the Governor advised the committee he will address the Joint Sessions of the Legislature at 5:30 p. m. in the House.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

TIME OF NEXT MEETING

Mr. SCARLETT offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, January 13, 1941, at 4:00 p. m., and when the House of Representatives adjourns this week it reconvene on Monday, January 13, 1941 at 9:00 o'clock p. m.

The PRESIDENT. The Senator will note the time of convening of the Senate will be four o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session this afternoon at three-thirty o'clock.

ARTHUR H. JAMES.

Mr. CHAPMAN offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in joint session Tuesday, January 7, 1941, at 3:30 p. m. o'clock in the Hall of the House of Representatives for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer held Tuesday, November 5, 1940, in the several counties of this Commonwealth, and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF COMMITTEE OF NOTIFICATION TO THE HOUSE

Mr. DEITRICK. Mr. President, the Committee appointed by the Senate to notify the House of Representatives that the Senate is duly organized and ready to proceed with its business, desires to report that it has performed that duty.

The PRESIDENT. The Committee is discharged with the thanks of the Senate.

ELECTION OF TRANSCRIBING CLERK

Mr. CHAPMAN offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, That Grant K. Pulen, Luzerne County, be elected Transcribing Clerk to fill vacancy caused by resignation of John B. Thomas.

ANNUAL REPORT OF THE LEHIGH NAVIGATION COMPANY

The PRESIDENT. The Chair is in receipt of the annual report of the Lehigh Navigation Company, which under the statutes is required to make an annual report.

It will be spread upon the Journal.

REPORT OF THE LEHIGH COAL AND NAVIGATION CO.

December 18, 1940.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in the General Assembly met:

In compliance with the requirements of the 19th Section of the Act of Assembly, passed March 20, 1818, entitled "An Act to Improve the Navigation of the River Lehigh," I would respectfully report that the tolls received on the Lehigh Navigation during the year 1940 amount to THREE THOUSAND FOUR HUNDRED FIFTY-EIGHT DOLLARS AND SIXTY-SIX CENTS ($3,458.66), according to the returns made to this office.

Very truly yours,
HENRY H. PEASE,
Secretary.

State of Pennsylvania }
County of Philadelphia } ss:

Before me, the subscriber, a Notary Public of the County of Philadelphia and State of Pennsylvania, personally appeared on this eighteenth day of December, A. D. 1940, HENRY H. PEASE, Secretary of the LEHIGH COAL AND NAVIGATION COMPANY, who being duly affirmed according to law, did depose and say that the above statement is just and true to the best of his knowledge, information and belief.

HENRY H. PEASE.

Affirmed and subscribed before me the day and year aforesaid:

M. H. EDMUNDS,
Notary Public.

ADOPTION OF RULES OF SENATE

Mr. GELTZ. Mr. President, I present the proposed new rules for the Senate and move their immediate adoption.

There are, Mr. President, I might say at this time, some minor changes made from the rules of the last session and if it is the desire of any of my colleagues I will be glad to designate the changes.

Mr. EDMONDS. Mr. President, I second the motion of the Senator from Allegheny, Mr. Geltz.

On the question,

Will the Senate agree to adoption of the rules?

Mr. SHAPIRO. Mr. President, the gentleman from Allegheny, Senator Geltz, has been very courteous in allowing me to examine these rules before they were presented for adoption, and I find that some of the changes are constructive changes and I have no criticism to make of them.

However, Mr. President, I do feel I should comment on the change made in Rule No. 29, which is the rule dealing with the disposing of our rules. It read originally: "The consent of two-thirds of the members present shall be necessary to suspend any rule . . ."

The amendment now is "The consent of a majority of the members elected shall be necessary to suspend the rule."

The second paragraph read originally: "The consent of two-thirds of all members elected to the Senate shall be

necessary to alter, change or amend these rules." This has been changed to a majority.

With the second amendment, Mr. President, I do not think there can be serious quarrel because I assume a majority of the members of the body should have the right to make or alter the rules, but when it comes to the question of suspension of the rules, which involves at times some important questions, I think such a change requires comment.

I think this situation is one apparently of expediency. I think my friends on the other side have dealt with many subjects on a basis of expediency and I think the results of the action of the people should convince them that expediency, like a hard case, makes bad law.

I have heard a great deal said about the desire or the necessity of both parties getting together and working in harmony. Well, Mr. President, this does not seem to me like an indication that is going to be the program.

In the first instance, Mr. President, as we gather together, this is notice that since you have a majority, and do not have two-thirds, you will change the rules so that they will fit to the occasion, and again you resort to expediency.

I think this should stop; I think it is a bad rule, and I propose, for that reason to vote against the rule.

Mr. CAVALCANTE. Mr. President, on the question before the Senate I think that the Journal of this body will show that we have been consistently fighting for the principles of democracy—democracy as we understand it—in this body. In order to permit the spirit of democracy to prevail it is necessary that the minority be heard once in a while, that the minority have some rights and privileges, and, Mr. President, I am firmly convinced that any democracy in this body can only be heard, can only be sustained and promoted if the minority has within its reach a rule whereby they can bring on the floor of this Senate any question of the moment, any question that pertains to the public good, any question that pertains to this great democracy of ours, and I am going to vote against the change in that rule because I sincerely believe that a smaller number than a constitutional majority ought to have the privilege at any time of bringing on the floor of this Senate a question of great importance to the people of this Commonwealth and probably the nation.

I sincerely believe that any fifteen members of this body ought at any time to have the privilege and the right, under this democracy of ours, if we are going to preserve it and see that it works, to bring on the floor of this Senate and obtain an expression of every member of this Senate upon any kind of important question; so therefore I intend to vote against that change because twenty-six is too much.

Mr. GELTZ. Mr. President, I should like to interrogate the Senator from Fayette.

The PRESIDENT. Will the Senator from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. With pleasure, Mr. President.

Mr. GELTZ. Mr. President, does the Senator from Fayette object to the change in the first part of Rule 29, the change in the second part, or both?

Mr. CAVALCANTE. I can not answer that question, Mr. President, because we do not have a copy of the rules on our desks and we do not know what they are, we do not know what changes have been made. This is another point in which democracy is not going to work if one or two members of this Senate get together and read the rules over amongst themselves and then bring them here in this body and attempt to jam them down the throats of the rest of us.

As one member of this Senate, Mr. President, I do not intend to have any rules jammed down my throat or forced upon me without knowing what they are. I do not know what the changes are.

Mr. GELTZ. Mr. President, are we to understand that our colleague from Fayette is objecting to everything or is he objecting to some specific thing?

Mr. CAVALCANTE. Mr. President, I am objecting to every change in these rules until I have them on my desk and see what the changes are.

Mr. GELTZ. Mr. President, in answer, or in attempted answer, to our colleague from Philadelphia, in connection with his objection to the change in Rule No. 29, I understood the Senator from Philadelphia, Mr. Shapiro, to say that he did not object to the change in the second paragraph but he did object to the change in the first paragraph.

Now, Mr. President, I can understand why there might be some question in his mind but I can not understand why he is so ready and willing to impugn improper motives to the Republican Senators in an endeavor to change, in line with what appears to be the desire of my colleagues on the other side, as expressed by the gentleman from Fayette, Senator Cavalcante, that we should do things in a democratic way, to allow the majority to control instead of making necessary some greater fixed determined number in order to do things.

Now, Mr. President, we propose to change this rule so that in connection with those paragraphs, instead of it being necessary for a two-thirds vote it is proposed that we have only a majority vote.

Rule No. 29 deals with the dispensing of the rules. The first paragraph of these rules under which we operated in the last session provided that the consent of two-thirds of the members present shall be necessary to suspend any rule.

Now, Mr. President, we propose to change "consent" to "a majority of all the members elected shall be necessary to suspend any rules," which we believe fits in with our democratic ideas and our democratic system of majority rule.

The second paragraph, Mr. President, provided under the old rules that the consent of two thirds of all members elected to the Senate shall be necessary to alter, change or amend these rules.

The change which we propose is that consent of a majority of all of the members elected to the Senate shall be necessary to alter or change or amend these rules.

Now, Mr. President, if I understand correctly, the Senator from Philadelphia, Mr. Shapiro, has no objection to the second paragraph. I will admit that there was some feeling on the part of some of our Republican colleagues along the same lines. However, Mr. President, in discussion, we came to the conclusion that it was rather inconsistent to have a two-thirds vote necessary to suspend a rule when all we needed was a majority vote to alter, amend or change a rule.

In other words, Mr. President, if we endeavored to resort to the tactics which have been impugned to us so far we would not need to endeavor to suspend any rule when by a majority vote we could just go ahead and amend, alter or change the rule and arrive at the same point anyway.

Therefore, Mr. President, it seems to me, if we are going

to be consistent in connection with Rule 29 relative to the two paragraphs, that the word "majority" should appear in both paragraphs.

The PRESIDENT. Discussion of Rules postponed. The Chair requests that the Senate defer further discussion on the matter before the Senate until we receive a message from the Secretary of His Excellency the Governor of the Commonwealth, who wishes to present a communication.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid on the table.

RESUMPTION OF DISCUSSION OF RULES OF SENATE

The question,

Will the Senate agree to the motion?

Mr. REED. Mr. President, I may have been overlooked, but I have no copy of the proposed changes in the rules on my desk and neither do I have a copy of the old rules, and I do not see how a member of this Senate can consistently consider those changes and vote intelligently unless he has the old rules before him and also a copy of the proposed changes.

MOTION TO LAY RULES ON TABLE

Mr. REED. Therefore, Mr. President, I move that this matter be laid on the table until each Senator has on his desk a copy of the old rules and also a copy of the proposed changes.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EALY. Mr. President, it is necessary that this body have rules before it can proceed with its business. I therefore suggest, Mr. President, that the motion made by the Senator from Washington be withdrawn or voted down, to enable the Senator from Allegheny, Mr. Geltz, to take up in detail these changes and indicate to the members of this Senate what the changes are.

I may say, Mr. President, I think there should be a full disclosure of what the proposed changes are and I will therefore ask the Senator to withdraw his motion and permit the matters to be gone over in detail.

If that is not done, Mr. President, I will ask my colleagues to vote down this motion.

I might say, Mr. President, as to the gentleman not having the booklet containing the rules of the Senate, the rules will be found in the Pennsylvania Manual, a copy of which each Senator should have in his desk, I am sure, if he does not have the little booklet.

Mr. DENT. Mr. President, in line with the suggestion made by the gentleman from Somerset I think I may suggest too that instead of going through the rules and giving us the proposed changes, verbally or orally, suppose we vote for the present rules as they are, and then when the changes are printed or typed so that we can see what they do to the rules, then we can vote intelligently on the proposed changes; but by voting for the rules in effect today the Senate will have rules of order.

SUSPENSION OF DISCUSSION OF CHANGES IN RULES

The CHAIR. Again the Chair requests that the Senate suspend discussion of the matter before the Senate for the time being, in order that we may receive a report of a Committee from the House.

NOTIFICATION FROM HOUSE OF REPRESENTATIVES THAT IT IS ORGANIZED AND READY TO PROCEED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor of presenting a committee on behalf of the House of Representatives.

Mr. LOVETT. Mr. President, this Committee is instructed by the House of Representatives to inform the Senate that the House is duly organized and ready to proceed with its business.

The PRESIDENT. On behalf of the Senate the Chair wishes to extend thanks of the Senate to the Committee and to apologize for keeping the Committee waiting. The Chair thought the members of the Committee were spectators who had come here to learn something.

RESUMPTION OF DISCUSSION REGARDING RULES OF SENATE

And the question recurring,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I agree with the gentleman from Somerset that we must have rules; but we should also keep in mind the purpose of rules in a body of this kind. Mr. President, the rules are not for the protection of the majority in a body of this character, and if some of us were interested in that point during the session of 1939 I placed on the records of this Senate what the Jefferson Manual said on that point, as well as other eminent authorities.

Mr. President, the rules are not for the protection of the majority because a majority is sufficiently strong in number to protect themselves by outvoting everybody. The rules, Mr. President, are fixed and adopted in order to protect the minority, to give the minority its voice so that it can be heard on those problems that come up before us, but how in the name of common sense is a minority going to be heard whenever you have a majority of thirty-two? and now you say that upon a vote of twenty-six you will hear the problems of the minority or what they may have to bring before this Senate.

We must rely upon the majority, Mr. President, and is there a man on that side so far gone that he believes honestly and sincerely that we can get the aid of you to join with us if we want a committee dismissed so that a problem can be brought before the Senate? Don't fool yourselves and don't try to fool us. We know we cannot get that number and any rules that we might adopt here are simply rules to protect further the majority, which needs no protection.

If you are sincere in this matter, if you are earnest in invoking Democratic principles, then so amend and alter your rules that eighteen members of the minority can be heard once in a while; surely, by placing the number that can bring a question before this Senate at twenty-six you surely are not giving the minority that protection, that opportunity, that a Democratic form of government would want to give and protect.

Mr. REED. Mr. President, I do not want to retard the workings of the Senate, but I do feel we should have ample

time to discuss these proposed changes; and I would be very willing to withdraw my motion conditioned upon the suggestion offered by the gentleman from Westmoreland; that we proceed to adopt the old rules and then when we have had a little time to consider the proposed changes, that is, after the proposed changes are on the desks of the Senators, then that would be the proper time to further consider the changes.

Mr. EALY. Mr. President, I hardly think the Senator from Washington, makes that suggestion with the idea it could be accepted. These rules were prepared, to an extent, by the membership on the other side. For instance, one of these rules says it takes two-thirds of the membership to dismiss the President Pro Tempore, or the officers here, and elect new ones. Now, what kind of a party is it when a majority of the party does not control and it takes a two-thirds majority to dismiss the President Pro Tempore or the desk officials? But that is in these rules, and was put in, in the first place, by men of the other side, and our men adopted their rules, but it is not a rule that should govern orderly procedure.

Those are the things raised here, and it is utterly impossible to ask us to adopt these rules for this Session.

Mr. SHAPIRO. Mr. President, I want to answer the question raised in the remarks of the gentleman from Allegheny, Mr. Geltz.

I went over these rules, and if I had thought there were any drastic changes, other than the ones to which I referred, I also would have requested that a copy be submitted to each of the members earlier in the day. I did not think it was important to deal with Rule 43, because for many years we have had Rule 43—which has been observed more in the breach, because all of us sit here and smoke, and Rule 43 prohibits smoking, and the gentlemen have decided they are going to have no more farce about it, and will allow us to smoke. I do not think that is important; but I think it is important to call attention to the fact that we are not unaware of the situation which exists. On the matter which is being presented to us, it is important whether two-thirds of the House is necessary to alter or change or suspend a rule, because when once we adopt rules then we know for the rest of the term we are governed by certain rules, and that they cannot be changed in a manner of expediency.

The rules we prepared were prepared, I think, generously, because even though we had a majority at the time, we provided that you could not remove officers, you could not make changes in the rules, without a two-thirds vote.

Now, the Senator from Allegheny, Mr. Geltz, asks whether I am satisfied with the second one. I am not. What I said was that there is nothing in the law or the Constitution which would prevent you gentlemen having a majority, from presenting to this body rules and asking their adoption, and since you have the majority you would have them adopted.

Take these very rules. We do not agree with them; you will go through a vote; you have this majority and will carry the rule.

Therefore, while I say I can not agree with it, I say I can not quarrel with it because of this situation—I do not agree it is the right way of doing it, but since you have a majority you are going to do it.

You could not get these very rules adopted if you provided that a two-third vote would be required to adopt them, if you did not like the rules, but once you have adopted those rules is it fair that you reserve to yourselves the right to alter or amend? That is expediency, of course.

I recall during the session of 1935 the Republican party determined as a matter expediency, since the Democratic party had a sizeable vote on this side of the House, to change the vote on Rule No. 42, which provided originally that a majority of the members present could discharge a committee from further consideration of a bill, and so as a matter of expediency the Republican party changed that rule and said a majority of those elected to the Senate would be necessary to discharge a committee, so that the Republicans who might be busy elsewhere could not be caught on the occasions when a bill came out of committee which they did not want to come out, by the absence of some of their members.

Now, what will stop this same majority, if by majority vote they can do so, from changing this rule so that a committee can not be discharged from further consideration of a bill unless you get the votes of two-thirds of all the members elected to the Senate?

That is the point I am making about this rule, that once you have adopted the rules, you have adopted no rules as far as the minority is concerned because by a majority vote you can change or suspend those rules, and it is my firm conviction this is the first evidence of the fact that this conversation we hear about co-operation is mere words and phrases—I do not talk about good faith, I talk about good politics. The gentleman from Allegheny said I challenge your good faith. I think he used that word inadvertently. I do not challenge your good faith, but I challenge your good judgment and your good politics.

As has been said by the gentleman from Somerset, Mr. Ealy, after all, doing the right thing is good politics; but you are not doing the right thing when you make rules and lull us into believing those are rules by which we are governed, and then have a sneaker and say these rules do not need two-thirds, but they could be altered, changed or amended, or discarded by a majority vote.

That is the point I make and I make it knowing full well you have a majority which will adopt these rules.

Mr. GELTZ. Mr. President, I ask my colleagues to vote down this motion to lay the Rules of the Senate on the table.

And the question recurring,

Will the Senate agree to the motion to lay the rules on the table?

The yeas and nays were as follows, viz:

YEAS—17

Barr,	Frey,	McCreesh,	Reed,
Cavalcante,	Haluska,	McGinnis,	Ruth,
Cox,	Jaspan,	McQuiddy,	Shapiro,
Dent,	Lanius,	Mundy,	Stiefel,
DiSilvestro,			

NAYS—31

Bartlett,	Edmonds,	Mallery,	Tyler,
Becker,	Farrell,	Miller,	Wade,
Carr,	Geltz,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Crider,	Homsher,	Stevenson,	Wilson, H. I.,
Crowe,	James,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,
Ealy,	Letzler,	Thomas,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, I am assuming we are voting for all the rules as a whole.

The PRESIDENT. That is the understanding of the Chair.

Mr. CAVALCANTE. With the knowledge, Mr. President, we do not have the amendments to the rules before us and we do not know what the rules are? I want that in the record.

The PRESIDENT. That is the way the Chair understands it.

The yeas and nays were as follows, viz:

YEAS—26

Barr,	Heyburn,	Snowden,	Wade,
Cavalcante,	Homsher,	Stevenson,	Walker,
Cox,	James,	Tallman,	Watkins,
Ealy,	Letzler,	Taylor,	Wilson, H. I.,
Edmonds,	Mallery,	Thomas,	Wilson, T. B.,
Farrell,	Miller,	Tyler,	Ziesenheim,
Geltz,	Scarlett,		

NAYS—19

Bartlett,	Crowe,	Lanius,	Reed,
Becker,	Deitrick,	McCreesh,	Ruth,
Chapman,	Dent,	McGinnis,	Shapiro,
Coleman,	Jaspan,	McQuiddy,	Stiefel,
Crider,	Kephart,	Mundy,	

So the question was determined in the affirmative.

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his point of order.

Mr. CAVALCANTE. Mr. President, the vote just taken is out of order because the matter voted on is not on our desks.

The PRESIDENT. The point of order of the Senator from Fayette is not well taken; there is no rule before the House at the present time.

Mr. SHAPIRO. Mr. President, I desire to know how the Senator from Lackawanna, Senator Coleman, has been recorded.

Mr. COLEMAN. Mr. President, I voted "No."

Mr. SHAPIRO. Mr. President, the reason I made that inquiry is because I understood the Senator from Lackawanna, Mr. Coleman, was not so recorded as having voted.

The PRESIDENT. In order that the record may be clear how did the Senator from Lackawanna vote?

Mr. COLEMAN. Mr. President, I voted "No."

The PRESIDENT. The vote of the Senator from Lackawanna will be so recorded.

Mr. DENT. Mr. President, I would like to interrogate the Senator from Blair, Mr. Mallery?

The PRESIDENT. Will the Senator from Blair permit himself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Blair tell me what changes are made in Rule 29.

Mr. MALLERY. Mr. President, the rule is changed, as I understand it, back to what the rule was before the members-elect changed it when they assumed office. They will well recall what the rule was at that time.

Mr. DENT. Thank you, Mr. President, I just wanted to ask that question to show how absurd it is to vote for anything when we do not have before us, what we are voting for or how we are voting.

The PRESIDENT. The vote having been in the affirmative, the motion is carried, and the Rules of the Senate will be spread upon the Journal.

RULES OF THE SENATE OF PENNSYLVANIA

Duties of the President—Taking the Chair

1. The President shall take the chair, each day, at the hour to which the Senate stands adjourned, when he shall call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceding day to be read, which the Senate shall have the power then to correct.

Order of Business

2. The order to be observed in taking up business shall be as follows:

First—The asking leave of absence.

Second—The receiving of reports of committees, which shall be called for by the President, according to the order of the committees.

Third—The reading of bills in place. The President commencing on his left and recognizing all in their order from left to right, and all bills read in place shall be accompanied by two copies of the same.

Fourth—The offering of original resolutions.

Fifth—The consideration of executive nominations.

Sixth—The reading of bills the third time.

Seventh—The reading of bills the second time.

Eighth—The reading of bills the first time, and in that state shall not be subject to amendment or a vote thereon.

Order and Decorum—President to Preserve

3. It shall be the duty of the President to preserve order, prevent personal reflections, confine members in debate to the question and when two or more members rise at the same time, decide who shall be the first heard; but an appeal in all such cases shall lie to the Senate, and a member called to order may extenuate or justify.

Business and Debates

4. Members speaking shall address the President, and when presenting a paper shall first state its import. Members shall not speak more than twice on any question without permission of the Senate, nor be interrupted when speaking, except by a call to order by the President, or by a member through the President, or by a member to explain, or by a call for the previous question.

Motions

5. When a motion is made and seconded, it shall, before debate, be stated by the President. Every motion shall be reduced to writing, if the President or any member require it; but a motion may be withdrawn by the member making it before amendment, postponement, an order to lie on the table, or decision.

To Be Entered on Journal

6. Every motion shall be entered on the Journal together with the name of the member making it unless it should be subsequently withdrawn.

How Interrupted

7. A question regularly before the Senate can be interrupted only by a call for the previous question for amendment, postponement, commitment, or adjournment.

Motion to Adjourn—When in Order

8. A motion to adjourn shall always be in order, excepting when on the call for the previous question, the

main question shall have been ordered to be now put, or when a member has the floor and shall be decided without debate.

Order of Motions—Debates on the Previous Question

9. The motion for the previous question, for postponement, for commitment and for amendment shall take precedence in the order mentioned and a motion for the previous question shall preclude any of the other motions from being made; a motion to postpone shall preclude a motion to commit; or to amend a motion to commit shall preclude a motion to amend. The motion for the previous question, postponement (other than indefinite postponement) or commitment, shall preclude debate on the original subject. The previous question shall not be moved by less than four members.

Questions Following

10. When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question, in their regular order, and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion shall be decided, whether on appeal or otherwise, without debate.

Debate on Questions of Order

11. No debate shall be allowed on questions of order, unless there be an appeal, or reference by the President to the Senate. And on such appeal or reference no member shall speak more than once, unless by leave of the Senate.

Filling Up Blanks

12. On filling up blanks, the question shall first be taken on the largest sum, greatest number, and most distant day.

Powers and Duties of President Pro Tempore

13. In the absence of the President, the President pro tempore shall exercise all the powers and perform all the duties of President. On all questions, the President pro tempore shall vote last when occupying the chair.

Signing of Bills, Et Cetera, by the President

14. Acts, orders, addresses, and joint resolutions shall be signed by the President in the presence of the Senate, after their titles have been publicly read, and the fact of signing shall be entered on the Journal; and writs, warrants, and subpoenas issued by the Senate shall be signed by him and attested by the clerk.

General Direction of Hall

15. The President shall have the general direction of the hall. He may name a member to perform the duties of the chair but such substitutions shall not extend beyond four days.

Reconsideration

16. When a question has been once made and carried in the affirmative or negative, it shall be in order for any two members of the majority to move the reconsideration thereof. When the Senate has been equally divided on a question, or a bill shall have failed to pass, by reason of not having a constitutional majority, it shall be in order for any two who voted in the negative to move the reconsideration thereof.

Provided, however, that no motion for the reconsideration of any vote shall be in order after a bill, resolution, report, amendment or motion upon which the vote was taken shall have gone out of the possession of the Senate.

Provided further, that no motion for reconsideration shall be in order unless made on the same day on which the vote was taken, or within the next five days of actual session of the Senate thereafter.

Bills

17. Every bill shall be read at length on three different days in open Senate. All amendments thereto shall be printed and laid on the desks of Senators before the final vote is taken on the bill. The final vote shall be taken by yeas and nays and the names of the persons voting for and against the same be entered on the Journal. No bill shall be declared passed, or signed by the President unless a majority of all the Senators elected to the Senate shall be recorded as voting for the same.

Amendments

18. No amendment shall be received by the President which destroys the general sense of the original section, clause, or paragraph. No amendment to bills by the House shall be concurred in by the Senate, except by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the Journal thereof.

Committee of the Whole

19. The Senate may resolve itself into a Committee of the Whole at any time on the motion of a Senator duly seconded and agreed to by a majority of those voting. All amendments made in Committee of the Whole, shall be reported by the chairman to the Senate, and shall by him be moved to be inserted, and if adopted, shall then be entered on the Journal. Every bill shall be read at length in Committee of the Whole, and such reading shall be considered one of the readings required by the Constitution.

Report of Conference Committee

20. Every report of a committee of conference shall be printed together with the bill as amended by the committee, before action shall be had on such report.

Concurrence in Amendments of the House

21. That the vote on concurring in bills amended by the House or on adopting reports of committees of conference, shall not be taken until said bills and reports have been placed on the files of Senators, and particularly referred to on their calendars.

Appropriation Bills for Charitable Purposes

22. No bills appropriating money for charitable or benevolent purposes shall be considered finally until after the general appropriation bill shall have been reported from committee.

Standing Committees

23. There shall be the following Standing Committees:

Committee on Aeronautics
Committee on Agriculture
Committee on Appropriations
Committee on Banking
Committee on Congressional Apportionmen'
Committee on Constitutional Changes
Committee on Corporations
Committee on County Government
Committee on Education
Committee on Elections
Committee on Executive Nominations
Committee on Federal Relations
Committee on Finance
Committee on Forests and Waters, Game and Fish
Committee on Highways
Committee on Insurance
Committee on Judiciary General
Committee on Judiciary Special
Committee on Labor and Industry
Committee on Law and Order
Committee on Military Affairs
Committee on Mines and Mining
Committee on Municipal Government
Committee on Public Health
Committee on Public Utilities
Committee on Representative Apportionment
Committee on Rules
Committee on Senatorial Apportionment

Committee on State Government
Committee on Welfare, Public Assistance and Pensions
Committee on Workmen's Compensation

The members and the Chairmen of the said Standing Committees shall be appointed by the President pro tempore as soon after his election as possible. All vacancies occurring in said committees by resignation or otherwise shall be filled by the President pro tempore.

The President pro tempore shall be ex-officio a member of all Standing Committees and included in the number of committee members herein provided.

The Committee on Appropriations, the Committee on Highways and the Committee on Judiciary General shall each consist of twenty-one (21) Senators. All the other committees shall consist of fifteen (15) Senators each, except the Judiciary Special Committee, which shall be composed of nine (9) Senators, and the Committee on Executive Nominations and the Committee on Rules, which shall each have seven (7) Senators.

Duties of Members of Committees

24. Every member of a committee shall attend the call of the chairman, who shall be the first-named person on such committee; and in case of his neglect to call the committee together or in case of his absence by sickness or other cause, the committee shall attend the call of the next person named on the committee.

Rules in Committee of the Whole

25. The rules and proceedings of the Senate shall be observed, in the Committee of the Whole, excepting that a member may speak oftener than twice on the same subject. In Committee of the Whole, the previous question cannot be called, the yeas and nays required, nor can there be an appeal from the decision of the chairman.

Absence

26. No member shall absent himself without leave of the Senate, first obtained, unless prevented from attending by sickness, or other sufficient cause.

Files of the Senate

27. The files of the Senate may be inspected by the members, but no paper shall be withdrawn therefrom without the consent of the Senate.

Who Privileged to the Floor of the Senate

28. No person shall be admitted within the Senate Chamber (galleries excepted) during its sessions, unless invited by the President or a member of the Senate, except the members and officers of the two branches of the legislature, the Governor, heads of departments, ex-members of the Legislature, and stenographers to report proceedings of the Senate for publication, under the direction of the President pro tempore. No person or persons shall be permitted to occupy the seats of Senators or pass across the floor of the Senate when the Senate is in session; nor shall any person or persons, at any time, be permitted to enter the room of the transcribing clerks or pass before the President. All obstructions in, and passing across the enclosed space are prohibited.

Dispensing with Rules

29. The consent of a majority of the members elected shall be necessary to suspend any rule.

The consent of a majority of all members elected to the Senate shall be necessary to alter, change, or amend these rules.

Division of a Question

30. Any Senator may call for a division of a question, which shall be divided if it comprehends questions so distinct that one being taken away the rest may stand entire for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

Reference of Bills

31. Every bill and joint resolution which may be received from the House of Representatives, or which may be read by a Senator in his place, shall, immediately after being presented to the chair, be referred by the President to the appropriate committee, unless otherwise ordered.

Character of Bills Read in Place, Et Cetera

32. No member shall read in place, nor shall any committee, either standing or select, report any bill for the action of the Senate, granting corporate powers in any case, when the authority of granting such powers has been conferred upon any of the courts of this Commonwealth; or proposing to legislate upon any of the subjects prohibited by the seventh section of the third article of the Constitution; or shall any bill be read in place, or reported from a committee, reviving, amending, or extending the provisions of any law, by reference to its title only, but the whole shall be re-enacted in words by such bill.

Committee of the Whole on a Bill on Third Reading

33. When the Senate shall resolve to go into Committee of the Whole on a bill on third reading, the question before the Senate, when the President shall have resumed the chair and the chairman of the committee has made a report, shall be, "Will the Senate agree to the report of the committee?"

Jefferson's Manual to Govern the Senate

34. The rules of the parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the Senate and the joint rules of the Senate and House of Representatives.

When Less Than a Quorum is Present

35. When, upon a call, which may be demanded by not less than four Senators, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Senate to be closed, and to direct the clerk to call the roll of the Senate and note the absentees after which the names of the absentees shall be again called, and those for whose absence no excuse, or an insufficient excuse is made, may, by order of a majority of the Senators present, be sent for and taken into custody by the sergeant-at-arms, or his assistants appointed for the purpose, and brought before the bar of the Senate, where, unless excused by a majority of the Senators present, they shall be reproved by the President for neglect of duty.

When Less Than a Quorum Vote But Present

36. When less than a quorum vote upon any subject under the consideration of the Senate, not less than four Senators may demand a call of the Senate, when it shall be the duty of the President forthwith to order the doors of the Senate to be closed, the roll of the Senators to be called, and if it is ascertained that a quorum is present, either by answering to their names, or by their presence in the Senate, the President shall again order the yeas and nays, and if any Senator or Senators present refuse to vote, the name or names of such Senator or Senators shall be entered on the Journal as "present but not voting," and such refusal shall be deemed a contempt, and, unless purged, the President shall direct the Sergeant-at-arms to bring such Senator or Senators before the bar of the Senate, where he or they shall be publicly reprimanded by the President.

Prohibited Legislation

37. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members. No

local or special bill shall be reported unless the same be accompanied by proof of the publication of the notice thereof, in accordance with law, and of section eight of article three of the Constitution; and proof of such publication shall be certified to by the President or secretary of the committee reporting the bill.

Executive Nominations

38. When nominations shall be made by the Governor to the Senate, they shall after being read by the Chief Clerk, without a motion, be referred by the presiding officer to appropriate committee (except nominations for Notaries Public and Commisisoners of Deeds which may be confirmed forthwith), and after having been reported by the committee, the final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" Which question shall not be put on the day on which the nomination or nominations are reported from committee, unless by unanimous consent.

All information communicated or remarks made by a Senator when acting upon nominations in committee, concerning the character or qualifications of the person nominated, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion notify such nominee thereof, but the name of the person making such charges shall not be disclosed.

When the consideration of executive nominations is reached in the order of business, a Senator may make a motion to go into executive session for the purpose of confirming the nominations which have been reported from a committee at a previous session and, if unanimous consent be given, also those which may be reported on the day the motion is made; and on the motion being agreed to, such nomination or nominations shall be considered the first order of the day until finally disposed of, unless the same shall be postponed by a majority of the Senate; but such business when once commenced shall not be postponed for more than five days, except in case of an adjournment of the Senate for a longer period.

When in executive session, no message shall be received from the Governor, unless it be relative to the nomination under consideration, nor from the House of Representatives, nor shall any other business be considered, except executive business, and the executive session shall not adjourn pending the consideration of the nomination until a time fixed by a majority vote or those present for the next meeting of the executive session to resume the consideration thereof.

When a nomination is confirmed or rejected by the Senate, any two Senators, voting with the majority, may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the Governor before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the Governor to return such notification to the Senate. A motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination.

Resolutions

39. The following resolutions after they have been twice read, shall be referred to an appropriate committee, without debate (unles by unanimous consent the Senate shall otherwise direct) and if favorably reported by the committee, shall lie over one day for consideration, after which they may be called up as, of course, under their appropriate order of business:

All Senate and House concurrent resolutions, excepting resolutions in reference to adjournments and those recalling bills from the Governor which shall be regarded as privileged;

Resolutions containing calls for information from the heads of departments, or to alter the rules;

Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the Senate, such as relate to the business of the day on which they were offered, and such as relate to adjournment or taking a recess.

Lounging in Senate Prohibited

40. That the Librarian of the Senate be directed to keep the doors of the Senate chamber closed on Sunday to all persons except who are entitled under the twenty-eighth rule of the Senate; and that he be directed to call on any officer of the Senate to aid him in enforcing this order; and that on other days when the Senate is not in session the officers are hereby required to strictly prohibit any lounging within the Senate chamber by any person not connected with the Legislature, and that henceforth no officer be permitted to occupy the seat of a Senator at any time; that it shall be the duty of the President to see that this rule is enforced, and a persistent disregard of it by any officer shall be cause of dismissal by the President

Bills Requiring a Two-thirds Vote

41. When bills which require a two-thirds vote are under consideration, the concurrence of two-thirds of all the Senators elected shall not be requisite to decide any question or amendment short of the final question; and on any other question short of the final one, a majority of Senators voting shall be sufficient to pass the same.

Discharging Committees

42. No committee shall be discharged from consideration of any measure within ten calendar days of its reference without unanimous consent of the Senate or after such ten-day period except by majority vote of all members elected to the Senate.

Negative Bills

43. A majority of all the members elected to the Senate shall be required to place upon the calendar a bill reported with a negative recommendation.

Direction of Officers and Employes

44. All officers and employes of the Senate shall be subject to the order and direction of the Chief Clerk, who shall obey the direction and orders of the President and President pro tempore respectively, relative to the conduct of all business of the Senate.

Bills to Be Printed When Introduced, and Weekly Calendar Prepared

45. All bills when introduced in the Senate shall be numbered consecutively and printed on pink paper. A weekly History showing the status of all bills shall be prepared by the Secretary for the use of the Senate.

HOUSE MESSAGE

POSTAGE ON LEGISLATIVE JOURNAL

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

Whereas, The Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department, and that the payment of the postage for the Legislative Journal, also for the Bills, Calendars and Histories be provided for in the Appropriation Bill.

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from May 6, 1940 to date.

ARTHUR H. JAMES

(For Reasons see Appendix)

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notries Public which were laid on the table.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. EDMONDS. Mr. President, I move that the Senate do now proceed to the consideration of Nominations for appointment as Notaries Public, sent to the Senate, January 7, 1941 by His Excellency, the Governor of the Commonwealth.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Mr. EDMONDS. Mr. President, I move that the Senate now proceed to consideration of the nomination for Notaries Public, as I understand there are a large number of them and they should receive attention promptly.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair does not have a copy of the new rules and does not know the procedure governing this matter.

Mr. EDMONDS. Mr. President, I have moved that we go into Executive Session to act on Notaries Public.

Mr. MALLERY. Mr. President, I have seconded the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. EDMONDS and Mr. MALLERY

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. EDMONDS and Mr. MALLERY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a point of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia, Mr. Shapiro, will state his point of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, I rise to a point of parliamentary inquiry in regard to the new rules which provide that an exception is made in the case of nominations for Notaries Public and recorders of deeds, with respect to immediate reference to the Committee on Executive Nominations; the exception is that they may be considered forthwith and since we only go into Executive Committee for the purpose of considering nominations covered under the rule and since there is an exception made in the case of notaries public and recorders of deeds, I think it is merely the duty of the Senate, that is, members of the Senate, to vote on the question of confirmation and nothing else and I do not think an executive session has anything to do with these nominations now. At least, Mr. President, on an interpretation of the rule I do not think we have a right to do that.

Mr. CAVALCANTE. Mr. President, I object to any vote until I have a copy of the rules before me so that I may know what the rule is.

The PRESIDENT. I think the position of the Senator from Fayette is proper.

Mr. EALY. Mr. President, the change in rule 38 simply is that instead of requiring that nominations for notary public and commissioners of deeds be referred to a committee, under the new rule we now confirm them at once, but it seems to me that notwithstanding it is not necessary to refer them to a committee nevertheless we have to go into executive session on a matter of a confirmation.

The PRESIDENT. The Chair would like to have a copy of that rule before he makes any ruling.

EXECUTIVE SESSION RISES

Mr. EDMONDS. Mr. President, I move that the Executive Session do now rise.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair understands that from now on, since the adoption of this rule, all that is necessary is to lay the nominations for Notaries Public on the table and the Senate may at any time take them up and consider them.

MOTION THAT MEMBERS OF THE SENATE BE FURNISHED WITH RULES OF SENATE

Mr. CAVALCANTE. Mr. President, while we are on this subject I move that the majority floor leader forthwith furnish the President pro tempore with a true and accurate copy of the rules under which we are supposedly functioning now and before the next session of this Senate that copies of those rules be printed and placed on the desk of each member of this Senate.

Mr. GELTZ. Mr. President, I second the motion.

Will the Senate agree to the motion?

The motion was agreed to.

The PRESIDENT. What disposition does the Senate wish to make of the Notaries Public.

MOTION THAT SENATE ADVISE AND CONSENT TO NOMINATIONS FOR NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS

Mr. EDMONDS. Mr. President, I move that the Senate now advise and consent to the nominations for Notaries Public and Commissioners of Deeds which are now before the Senate.

Mr. MALLERY. Mr. President, I second the motion.

The nominations were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CLARION COUNTY

William A. Reeves, Clarion, January 13, 1941.

FOREST COUNTY

Mrs. Alice A. Kelly, Tionesta, January 19, 1941.

BEAVER COUNTY

James W. Doncaster, Rochester, January 22, 1941.

ELK COUNTY

George C. Smith, Johnsonburg, January 22, 1941.

ALLEGHENY COUNTY

Miss Mary V. Lydon, Mt. Lebanon Twp., 723 Washington Rd., Mt Lebanon, January 26, 1941.

SCHUYLKILL COUNTY

John B. Johnston, Ashland, January 26, 1941.

WESTMORELAND COUNTY

Wm. G. Burhenn, Greensburg, January 28, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the the following persons for appointments as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Russell A. Seaman, Fleetwood.

ERIE COUNTY

Miss Gertrude Pross, Erie.
Mrs. Madeline P. Nelson, Erie.

JEFFERSON COUNTY

Miss Rose Marie Antonucci, Reynoldsville.
Mrs. Eleanor Leax Snyder, Punxsutawney.

PHILADELPHIA COUNTY

John B. Albany, Phila., 5121 Aspen St.
Edward J. Bagnell, Phila., 3469 Sansom St.
Mrs. Helen C. Boone, Phila., 2107 Fidelity-Phila. Trust Building.
Frank Carano, Phila., 910 Franklin Trust Building.
Miss Fay Hamaty, Phila., 1119 Bankers Securities Bldg.
Miss Flora M. Hollowell, Phila., Saving Fund Bldg.
Maurice J. Klein, Phila., Land Title Bldg.
Mrs. Goldie Levin, Phila., 1421 Cherry St.
Raymond F. Loeffler, Phila., 1604 Walnut St.
Mrs. Evelyn M. Wilder, Phila., 2717 Fidelity-Phila. Trust Building.

YORK COUNTY

Robert J. Smith, York.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Miss Alice M. Jones, Phila., 612 North 34th Street, January 20, 1941.
Charles Rockman, Phila., Abbott Bldg., 201 North Broad Street, January 31, 1941.

JEFFERSON COUNTY

Guy F. Bundy, Falls Creek, January 26, 1941.

ERIE COUNTY

Miss Kathleen Delaney, Erie, January 27, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Virginia Callery, Pittsburgh, 2108 Law and Finance Building, January 13, 1941.

ELK COUNTY

Arthur E. Kronenwetter, St. Marys, January 13, 1941.

BUCKS COUNTY

J. Burton Stackhouse, Langhorne, January 21, 1941.

PHILADELPHIA COUNTY

Archie L. Evans, Phila., 35 North 6th St., January 24, 1941.
Charles S. Francis, Phila., 724 Ledger Bldg., January 24, 1941.
Charles A. Hunsberger, Phila., 8609½ Germantown Avenue, January 24, 1941.
W. Evans Smith, Phila., 1531 Locust St., January 24, 1941.
Miss Alice G. Tighe, Phila., 1117 Stephen Girard Building, January 25, 1941.

LACKAWANNA COUNTY

Charles Hellard, Scranton, January 26, 1941.

BRADFORD COUNTY

E. D. Dunklee, Wyalusing, January 31, 1941.

PHILADELPHIA COUNTY

A. Percival Henning, Phila., 1703 Chestnut St., January 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Anthony Florence, Carnegie, January 17, 1941.
John H. Dague, Dormont, January 18, 1941.
Miss Mildred M. Haney, Pittsburgh, 408 Frick Building, January 24, 1941.
Albert C. Metler, Pittsburgh, 440 Fifth Avenue, January 24, 1941.
C. E. Theobald, Pittsburgh, 3102 Grant Building, January 26, 1941.

PHILADELPHIA COUNTY

Edward M. Kalehoff, Phila., Real Estate Trust Building, January 26, 1941.

ALLEGHENY COUNTY

Charles W. Shuman, Pittsburgh, 904 Moyer St., January 31, 1941.

NORTHUMBERLAND COUNTY

Mrs. Hester M. Waltman, Milton, January 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Charles A. Carter, Stowe Twp., 655 Broadway, McKees Rocks.
Richard A. Deemer, Etna.
Miss Bertha Foster, Pittsburgh, 1211 Berger Bldg.

BERKS COUNTY

Howard M. Loose, Centre Twp., Dauberville.

CAMBRIA COUNTY

Miss Mary Bryn, Johnstown.
Mrs. Mary A. Malton, Cresson Twp., Cresson.

CHESTER COUNTY

Miss Agnes C. Kelly, Phoenixville.

DELAWARE COUNTY

Norman G. Kriebel, Chester.

LANCASTER COUNTY

Harold E. Martin, Lancaster.

LAWRENCE COUNTY

Mrs. Willa R. Mercer, Ellwood City.
James A. Rugh, New Castle.
Francis T. Sargent, New Castle.

NORTHAMPTON COUNTY

James L. Sprecher, Easton.

PERRY COUNTY

Mrs. Hilda V. Tressler, Bloomfield.

WYOMING COUNTY

Miss Jean Horlacher, Tunkhannock.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Eleanor G. Adams, Pittsburgh, 625 Frick Bldg.

CHESTER COUNTY

Miss Dorothy Ann Keeler, Phoenixville.

FRANKLIN COUNTY

John G. Eppinger, Chambersburg.

LANCASTER COUNTY

Jerre P. Trout, Bart Twp., R. 3, Quarryville.
Edward G. Wilson, Manheim Twp., 859 Grand View Blvd., Lancaster.

LEHIGH COUNTY

Roger T. Peacock, Allentown.

McKEAN COUNTY

Miss Ruth M. Ballard, Bradford.

PHILADELPHIA COUNTY

Harry I. Cohen, Phila., 867 North 7th St.
Joseph Egendorf, Phila., 1800 West Lehigh Ave.
William T. Fleming, Phila., 4700 Wissahickon Ave.
Albert Goldberg, Phila., 1750 South 65th St.
Charles A. Kelly, Phila., 640 North 23d St.

SOMERSET COUNTY

Carl F. Smith, Confluence.

VENANGO COUNTY

Mrs. Martha L. Schwartz, Franklin.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

H. C. Kaste, Beaver.

BRADFORD COUNTY

Miss Virginia I. Lent, Towanda.

FAYETTE COUNTY

Miss Elizabeth L. Suter, Brownsville.

YORK COUNTY

A. S. Kuhn, Hanover.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Miss Mary I. Bittinger, Gettysburg.

ALLEGHENY COUNTY

Miss Anna M. Bayer, Wilkinsburg.
Miss Mary Belo, Pittsburgh, Columbia Bldg., 248 Fourth Avenue.
Louis G. Bissinger, Pittsburgh, 923 N. Lang Ave.
Fred P. Burger, Pittsburgh, 750 Brownsville Rd.
R. K. Caldwell, Pittsburgh, 1416 Grant Bldg.

Mrs. Armella E. Fritz Carrick, Pittsburgh, 75 Pius St.
Miss Margaret E. Chomanics, McKeesport.
J. C. Condie, McKeesport.
Miss Norma C. Daugherty, Pittsburgh, 7209 Frankstown Avenue.
Miss Rachel M. Dawson, Pittsburgh, 1115 Berger Bldg.
Francis V. Dias, Pittsburgh, 6016 Hoeveler St.
Albert Fiddler, McKeesport.
S. W. Gault, Pittsburgh, 6108 Center Ave.
Miss Martha B. Heinz, Pittsburgh, 1904 Union Bank Building.
Mrs. Beatrice M. Henne, Pittsburgh, Exchange Bldg., Herrs Island.
Wm. H. Hochberg, Penn Twp., Verona Road, Verona.
Raymond J. Hoelzle, Pittsburgh, 304 West Penn Bldg.
Miss C. M. Huddy, Pittsburgh, 517 Empire Bldg.
Miss Hilda Mae Jones, Clairton.
Leo Kalson, Pittsburgh, 3725-31 Bigelow Boulevard.
S. Irwin Kamin, Pittsburgh, 1648 Shady Ave.
Maurice Kent, Pittsburgh, 204 Standard Life Bldg., 345 Fourth Ave.
Miss Frances C. Klein, Pittsburgh, 816 Warrington Ave.
Miss Dorothy C. Koontz, Pittsburgh, 1719 Brownsville Road.
Miss Beatrice Mallinger, Pittsburgh, Hotel William Penn.
Miss Marie R. Mansfield, Pittsburgh, 141 Gulf Bldg.
John A. Manzione, Pittsburgh, 450 Fourth Ave.
Mrs. Marie M. McNulty, McKeesport.
Michael A. Mullin, Braddock.
W. E. Murphy, Millvale.
Felix A. Majeski, Homestead.
Henry T. Powell, Carnegie.
John T. Schleid, Bellevue.
Albert B. Smith, Pittsburgh, St. Nicholas Bldg.
Miss Louise A. Smith, Pittsburgh, 2820 Smallman St.
Paul N. Smith, Pittsburgh, 754 Brookline Blvd.
F. Maurice Stevens, Glassport.
Mrs. Hilda Friedman Talenfeld, Pittsburgh, 2027 Center Avenue.
George Vargo, Jr., Duquesne.
Miss L. A. Wirth, Pittsburgh, 721 Frick Bldg.
Don H. Witherspoon, Sewickley.
Paul S. Young, Pittsburgh, 700 Union Trust Building.

BEAVER COUNTY

A. Roy Mauk, Ambridge.

BERKS COUNTY

Mrs. Carolyn D. Coxe, Reading.
C. H. Hunter, Reading.
John Klein, Amity Twp., Douglassville.
Miss Ruth M. Long, Womelsdorf.
Wm. H. Ludwig, Jr., Reading.
Mrs. Helen F. Rigg, Reading.
John H. Saxton, Reading.
Mrs. Nellie H. Sherman, Reading.

BLAIR COUNTY

John H. Gossard, Altoona.
William L. Huether, Altoona.
Miss F. Marie Lynam, Altoona.
Fred E. Miller, Altoona.

BRADFORD COUNTY

T. Harold Cook, Sayre.

BUCKS COUNTY

Miss L. Mae Ettenger, Newtown.
Mrs. Helen K. Truscott, Doylestown.

CAMBRIA COUNTY

Forrest M. Griffith, Johnstown.
Mrs. Carrie Y. McKenzie, Barnesboro.
Wm. F. McMahon, Jr., South Fork.

CAMERON COUNTY

Miss Frances C. Droney, Emporium.

CARBON COUNTY

Mrs. Evelyn T. Heimbach, Palmerton.

CHESTER COUNTY

E. M. Darlington, West Whiteland Twp., Exton.
Benjamin W. Haines, West Chester.
Miss Dorothy M. Lyons, Coatesville.
Miss Emily F. Miller, West Chester.
Mrs. Edna S. Rissel, Pocopson Twp., Box 536, West Chester.
J. Fred Shoemaker, Phoenixville.
Harry S. Woodward, Coatesville.

CLARION COUNTY

Miss Ann C. Palo, Clarion.

COLUMBIA COUNTY

Wallace W. Eves, Millville.
J. Wesley Knorr, Bloomsburg.

CRAWFORD COUNTY

Gerald W. Canfield, Cambridge Springs.
Mrs. Marian Gilson, Cambridge Springs.
Vincent Pepicelli, Meadville.

CUMBERLAND COUNTY

Earl M. Ortmyer, Lemoyne.

DAUPHIN COUNTY

Charles L. Everitt, Susquehanna Twp., Box 22, Harrisburg.
Kenneth G. Kipp, Harrisburg.
Calvin E. Miller, Harrisburg.
E. R. Schurman, Paxtang.

DELAWARE COUNTY

Miss Alice Anmuth, Chester.
Frank L. Boch, Clifton Heights.
Francis Brearly, Darby.
J. Edwin Draper, Radnor Twp., Wayne.
Miss Mary A. McNabb, Radnor Twp., 116 West Lancaster Ave., Wayne.

ELK COUNTY

Mrs. Viola G. Dinsmore, St. Marys.

FAYETTE COUNTY

Joseph Cope, Point Marion.
Frank L. Garard, Franklin Twp., R. D. 1, Vanderbilt.
Mrs. Ruth M. Laughead, Uniontown.

FRANKLIN COUNTY

Miss Elva M. Brown, Chambersburg.
Miss Arlene L. Hepfer, Waynesboro.

INDIANA COUNTY

Miss Irene Veite, Indiana.

LACKAWANNA COUNTY

Hiram M. Barlow, Scranton.
George A. Druckenbrod, Scranton.
Mrs. H. M. Sappington, Scranton.
Carmine B. Tomaine, Carbondale.
Miss Irene L. Wilson, Scranton.

LANCASTER COUNTY

Mrs. Christine W. Ammon, Christiana.
Miss Bertha Delp, New Holland.
Miss Dorothy M. Parmer, Lancaster.
Miss Eva S. Shear, Lancaster.
Miss Teresa Stengel, Lancaster.
J. H. C. Whiting, Lancaster.

LAWRENCE COUNTY

Mrs. Carrie E. Agnew, New Castle.
O. John Allen, Volant.
Harry G. Bloomer, New Castle.
William H. Grinnen, Wampum.
H. M. McQuiston, North Beaver Twp., Box 270, New Castle.

LEBANON COUNTY

John O. Oberholtzer, Lebanon.

LEHIGH COUNTY

Mrs. Kathryn K. Butz, Allentown.
Mrs. Ruth C. Dieter, Allentown.
George Dilliard, Allentown.
Paul A. B. Kelchner, North Whitehall Twp., Neffs.
George B. Knowles, Allentown.
Miss H. M. Miller, Allentown.
John E. Saeger, Allentown.
Miss Mary Thomas, Allentown.

LUZERNE COUNTY

Oscar H. Dilley, Wilkesbarre.
John P. Feeley, Hazleton.
Lawrence B. Jones, Wilkes-Barre.
Miss Josephine D. Miller, Wilkes-Barre.
Gordon S. Yetter, Wilkes-Barre.

LYCOMING COUNTY

Mrs. Julia Brown, Jersey Shore.
Walter J. Bubb, Williamsport.
Miss Ethel M. Bush, South Williamsport.
Miss A. Louise Clinger, Williamsport.
Frank E. Haines, Williamsport.
Mrs. Margaret C. Lindemuth, Williamsport.
Mrs. Anne Neeld, Williamsport.
Mrs. Reta E. M. Smith, Muncy.
John E. Warren, Jersey Shore.
R. C. Whitelock, Muncy.

McKEAN COUNTY

Mrs. Vivian C. Johnson, Bradford.
Miss Elizabeth A. Kopp, Bradford.
Mrs. Margery Armstrong Moore, Kane.
Mrs. Marjorie C. Ribble, Bradford.
W. J. Roberts, Bradford.

MERCER COUNTY

Harold S. Bodamer, Sharon.
Philip Culcasi, Sharon.
Miss Rose M. Joseph, Farrell.
Victor L. Petrini, Sharon.

MONROE COUNTY

L. M. Vough, Mount Pocono.

MONTGOMERY COUNTY

Anthony Biello, Cheltenham Twp., Elkins Park.
Miss Mattie C. Brant, Norristown.
Mrs. Carrie H. Ellis, Upper Merion Twp., Ellis Concrete Pro. Co., Bridgeport.
Edwin P. Gotwals, Lansdale.
Miss Cleta Martin, Norristown.
Mrs. Mary Scott McShane, Lower Merion Twp., 75 East Lancaster Ave., Ardmore.
Miss Elizabeth T. Moore, Conshohocken.
Forrest H. Roberts, Jr. Cheltenham Twp., Roberts Building, Glenside.
F. J. Sirchie, Conshohocken.

NORTHAMPTON COUNTY

R. Kenneth Ace, Bangor.
Miss Norma E. Walters, Bethlehem.
Harry L. Young, Pen Argyl.

NORTHUMBERLAND COUNTY

Miss Lena E. Pissett, Sunbury.

PHILADELPHIA COUNTY

Israel Axe, Phila., 3242 Frankford Ave.
Robert W. Bell, Phila., 1201 Ridge Ave.
Mrs. Lillian M. Bodley, Phila., 6733 Emlen St.
John D. Brubaker, Phila., 1924 Lincoln Liberty Bldg., Broad and Chestnut Sts.
Christian F. Brunstrager, Phila., 5858 Castor Ave.
John L. Burns, Phila., 248 City Hall.
Miss A. E. Carroll, Phila., 321 Carl Mackley Apts., M and Bristol Sts.
Leon Cohen, Phila., 229 Chestnut St.
Miss Cecile Coleman, Phila., 2124 Lincoln Liberty Bldg., Broad and Chestnut Sts.
Charles H. Dorsett, Phila., 4400 Frankford Ave.
Mrs. Marie B. Doyle, Phila., 1308 Architects Bldg., 17th and Sansom Streets.
John A. Dunwoody, Phila., 1416 Chestnut St.
Walter A. Erhart, Phila., 742 West Master St.
George V. Famiglio, Phila., 1029 Morris St.
Lovett Frescoln, Phila., Liberty Trust Bldg.
Miss E. A. Gannon, Phila., 1510 Latimer St.
Miss Floss S. Gerhart, Phila., 135 South 2d St.
Benjamin M. Gesshel, Phila., 2035 Reed St.
Wm. K. Gray, Phila., Girard Trust Co.
Miss Bessie F. Hammond, Phila., Chestnut and 56th Sts.
Mrs. Bertha Harrer, Phila., 1929 Spring Garden St.
John E. Hendrick, Phila., 915 West Lehigh Ave.
Walter J. Hessdoerfer, Phila., 5921 North 5th St.
Mrs. Florence E. Madison Hill, Phila., 2222 Montrose St.
Emanuel W. Hlavacek, Phila., 4400 Frankford Ave.
Miss Mae Hutchinson, Phila., Crown Can Company, Erie Avenue at H St.
Miss Myra Kippax, Phila., 108 Levering St.
Mrs. Marie Eisenmann Klenk, Phila., 2869 North Hancock St.
Harvey S. Knapp, Phila., Germantown Trust Co., Germantown and Chelten Aves.
John H. Koegler, Phila., 8046 Frankford Ave.
Henry Kollock, Phila., The First National Bank of Phila., 2d St. and Girard Ave.
Abraham Long, Phila., 423 Bulletin Bldg.
J. Russell Longstreet, Phila., 7201 Forrest Ave.
Mrs. Florence G. MacEwan, Phila., 121 South 3rd St.
Miss M. Eleanor McClurg, Phila., 1665 Harrison St.
Miss Elizabeth McNulty, Phila., 915 City Centre Bldg.
Miss Mary E. Misorech, Phila., Women's Homeopathic Hospital, 20th & Dauphin Sts.
John L. Moock, Phila., 142 W. Chew St.
Miss Mary E. Mullee, Phila., Market St. National Bank Bldg.
Jesse G. Myers, Phila., 500 W. Sedgley Ave.
H. W. Ortlip, Phila., Walnut St. Bridge at 31st St.
Miss Nellie T. Park, Phila., 1632 Chestnut St.
Joseph A. Pierro, Phila., 1241 South 6th St.
P. J. F. Powers, Phila., 1835 Arch St.
Jeremiah J. Quinn, Phila., SW Cor. Broad & Market Sts.
Miss Reine Regen, Phila., Room 500, WCAU Bldg., 1622 Chestnut St.
Adoplh W. Reinhold, Phila., 1324 Chestnut St.
Edw. St. John, Phila., 203 North 22d St.
Miss Fannie E. Samuelsohn, Phila., 5050 N. Warnock St.
Miss Julia V. Schaal, Phila., 801 Colonial Bldg.
Paul E. Schlechter, Phila., 8 W. Willow Grove Ave.
Mrs. Carolyn Shaffer, Phila., 1406 Fox Bldg., 16th & Market Sts.
Louis R. Shenkin, Phila., 5229 Chestnut St.
Daniel E. Shisler, Phila., 7034 Castor Ave.
Joseph C. Sloan, 627 Market St.
George W. Smedley, Phila., The Ninth Bank and Trust Co., Front and Norris Sts.
Theodore F. Smythe, Phila., Room 803, Atlantic Bldg.
E. Richard Stewart, Phila., Packard Bldg.
Vincent Sweet, Phila., 1617 Land Title Bldg.
Mrs. Vera Tarlton, Phila., Liberty Trust Bldg., Broad and Arch Sts.

Donald R. Taylor, Phila., NW Cor. 8th and Allegheny Ave.
Michael A. Usewicz, Phila., 525 Callowhill St.
Miss Katherine H. Wallace, Phila., 1835 Arch St.
Miss Mary T. Walsh, Phila., 1616 Walnut St.
Alexander N. Wecht, Phila., 435 W. Girard Ave.
Paul Wendler, Jr., Phila., 13188 W. Rockland St.
Mrs. Marie A. Williamson, Phila., 612 South 24th St.
John C. Zimmerman, Phila., 2442 S. Broad St.

SCHUYLKILL COUNTY

Miss Rachel E. Knarr, Pottsville.
Miss Vigrinia A. Rizzi, Norwegian Twp., Mar Lin.
Thomas Sullivan, Girardville.

SOMERSET COUNTY

Mrs. Helen Davis Cassett, Somerset.
Miss Rose Mary Davis, Somerset.

WARREN COUNTY

Miss Esther Klepfer, Warren.
Albert E. Merkle, Tidioute.
Mrs. Bernice R. Seavy, Warren.
Miss Ruth M. Thomson, Clarendon.

WASHINGTON COUNTY

John Bryan, Monongahela.
Mrs. Margaret Dunn, Canton Twp., Box 519, Washington.
Miss Jane Meloy, Washington,
Robert G. Russell, Burgettstown.
Miss Margaret A. Trenton, Charleroi.

WESTMORELAND COUNTY

Clyde C. Gumbert, Vandergrift.
Miss Ida Marie Johnson, Latrobe.
R. G. Keister, Jeannette.
Frank Mandarino, Monessen.
Miss Sara McIlvaine, Jeannette.
Miss Virginia R. Millen, New Kensington.
Howard B. Mytinger, Vindergrift.
Miss Margaret Neuman, New Kensington.

YORK COUNTY

T. Bertram Bair, York.
Kenneth H. Bond, York.
James M. Ebbert, York.
Mrs. Sarah E. Emrich, Conewago Twp., R. D. 5, York.
Merle I. Stump, Loganville.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

H. A. Dumont, Pittsburgh, 5803 Centre Ave., January 13, 1941.
Ralph P. Fertig, Bellevue, January 13, 1941.
Edward S. Gall, Pittsburgh, 526 City-County Bldg., January 13, 1941.
Thomas W. Gibb, Pittsburgh, 1207 Columbus Ave., January 13, 1941.

ELK COUNTY

Miss Ellen V. Wittman, St. Marys, January 13, 1941.

LACKAWANNA COUNTY

Mrs. Rose O'Malley Jordan, Scranton, January 13, 1941.

LANCASTER COUNTY

Miss B. Irene Burkey, Upper Leacock Twp., Leola, January 13, 1941.

LYCOMING COUNTY

Mrs. Sarah S. Clokey, Williamsport, January 13, 1941.

PHILADELPHIA COUNTY

John P. Ahern, Phila., NE Cor. 17th and Wharton Sts., January 13, 1941.
Samuel Forman, Phila., 2632 North 30th St., January 13, 1941.
Miss Bertha H. Kenney, Phila., 1605 West Cayuga St., January 13, 1941.
Max C. Klayman, Phila., 265 South 21st St., January 13, 1941.
Joseph F. Loughran, Phila., 23 Maplewood Ave., January 13, 1941.

VENANGO COUNTY

Miss Florence E. Howe, Oil City, January 13, 1941.

WASHINGTON COUNTY

Roy M. Retzer, Mt. Pleasant Twp., Hickory, January 13, 1941.

ALLEGHENY COUNTY

Harry A. Irwin, Pittsburgh, 416 Seventh Ave., January 14, 1941.

BRADFORD COUNTY

Miss Ina M. Smith, Sayre, January 14, 1941.

COLUMBIA COUNTY

Frank N. Johnson, Bloomsburg, January 14, 1941.

DAUPHIN COUNTY

Wilson H. Derr, Harrisburg, January 14, 1941.

LEHIGH COUNTY

Miss Verna I. Zakutny, Allentown, January 14, 1941.

LYCOMING COUNTY

Robert K. Reeder, Muncy, January 14, 1941.

PHILADELPHIA COUNTY

Miss Viola E. Allen, Phila., 524 Land Title Bldg., January 14, 1941.
Louis L. Borucki, Phila., 4706 Torresdale Ave., January 14, 1941.
W. M. Kitzmiller, Phila., 1429 Walnut St., January 14, 1941.
Miss Isabel M. Lowry, Phila., 1319 North American Bldg., January 14, 1941.
Charles L. Nace, Phila., 9th St. and Columbia Ave., January 14, 1941.
Benjamin B. Setzman, Phila., NE Cor. 56th St. and Haverford Ave., January 14, 1941.

SCHUYLKILL COUNTY

Albert L. Lindenmuth, Ashland, January 14, 1941.

WAYNE COUNTY

Frank X. Crockenberg, Honesdale, January 14, 1941.

BEAVER COUNTY

Earl R. Leyda, Beaver Falls, January 16, 1941.

BERKS COUNTY

E. B. Welder, Reading, January 16, 1941.

CRAWFORD COUNTY

Mrs. Leona M. Richmond, Meadville, January 16, 1941.

CUMBERLAND COUNTY

Jas. L. Young, Mechanicsburg, January 16, 1941.

ERIE COUNTY

P. V. Gifford, Erie, January 16, 1941.

NORTHAMPTON COUNTY

Miss Mary A. Transue, Bethlehem, January 16, 1941.

PHILADELPHIA COUNTY

Jos. Allen Potts, Phila., 4905 Baltimore Ave., January 16, 1941.

CAMBRIA COUNTY

Paul N. Cassler, Johnstown, January 17, 1941.

GREENE COUNTY

John T. Silveus, Waynesburg, January 17, 1941.

NORTHAMPTON COUNTY

John G. Taylor, Easton, January 17, 1941.

PHILADELPHIA COUNTY

Mrs. Viola Keene Carter, Phila., 2229 West Cumberland St., January 17, 1941.
Rudolf Neff Corson, Phila., 1533 Orthodox St., January 17, 1941.
Miss Marguerita G. Taffe, Phila., 9339 Frankford Ave., January 17, 1941.

WASHINGTON COUNTY

Mrs. Lillian S. Porter, Washington, January 17, 1941.

ALLEGHENY COUNTY

Miss Viola E. Fehr, Pittsburgh, 704 Second Ave., January 18, 1941.
Miss Mary J. Hudak, Pittsburgh, 331 Frick Bldg., January 18, 1941.
A. J. Hunter, Homestead, January, 18, 1941.

BEAVER COUNTY

W. H. Miller, Aliquippa, January 18, 1941.

DAUPHIN COUNTY

Steven L. Bowers, Harrisburg, January 18, 1941.

LANCASTER COUNTY

John H. Myers, Lancaster, January 18, 1941.

LAWRENCE COUNTY

George W. Wilson, Ellwood City, January 18, 1941.

LEHIGH COUNTY

Miss Justine A. Roth, Allentown, January 18, 1941.

MONTGOMERY COUNTY

Miss Pauline D. Boice, Pottstown, January 18, 1941.

PHILADELPHIA COUNTY

Mrs. Margaret L. McHugh, Phila., 1035 Land Title Bldg., January 18, 1941.

WASHINGTON COUNTY

E. Denny Brown, Burgettstown, January 18, 1941.

CARBON COUNTY

Ivan Krizan, Lansford, January 19, 1941.

LAWRENCE COUNTY

Bernard N. Hanlon, New Castle, January 19, 1941.

LUZERNE COUNTY

John Hagan, Newport Twp., 23 Prince St., Alden, (P. O. Nanticoke) January 19, 1941.

PHILADELPHIA COUNTY

John A. Waldis, Jr., Phila., 5922 North Broad St., January 19, 1941.
Benjamin Weinmann, Phila., 201 North 13th St., January 19, 1941.
Miss Ruth M. Wotiz, Phila., Room 1212, 1528 Walnut St., January 19, 1941.

YORK COUNTY

Charles L. Rodgers, York, January 19, 1941.

LYCOMING COUNTY

T. B. Sullivan, Williamsport, January 20, 1941.

ALLEGHENY COUNTY

Miss V. C. von Hofen, Pittsburgh, Frick Bldg., January 21, 1941.

BERKS COUNTY

Harry E. Hart, Birdsboro, January 21, 1941.

LUZERNE COUNTY

Frank J. Cannon, Hazleton, January 21, 1941.
W. R. Watkins, Wilkes-Barre, January 21, 1941.

MONTGOMERY COUNTY

George R. Ralston, Norristown, January 21, 1941.
Miss Dorothy G. Stout, Cheltenham Twp., Easton Rd. and Glenside Ave., January 21, 1941.

PHILADELPHIA COUNTY

Rutherford S. Bates, Phila., 437 Chestnut St., January 21, 1941.
Jas. J. Fallon, Phila., 1401 Arch St., January 21, 1941.
Le Roy Schoch, Phila., 6001 Oxford St., January 21, 1941.

ALLEGHENY COUNTY

Thomas H. Sankey, Pittsburgh, 2112 Carson St., January 22, 1941.

CUMBERLAND COUNTY

Miss Ida G. Kast, Mechanicsburg, January 22, 1941.

PHILADELPHIA COUNTY

W. King Allen, Phila., 931 Public Ledger Bldg., January 22, 1941.
Julius B. Price, Jr., Phila., 1307 Pennsylvania Building, January 22, 1941.

ADAMS COUNTY

William W. Resser, East Berlin, January 24, 1941.

ALLEGHENY COUNTY

S. Foster Dickie, Pittsburgh, 132 South Whitfield St., January 24, 1941.
Miss Nora C. Fitzpatrick, Pittsburgh, Arlington Apts., Centre and Aiken Aves., January 24, 1941.
Herbert J. Klug, Aspinwall, January 24, 1941.
Miss Margaret M. Long, Pittsburgh, 75 Vandergrift Bldg., January 24, 1941.
R. J. Macrory, Pittsburgh, 218 Shiloh St., January 24, 1941.
Charles L. Norton, Pittsburgh, 1141 Henry W. Oliver Bldg., January 24, 1941.

BLAIR COUNTY

Edgar H. Lykens, Martinsburg, January 24, 1941.
P. M. Swanger, Altoona, January 24, 1941.

BRADFORD COUNTY

Miss Jennie M. Baker, Towanda, January 24, 1941.

CLINTON COUNTY

Miss Myrtle D. Achuff, Lock Haven, January 24, 1941.

DELAWARE COUNTY

Miss Olivia S. Hammett, Lansdowne, January 24, 1941.

LACKAWANNA COUNTY

Hugh B. Andrews, Scranton, January 24, 1941.
Willis H. Matthews, Carbondale, January 24, 1941.

LANCASTER COUNTY

H. D. Snyder, Lancaster, January 24, 1941.

LUZERNE COUNTY

Miss Clementine Jurus, Hazleton, January 24, 1941.
Edwin L. Lindemuth, Kingston, January 24, 1941.
Miss Elizabeth Miller, Wilkes-Barre, January 24, 1941.

NORTHAMPTON COUNTY

Stanley M. Transue, Wilson, January 24, 1941.

PHILADELPHIA COUNTY

Earle N. Barber, Phila., 6000 Germantown Ave., January 24, 1941.
Ernest E. Conrad, Phila., 1420 Chestnut St., January 24, 1941.
D. Irvin Fulton, Phila., 5129 Chestnut St., January 24, 1941.
A. Galloway, Phila., Windsor Mfg. Co., Jasper and Butler Sts., January 24, 1941.
Miss Edna L. Heinel, Phila., 4240 North Broad St., January 24, 1941.
Miss Mary G. Maag, Phila., 400 Harrison Bldg., January 24, 1941.
George E. Nitzsche, Phila., 1024 Westview Ave., January 24, 1941.
George A. Roeckle, Phila., 725 South 52d St., January 24, 1941.
William H. Rueter, Phila., 1703 West Tioga St., January 24, 1941.
Harry C. Schaefer, Phila., 1233 West Girard Ave., January 24, 1941.
Miss Jennie W. Scott, Phila., 1135 Shackamaxon St., January 24, 1941.
Miss Mary Welsh, Phila., 1512 North Broad St., January 24, 1941.
Geo. J. Youngflesh, Phila., Packard Bldg., January 24, 1941.

SCHUYLKILL COUNTY

Mrs. N. Elma Bilder, Ashland, January 24, 1941.

VENANGO COUNTY

James H. Courtney, Oil City, January 24, 1941.

WASHINGTON COUNTY

J. J. Norton, Donora, January 24, 1941.

YORK COUNTY

Edward A. Michael, Hanover, January 24, 1941.
Miss Sadie B. Venus, York, January 24, 1941.

ALLEGHENY COUNTY

Mrs. Mary A. Fillar, Wilmerding, January 25, 1941.

BERKS COUNTY

Miss Claire M. Stortz, Reading, January 25, 1941.

LACKAWANNA COUNTY

Wm. H. Sembrot, Scranton, January 25, 1941.

LUZERNE COUNTY

Wm. P. Gunster, Luzerne, January 25, 1941.

PHILADELPHIA COUNTY

Arthur A. Chalker, Phila., Kirschbaum Bldg., SE Cor. Broad and Carpenter Sts., January 25, 1941.
Louis W. Meixner, Phila., Phila. Wool Scouring and Carbonizing Co., Glenwood and Castor Aves., January 25, 1941.
W. E. Shappell, Phila., 4371 Main St., Manayunk, January 25, 1941.
Miss Margaret Sparks, Phila., 2815 Gray's Ferry Road, January 25, 1941.
Miss Mabel Wanewetch, Phila., 1318 Real Estate Tr. Bldg., SE Cor. Broad and Chestnut Sts., January 25, 1941.
Miss Rebecca C. Welsh, Phila., 1013 North American Bldg., January 25, 1941.

VENANGO COUNTY

Judson E. Trax, Oil City, January 25, 1941.

ALLEGHENY COUNTY

Joseph E. Frey, Duquesne, January 26, 1941.
Mrs. A. L. McKeever, Pittsburgh, Berger Bldg., January 26, 1941.
F. E. Milligan, Pittsburgh, 1611 First National Bank Bldg., January 26. 1941.
Miss Sylvia C. Satter, Pittsburgh, 25th St. and A. V. R. R., January 26, 1941.
Francis E. Williams, Pittsburgh, 128 Boulevard of Allies, January 26, 1941.

BEAVER COUNTY

Harry H. Blackwood, Beaver Falls, January 26, 1941.

BLAIR COUNTY

Miss Gertrude M. Ehrisman, Tyrone, January 26, 1941.

CAMBRIA COUNTY

John Yacos, Jr., Portage, January 26, 1941.

CHESTER COUNTY

Miss Emma M. Hayman, Tredyffrin Twp., Berwyn, January 26, 1941.

CLEARFIELD COUNTY

James W. Ruffner, Bigler Twp., Madera, January 26, 1941.

COLUMBIA COUNTY

C. Martin Lutz, Bloomsburg, January 26, 1941.

CUMBERLAND COUNTY

Donald C. Waggoner, West Fairview, January 26, 1941.

DELAWARE COUNTY

Miss Ruby M. Holloway, Upper Darby Twp., 6920 Market St., Upper Darby, January 26, 1941.
Miss Elsie G. King, Upper Darby Twp., 58 South Pennock Ave., Upper Darby, January 26, 1941.

LACKAWANNA COUNTY

Esdras F. Howell, Scranton, January 26, 1941.

LANCASTER COUNTY

Miss Annie C. Blensinger, Mount Joy, January 26, 1941.

LYCOMING COUNTY

Miss Margaret C. Clarke, Muncy, January 26, 1941.
W. U. Mussina, Williamsport, January 26, 1941.

PHILADELPHIA COUNTY

Thos. J. Campbell, Phila., 7470 Sommers Road, January 26, 1941.

Miss Emma K. Edler, Phila., 1411 Walnut St., January 26, 1941.
Isadore A. Rupertus, Phila., 225-227 South 4th Street, January 26, 1941.

WASHINGTON COUNTY

Miss Linda De Rose, Washington, January 26, 1941.

CUMBERLAND COUNTY

Edward A. Shissler, Lemoyne, January 27, 1941.

PHILADELPHIA COUNTY

Mrs. Jean Kraft, Phila., 4828 Baltimore Ave., January 27, 1941.

BRADFORD COUNTY

Frank F. Daub, Sayre, January 28, 1941.

BUCKS COUNTY

Mrs. Margaret H. Fly, Newtown, January 28, 1941.

McKEAN COUNTY

Walter H. Fogel, Kane, January 28, 1941.

MONTGOMERY COUNTY

Forrest H. Roberts, Cheltenham Twp., Roberts Bldg., Glenside, January 28, 1941.

PHILADELPHIA COUNTY

William C. Christie, Phila., 5239 Chestnut St., January 28, 1941.
Miss Marguerite Holmes, Phila., 2301 Packard Bldg., January 28, 1941.
Frederick P. Orlemann, Phila., 715 Belgrade St., January 28, 1941.
William H. Quillman, Phila., 640 North Broad Street, January 28, 1941.

DAUPHIN COUNTY

Elmer Balser, Harrisburg, January 29, 1941.

LUZERNE COUNTY

Miss Emma H. Hayes, Hazleton, January 29, 1941.

LYCOMING COUNTY

Arthur L. Waltz, Williamsport, January 29, 1941.

ALLEGHENY COUNTY

Wilmer G. Engel, Bridgeville, January 31, 1941.

BERKS COUNTY

Miss Catharine McDonough, Reading, January 31, 1941.

DELAWARE COUNTY

A. Brooke Geary, Chester, January 31, 1941.

JEFFERSON COUNTY

L. G. Brosius, Brookville, January 31, 1941.

LUZERNE COUNTY

Miss Margaret R. Elliott, Wilkes-Barre, January 31, 1941.

MONROE COUNTY

Harry M. Albert, Stroudsburg, January 31, 1941.

MONTGOMERY COUNTY

Samuel D. Conver, Lansdale, January 31, 1941.

PHILADELPHIA COUNTY

Ulysses S. Armstrong, Phila., 724 South Broad Street, January 31, 1941.
H. Walter Geuther, Phila., 2513 North Front Street, January 31, 1941.
Miss Louise E. Kephart, Phila., 2 West Chelten Ave., January 31, 1941.
Howard E. Kirk, Phila., 5358 Woodland Ave., January 31, 1941.
Walter H. Mensch, Phila., 5439 Woodland Ave., January 31, 1941.
Miss G. A. Mergy, Phila., 111 South 15th Street, January 31, 1941.
L. M. Pursley, Phila., 401 North Broad Street, January 31, 1941.
Palmer Watson, Phila., 1218 Stephen Girard Building, January 31, 1941.

WARREN COUNTY

Denver D. Larimore, Warren, January 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William L. Conrad, Pittsburgh, 1717 Investment Building.
Albert D. Jones, Etna.
Karl N. Meixner, Wilkinsburg.
Louis Rosenberg, Pittsburgh, 306 Berger Bldg.

BEAVER COUNTY

Mrs. Helen A. Gutermuth, New Brighton.

BERKS COUNTY

Miss Helen A. Kaufmann, Reading.
T. A. Larkin, Hamburg.
Mrs. Margaret G. Straub, Reading.

BLAIR COUNTY

L. W. Socey, Altoona.

BUTLER COUNTY

W. E. Burnham, Bruin.

CAMBRIA COUNTY

Mrs. Rubie M. Dickie, Johnstown.

CARBON COUNTY

Mrs. Isabel Philip, Palmerton.

DAUPHIN COUNTY

James P. Sowers, Harrisburg.

FAYETTE COUNTY

Ottis P. Powell, Uniontown.

LACKAWANNA COUNTY

John R. Pirhalla, Winton.

LUZERNE COUNTY

Andrew J. Sholtis, Freeland.

PHILADELPHIA COUNTY

Miss Rosalie M. Carroll, Phila., 1033 East Price St.
Joseph M. Corr, Phila., 1712 Summer St.
Richard Crangshaw, 3d, Phila., 4824 Frankford Ave.
Mrs. Anne M. Forsyth, Phila., Fidelity-Phila. Trust Bldg.
Miss Doris Goldman, Phila., 1600 Walnut Street.

Miss Evelyn I. Hinman, Phila., 1300 Chestnut St.
John E. Kramer, Phila., Phila. Col. Pharmacy and Science, 43d, Kingsessing and Woodland Aves.
Miss Margaret K. Molony, Phila., 5th and Bristol Sts.
Edward W. Packer, Phila., 1616 Walnut St.
Miss Estelle M. Steel, Phila., 8527 Germantown Ave., Chestnut Hill.

WESTMORELAND COUNTY

John J. Karabin, Greensburg.

ARTHUR H. JAMES.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Cavalcante,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Homsher,	Reed,	Walker,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
Dent,	Lanius,	Snowden,	Ziesenheim,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. FREY, on behalf of Mr. STEVENSON, offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session this day at 3:30 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

The President Pro Tempore appointed as said Committee on the part of the Senate the Senator from Clinton, Mr. Stevenson, the Senator from Dauphin, Mr. Taylor, and the Senator from Allegheny, Mr. Frey.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session this day at 3:30 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

INAUGURAL COMMITTEE FOR PRESIDENT OF THE UNITED STATES

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

In the House of Representatives, January 7, 1941.

Whereas, on January 20, 1941, the Honorable Franklin D. Roosevelt will be inaugurated as the President of the United States of America, and

Whereas, It is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies, to be held in Washington at that time, now therefore be it

Resolved, (if the Senate concur), That the President Pro Tempore of the Senate is hereby authorized to appoint ten members of the Senate, and the Speaker of the House is hereby authorized to appoint twenty Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania, and to participate on behalf of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Franklin D. Roosevelt.

The PRESIDENT. The President Pro Tempore appoints as said Committee on the part of the Senate, Senators Coleman, Dent, Deitrick, Haluska, McCreesh, McGinnis, McQuiddy, Miller, Mundy and Shapiro.

Ordered, That the Clerk inform the House of Representatives accordingly.

APPOINTMENT OF TELLER ON THE PART OF THE HOUSE OF REPRESENTATIVES

He also presented extract from the Journal of the House, which was twice read as follows, considered and agreed to:

In the House of Representatives, January 7, 1941.

Resolved, That the gentleman from Cambria, Mr. Albert L. O'Conner, was appointed teller on the part of the House of Representatives to open, compute and count the vote for Auditor General and State Treasurer.

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, January 13, 1941, at 4:00 o'clock, p. m., and when the House of Representatives adjourns this week it reconvene on Monday, January 13, 1941 at 9:00 o'clock p. m.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 3:15 o'clock p. m.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

The PRESIDENT. The Chair would suggest that in view of the fact that it will take a little time for the Senators to assemble and march to the hall of the House that all Senators assemble here promptly at the hour stated.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, January 13, 1941, at 4:00 o'clock, p. m.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:49 o'clock, p. m., until Monday, January 13, 1941, at 4:00 o'clock, p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, January 7, 1941

(At 11 a. m. Mr. O'Neill, senior Democratic member in length of service, from Lackawanna County, accompanied by Mr. Norman Wood, senior Republican member in length of service, from Lancaster County, made the following announcement in the Hall of the House.)

In accordance with the provisions of the Constitution of Pennsylvania the Members-elect of this 134th regular session of the House of Representatives will meet this day at twelve o'clock noon, in the Hall of the House, for the purpose of organization.

The hour of 12 o'clock noon having arrived, Honorable William Ward, Jr., Chief Clerk of the House of Representatives, called the Members-elect to order and announced, that

This being the day and hour fixed by Article 2, Section 4, of the Constitution of Pennsylvania for the meeting of the General Assembly, the House of Representatives will now come to order.

PRAYER

The Chaplain, Rev. Walter Evans Deibler, offered the following prayer:

Eternal God, Creator of us all, we humbly confess our faith in Thee. "Lord, Thou has been our dwelling place in all generations. Before the mountains were brought forth, or even Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God." We thank Thee that the founders of our constitution confessed their faith in Thee and were grateful to Almighty God for civil and religious liberty. Their faith in the principles of democracy spurred them on to instill these ideals into the hearts of their children as God gave them to see the right. We thank Thee, O God, that the blessings of liberty have been secured to us, their posterity. Ours is a noble heritage. Ours is the responsibility to guide the Ship of State over many rough uncharted seas.

We invoke Thy divine blessings upon us as a land and nation, upon the President of the United States and all in authority.

Grant, we beseech Thee, O God, to bless our Commonwealth of Pennsylvania, the Governor and this General Assembly. As these representatives of the people meet from time to time to enact laws for our good, may they receive Thy blessing, O God, and may Thy Holy Word be "a lamp unto their feet and a light unto their pathway." Grant unto members both old and new of this Assembly the courage to dignify the high honor bestowed upon them. Bless the Speaker of this House and all who serve with him that their work may be done well.

May every citizen be ready to labor hard and long in this time of world crisis that our beloved nation may continue to guarantee to us as human beings the simple, decent rights that God must have intended human beings to enjoy.

And grant us, O God, the anxiety that we may constantly pray the prayer of old we so well loved.

"Our Fathers' God to Thee,
Author of Liberty,
To Thee we sing:
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God, our King."

Amen.

PRESENTATION OF ELECTION RETURNS

The Deputy Secretary of the Commonwealth being introduced, pursuant to the provisions of the Act of June 3, 1937, presented to the House of Representatives the returns of the election for Members held on November 5, 1940.

RESOLUTION

ELECTION RETURNS OPENED

Mr. HABERLEN. A member-elect, offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, January 7, 1941.

Resolved, That the returns for the election of members of the House of Representatives held Tuesday, November 5, 1940, be now opened and read.

The returns were opened and read as follows:

REPRESENTATIVES IN THE GENERAL ASSEMBLY, 1940

ADAMS COUNTY
(One Elected)

George L. Baugher, D.,	8,392
S. L. Baltzley, R.,	7,468

ALLEGHENY COUNTY
First District
(Two Elected)

Homer S. Brown, D.,	19,339
Daniel A. Verona, D.,	19,014
George L. Winstead, R.,	5,356
John Schneider, R.,	5,258
James H. Dolsen, Com.,	69
William Thornton, Com.,	68

Second District
(Two Elected)

George J. Sarraf, D.,	19,539
Thomas P. Mooney, D.,	19,350
Catherine Devlin Barry, R.,	8,208
Alexander Dlugonski, R.,	8,371

Third District
(One Elected)

Lawrence P. Keenan, D.,	16,776
John H. Carr, R.,	8,931

Fourth District
(One Elected)

Leo I. Shapiro, D.,	15,741
Edwin M. Rhea, R.,	17,034

Fifth District
(One Elected)

John R. Bentley, D.,	25,360
Charles M. Christler, R.,	21,338

Sixth District
(Three Elected)

Elmer J. Holland, D.,	35,586
John J. Baker, D.,	35,075
Louis Leonard, D.,	34,688
Frank Brown, R.,	22,632
James A. Kendrick, R.,	22,713
Howard B. Allen, R.,	22,819
Charles Embry, Pro.,	67
H. L. Speer, Pro.,	72

Seventh District
(Two Elected)

Martin C. Mihm, D.,	18,415
John L. Powers, D.,	18,327
Ward C. Sanders, R.,	9,925
Joseph W. Link, R.,	9,745

Eighth District
(Two Elected)

William A. Shaw, D.,	17,482
Maurice L. Reynolds, D.,	17,384
Wilbert D. Pinkerton, R.,	13,756
Arnold E. Thornburg, R.,	13,965
Donald D. Mangone, Ind.,	61

Ninth District
(One Elected)

William J. Yester, D.,	13,335
John W. Montgomery, R.,	9,750
George Powers, Com.,	80

Tenth District
(Four Elected)

J. P. Moran, D.,	54,200
Bernard H. Goodwin, D.,	52,396
William L. Shaffer, D.,	53,206
Thomas J. Heatherington, D.,	51,260
Charles Lysle Seif, R.,	41,908
Joseph R. Dick, R.,	42,408
John C. Hunter, R.,	41,606
Paul M. Bardes, R.,	41,674

Eleventh District
(Two Elected)

L. Kenneth Harkins, D.,	27,867
David M. Boies, D.,	26,853
George S. McGill, R.,	13,885
George B. Hines, R.,	13,305

Twelfth District
(Four Elected)

Charles Harmuth, D.,	51,142
Anthony J. Gerard, D.,	50,754
Emma Bray, D.,	48,847
Ludvick Zupancic, D.,	50,302
Ronald L. Thompson, R.,	50,302
Edwin C. Ewing, R.,	49,919
John R. Haudenshield, R.,	49,591
George W. Cooper, R.,	49,971

Thirteenth District
(Two Elected)

P. Gates White, D.,	37,077
Grant Ritchie, D.,	36,953
Robert D. Fleming, R.,	43,657
Kenneth L. Leydic, R.,	41,776

ARMSTRONG COUNTY
(Two Elected)

Thomas F. Gradwell, Sr., D.,	10,763
James Feeney, D.,	10,216
Herbert G. Gates, R.,	15,140
W. Stuart Helm, R.,	14,807

BEAVER COUNTY
First District
(One Elected)

Robert K. Hamilton, D.,	12,407
Floyd N. Marr, R.,	9,267

Second District
(Two Elected)

Reuben A. Nagel, D.,	19,494
Robert J. McLanahan, D.,	18,121
Harry E. Goll, R.,	15,808
Everett Y. Calvin, R.,	15,756

BEDFORD COUNTY
(One Elected)

Ross Hershberger, D.,	7,668
Albert F. Foor, R.,	8,384

BERKS COUNTY
First District
(Two Elected)

Albert S. Readinger, D.,	22,359
Fred Marks, D.,	19,086
C. Leroy Wanner, R.,	13,655
J. Wendell Coblentz, R.,	13,125
Darlington Hoopes, Soc.,	7,598
Miles N. Williams, Soc.,	6,205

Second District
(One Elected)

Lloyd L. Wolf, D.,	9,577
Raymond E. Henry, R.,	9,549
Harry Wissler, Soc.,	467

Third District
(One Elected)

Jacob L. Balthaser, D.,	6,372
James A. Simons, R.,	3,971
David M. Kline, Soc.,	134

Fourth District
(One Elected)

Paul A. Brunner, D.,	7,926
James R. Bower, R.,	4,918
Charles Rohrbacker, Soc.,	214

BLAIR COUNTY
First District
(One Elected)

Robert W. Anthony, D.,	9,676
Charles A. Auker, R.,	11,451

Second District
(Two Elected)

Raymond A. Wilker, D.,	9,691
Irvin W. Zook, D.,	9,556
D. Raymond Sollenberger, R.,	16,190
George E. Jones, R.,	16,171

BRADFORD COUNTY
(One Elected)

Jesse Inman, D.,	6,408
Wilson D. Gillette, R.,	14,748

BUCKS COUNTY
(Two Elected)

Albert Seifert, D.,	19,989
James Fairweather, D.,	19,680
Wilson L. Yeakel, R.,	25,462
Thomas B. Stockham, R.,	25,154

BUTLER COUNTY
(Two Elected)

Fred J. Kutsch, D.,	12,459
Grover Hindman, D.,	12,742
Albert B. McClester, R.,	19,382
Wilbert D. Imbrie, R.,	19,204

CAMBRIA COUNTY
First District
(Two Elected)

James Gatins, D.,	9,953
John Maley, D.,	9,421
Walter E. Rose, Jr., R.,	12,664
Paul H. Gross, R.,	12,186
James T. Malloy, Soc.,	460

Second District
(Three Elected)

Michael C. Chervenak, Jr., D.,	26,604
Thomas A. Owens, D.,	26,755
Albert L. O'Connor, D.,	27,408
Walter J. Stinson, R.,	20,227
George R. Bender, R.,	20,703
George I. Riblett, Sr., R.,	18,763
Bruce Lybarger, Soc.,	384
Thomas A. Owens, Soc.,	147
Mary Gray Rioux, Soc.,	384

CAMERON COUNTY
(One Elected)

Geo. P. Shaffer, D.,	1,294
George W. Huntley, Jr., R.,	1,920

CARBON COUNTY
(One Elected)

George W. Dolon, D.,	12,267
Irwin W. Bennett, R.,	10,877

CENTRE COUNTY
(One Elected)

John W. Decker, D.,	9,424
Kenneth G. Haines, R.,	11,023

CHESTER COUNTY
First District
(One Elected)

Frank S. Reynolds, D.,	7,116
R. Guy Rank, R.,	7,807

Second District
(Two Elected)

Thomas J. Browne, D.,	13,791
S. Lewis Cramer, D.,	13,551
Furman H. Gyger, R.,	20,885
Amos M. Leisey, R.,	20,551

CLARION COUNTY
(One Elected)

D. Edgar Elliott, D.,	7,962
Alexander S. Robertson, R.,	7,557
Dewey Yale, Pro.,	128

CLEARFIELD COUNTY
First District
(One Elected)

Harris G. Breth, D.,	9,594
Edward A. Clark, R.,	8,001

Second District
(One Elected)

John Y. Rafferty, Jr., D.,	7,245
C. G. Krise, R.,	7,693

CLINTON COUNTY
(One Elected)

William B. Nunemacher, D.,	7,029
Charles E. Donahue, R.,	6,491

COLUMBIA COUNTY
(One Elected)

Roy Croop, D.,	12,372
Eckley Hoyt, R.,	9,412
Marion M. Heller, Pro.,	132

CRAWFORD COUNTY
(One Elected)

E. Lowry Humes, D.,	9,695
J. Perry Eckels, R.,	15,453
L. M. Hastie, Pro.,	191

CUMBERLAND COUNTY
(One Elected)

Joseph J. McIntosh, D.,	15,400
William R. Shearer, R.,	15,367

DAUPHIN COUNTY
First District
(Two Elected)

John Boughter, D.,	19,158
Charles L. Boak, D.,	19,255
Ray E. Taylor, R.,	22,343
David P. Reese, Jr., R.,	22,378

Second District
(Two Elected)

Elwood Moffett, D.,	16,579
John W. R. Mehargue, D.,	16,011
Robert E. Woodside, Jr., R.,	20,996
William E. Habbyshaw, R.,	20,527

DELAWARE COUNTY
First District
(One Elected)

Adie S. Rush, D.,	11,176
Thomas A. Curran, R.,	10,278
Clara A. Hendricks, Pro.,	53
John M. Weaver, Com.,	25

Second District
(Three Elected)

John F. Kelly, D.,	46,302
Joseph C. Hoffner, D.,	46,158
S. Herbert Stayton, D.,	46,119
Benjamin F. James, R.,	70,337
Ellwood J. Turner, R.,	70,357
Arthur P. Bretherick, R.,	70,291
Helen D. Maxwell, Pro.,	141

ELK COUNTY
(One Elected)

Fred McFarlin, D.,	6,343
Herbert P. Sorg, R.,	7,410

ERIE COUNTY
First District
(One Elected)

Vincent Ruth, D.,	10,216
Delbert W. Dalrymple, R.,	10,875
P. L. Hatch, Pro.,	31

Second District
(One Elected)

Julian Polaski, D.,	12,240
Walter J. Batchelor, Jr., R.,	9,526

Third District
(One Elected)

Harold Burnham, D.,	4,558
John E. Van Allsburg, R.,	7,174

Fourth District
(One Elected)

Howard Hewitt, D.,	3,668
Homer Cook, R.,	8,500

FAYETTE COUNTY
First District
(One Elected)

John M. Burns, D.,	15,918
Thomas H. Wright, R.,	7,363

Second District
(Three Elected)

Harry Cochran, D.,	25,097
Burton E. Tarr, D.,	24,881
Matthew J. Welsh, D.,	24,946
Frank R. Sweeney, R.,	16,549
Bernard T. John, R.,	16,269
Charles M. Thrasher, R.,	16,349

FOREST COUNTY
(One Elected)

Joseph D. Landers, D.,	850
William W. Serrill, R.,	1,852

FRANKLIN COUNTY
(One Elected)

J. Elmer Shinnam, D.,	12,354
C. Frank Gillan, R.,	13,217

FULTON COUNTY
(One Elected)

Lewis Harris, D.,	2,149
Walter R. Sloan, R.,	1,976

GREENE COUNTY
(One Elected)

Perry E. Wright, D.,	9,135
Robert C. Wiley, R.,	7,635

HUNTINGDON COUNTY
(One Elected)

Carson W. Jones, D.,	5,490
George W. Fisher, R.,	8,802

INDIANA COUNTY
(Two Elected)

Charles Larson Dahlquist, D.,	10,861
John Rankin, D.,	10,954
Wm. R. McMillen, R.,	15,457
E. E. Hewitt, Sr., R.,	15,607

JEFFERSON COUNTY
(One Elected)

Ira M. Kephart, D.,	8,162
Samuel B. Dennison, R.,	12,083

JUNIATA COUNTY
(One Elected)

John W. M. Burris, D.,	3,866
J. S. McMath, R.,	3,242

LACKAWANNA COUNTY
First District
(One Elected)

Edward M. Regan, D.,	10,371
Daniel Beynon, R.,	8,428

Second District
(One Elected)

Martin F. Kenehan, D.,	11,141
J. Russell Phillips, R.,	10,426

Third District
(One Elected)

Robert E. Dougherty, D.,	10,016
Robert J. Cordier, R.,	10,097

Fourth District
(One Elected)

Harry P. O'Neill, D.,	15,300
John A. Hetsko, R.,	6,964

Fifth District
(One Elected)

Robert W. Munley, D.,	12,677
William W. Jones, R.,	8,788

Sixth District
(One Elected)

Walter I. Taylor, D.,	8,869
Matthew T. Knoble, R.,	10,455

LANCASTER COUNTY
First District
(One Elected)

Marshall M. Cohen, D.,	13,145
Alfred C. Alspach, R.,	12,999
Reuben A. Carr, Com.,	33

Second District
(Three Elected)

Irvin H. Kauffman, D.,	18,123
J. Madison Dietrich, D.,	17,868
Robert Emmett Pannell, D.,	17,638
Harry E. Trout, R.,	31,879
Norman Wood, R.,	31,764
Baker Royer, R.,	31,848

LAWRENCE COUNTY
First District
(One Elected)

Presley N. Jones, D.,	10,042
Oliver J. Shannon, R.,	9,226
P. M. McGaffic, Pro.,	169

Second District
(One Elected)

Clyde M. Buzard, D.,	8,375
George T. Weingartner, R.,	9,354
Stuart Hunt, Pro.,	338

LEBANON COUNTY
(One Elected)

Peter R. Boltz, D.,	12,654
H. David Sarge, R.,	13,826

LEHIGH COUNTY
First District
(Two Elected)

Paul C. Rausch, D.,	16,116
James J. McDermott, D.,	15,411
Tilghman A. Freed, R.,	13,783
Jacob L. Moser, R.,	14,034

Second District
(One Elected)

William A. Shoemaker, D.,	14,817
Franklin H. Lichtenwalter, R.,	16,142

LUZERNE COUNTY
First District
(One Elected)

Joseph C. Gallagher, D.,	12,384
Seth W. Brown, R.,	11,273

Second District
(One Elected)

Walter Grey Gryskewicz, D.,	12,624
Peter Wolfe, R.,	9,488

Third District
(One Elected)

James J. McLane, D.,	15,564
Frank T. Horan, R.,	8,017

Fourth District
(One Elected)

Theodore Komorofski, D.,	11,580
Bruno Kowalski, R.,	8,675

Fifth District
(One Elected)

John L. Boney, D.,	11,346
William G. Jenkins, R.,	8,284

Sixth District
(One Elected)

Arthur A. Billinge, D.,	14,629
Don. Wilkinson, R.,	17,572

Seventh District
(Two Elected)

James J. Malloy, D.,	17,404
Edward C. Schwab, D.,	17,332
David A. Livingstone, R.,	14,925
Ben L. Jenkins, R.,	14,469

LYCOMING COUNTY
(Two Elected)

Robert C. Wenck, D.,	17,796
John B. Bader, D.,	17,367
Ray L. Riley, R.,	21,121
W. Henry Elder, R.,	21,134

McKEAN COUNTY
(One Elected)

Edward S. O'Mara, D.,	6,814
Jack J. McDowell, R.,	14,681

MERCER COUNTY
(Two Elected)

Dennis Sweeney, D.,	17,033
Elmer R. Hile, D.,	15,852
R. Roscoe Simons, R.,	20,128
Thomas Lyons, R.,	20,254
B. R. Phillips, Pro.,	226
R. M. Stewart, Pro.,	230

MIFFLIN COUNTY
(One Elected)

J. Howard French, D.,	6,742
A. L. Sheffer, R.,	6,535

MONROE COUNTY
(One Elected)

Leo A. Achterman, D.,	6,563
R. Le Roy Dengler, R.,	5,999

MONTGOMERY COUNTY
First District
(One Elected)

Manus McHugh, D.,	8,447
Lambert Cadwalader, R.,	18,859

Second District
(One Elected)

John D. Harrold, D.,	8,173
Charles H. Brunner, Jr., R.,	9,701

Third District
(Three Elected)

David Stevenson, D.,	29,031
John S. Hinkle, D.,	28,519
Albert C. Richter, D.,	28,648
Lloyd H. Wood, R.,	46,279
Edwin Winner, R.,	46,110
Howard F. Boorse, R.,	45,924

MONTOUR COUNTY
(One Elected)

Walter J. Vincent, D.,	2,961
Harry Kessler, R.,	2,831

NORTHAMPTON COUNTY
First District
(One Elected)

Joseph A. Longo, D.,	9,324
Lewis R. Long, R.,	5,583

Second District
(Three Elected)

Carleton T. Woodring, D.,	23,182
Charles McFall, D.,	21,859
D. Miller Early, D.,	21,989
John N. Hoffman, R.,	19,380
Herbert H. Roseberry, R.,	18,512
Harry P. Kitchen, R.,	18,453

NORTHUMBERLAND COUNTY
First District
(One Elected)

Charles R. Burrows, D.,	7,658
Adam T. Bower, R.,	9,086

Second District
(Two Elected)

John F. Stank, D.,	17,062
Joseph P. Bradley, D.,	16,235
W. Atwater Eveland, R.,	13,622
Edward Thew, R.,	13,744

PERRY COUNTY
(One Elected)

Herbert P. Dyson, D.,	4,637
L. D. Stambaugh, R.,	5,721

PHILADELPHIA COUNTY
First District
(Two Elected)

Joseph Skale, D.,	30,740
John P. Corrigan, D.,	30,782
Frank A. Pinto, R.,	13,228
Nathaniel S. Shaham, R.,	13,187
Max H. Sagle, Com.,	177

Second District
(One Elected)

Daniel Di Genova, D.,	4,534
Americo V. Cortese, R.,	4,491

Third District
(Two Elected)

Samuel M. Rosenfeld, D.,	7,758
Harry P. Voldow, D.,	7,678
Josef Jaffe, R.,	6,676
Morris J. Root, R.,	6,612
Sam Lee, Com.,	47

Fourth District
(One Elected)

Samuel C. Tabbey, D.,	3,145
William A. Fletcher, R.,	4,383
Adolph Heller, Com.,	73

Fifth District
(Three Elected)

Paul D'Ortona, D.,	36,748
Francis J. Falkenstein, D.,	36,587
Charles Melchiorre, D.,	36,633
Thomas J. Stapleton, R.,	20,[illegible]
Vincent Tartaglia, R.,	20,708
John J. McGarvey, R.,	20,555
Jasper Passalacqua, Com.,	109

Sixth District
(One Elected)

Edward C. Young, D.,	5,218
Joseph S. O'Brien, R.,	4,612
James Jenkins, No Wage Tax,	16

Seventh District
(One Elected)

William A. Allmond, D.,	7,172
Willa T. Moss, R.,	3,783
Dawson Finch, Com.,	11
Ida T. Love, No Wage Tax,	9

Eighth District
(Two Elected)

Francis J. Toughill, D.,	6,560
George Karlavage Kelly, D.,	6,540
Charles F. Voorhees, R.,	7,117
James J. O'Dare, R.,	7,116

Ninth District
(One Elected)

Lewis J. Finestone, D.,	2,288
Herman J. Tahl, R.,	2,233

Tenth District
(Two Elected)

Raphael I. Monks, D.,	9,697
Francis X. McClanaghan, D.,	9,733
John L. Gorman, R.,	6,293
John C. Walton, R.,	6,339
Edwin Curry, State Rights	249
Edward Sandler, State Rights	247

Eleventh District
(One Elected)

Ellwood B. Welsh, D.,	8,457
George W. Vaughan, Sr.,	4,715

Twelfth District
(Two Elected)

J. Harold Levy, D.,	11,844
Joseph J. O'Mullen, D.,	11,949
Robert A. Maguire, R.,	6,604
William C. Eichenberger, Jr., R.,	6,502

Thirteenth District
(Two Elected)

Edwin F. Thompson, D.,	14,364
Reuben E. Cohen, D.,	14,394
William J. Beadman, R.,	7,405
Russell A. Allen, R.,	7,361
Barney Nitzky, Com.,	60

Fourteenth District
(One Elected)

Gordon Dorrance, D.,	9,408
Thomas H. Lee, R.,	10,747

Fifteenth District
(One Elected)

M. Carton Dittmann, Jr., D.,	20,204
Edwin A. Lee, R.,	31,578

Sixteenth District
(One Elected)

Mayer E. Herman, D.,	46,588
Alfred K. Clearwater, R.,	37,363

Seventeenth District
(One Elected)

I. Edward Prosen, D.,	43,030
Frank J. Tiemann, R.,	40,272
Paul Simmer, Com.,	75

Eighteenth District
(Three Elected)

Marshall L. Shepard, D.,	52,374
John J. Finnerty, D.,	52,184
Samuel Rose, D.,	52,023
Robert F. Frankenfield, R.,	29,207
Joseph J. Smith, R.,	29,521
Newton B. Morrell, R.,	28,982
John J. Ellis, Com.,	269
Irving Kostrow, Com.,	253
George A. Hawkins, No Wage Tax,	159
John F. Lorine, No Wage Tax,	145
Marie A. Simmons, No Wage Tax,	167

Nineteenth District
(Two Elected)

Leon J. Kolankiewicz, D.,	22,473
Joseph M. O'Brien, D.,	22,387
Paul Naumann, Jr., R.,	10,255
T. Wilbur MacDonald, R.,	10,183

Twentieth District
(Two Elected)

James R. Rooney, D.,	21,072
Joseph J. Hersch, D.,	20,893
George V. Turner, R.,	10,321
William B. Patten, R.,	10,436

Twenty-first District
(Two Elected)

Edward Duffy, Jr.,	16,675
Ralph Tennyson Jefferson, D.,	16,500
Paul F. Keene, R.,	10,107
Manuel G. Triol, R.,	9,895
William M. Harriss, Com.,	72

Twenty-second District
(Two Elected)

Herman M. Modell, D.,	59,898
Frank J. Cullen, D.,	59,458
James A. McGarrity, R.,	41,541
Michael J. McNally, R.,	41,061
Walter Lowenfels, Com.,	236
Ethel Williams, Com.,	231
T. Oliver Mayberry, No Wage Tax,	905
George D. Rowland, No Wage Tax,	898

Twenty-third District
(One Elected)

Earl Chudoff, D.,	13,561
S. Culin Parks, R.,	5,005
Maude Mae White, Com.,	112

Twenty-fourth District
(One Elected)

Elmer Kilroy, D.,	19,803
John F. Daly, R.,	13,713

Twenty-fifth District
(One Elected)

Joseph A. Scanlon, D.,	19,494
George W. Hufnagel, R.,	10,082

Twenty-sixth District
(One Elected)

James H. J. Tate, D.,	14,080
Raymond A. Thistle, R.,	10,117
George Wicher, Com.,	48

Twenty-seventh District
(One Elected)

John B. Hering, D.,	7,106
James J. Clothier, R.,	4,908

PIKE COUNTY
(One Elected)

Joseph H. Vogt, D.,	2,248
Gaylord Carpenter, R.,	2,176

POTTER COUNTY
(One Elected)

Wayne E. Bishop, D.,	2,813
Wrayburn B. Hall, R.,	5,012

SCHUYLKILL COUNTY
First District
(One Elected)

John McGrath, D.,	12,684
Gus E. Wachhaus, R.,	11,240

Second District
(One Elected)

Edward J. Boyle, D.,	5,766
Elmer McSurdy, R.,	7,060

Third District
(One Elected)

J. Noble Hirsch, D.,	9,652
Paul L. Wagner, R.,	9,513

Fourth District
(Two Elected)

James J. Troy, D.,	15,639
Harry Plappert, D.,	14,671
Ivan C. Watkins, R.,	20,349
G. Edgar Kline, R.,	19,980
Hilda Neidlinger, Com.,	70

SNYDER COUNTY
(One Elected)

William J. Whiteleather, D.,	2,331
Ira T. Fiss, R.,	5,760

SOMERSET COUNTY
(Two Elected)

Eber Cockley, D.,	13,353
W. T. Brown, D.,	13,031
Fred P. Hare, Jr., R.,	17,673
Kenneth H. Wagner, R.,	17,234

SULLIVAN COUNTY
(One Elected)

Edward M. Flynn, D.,	2,167
Sidney J. Peale, R.,	1,496

SUSQUEHANNA COUNTY
(One Elected)

Thomas R. White, D.,	5,027
Glenn W. Ely, R.,	9,561

TIOGA COUNTY
(One Elected)

John W. Allen, D.,	4,392
Frank E. Snyder, R.,	11,436

UNION COUNTY
(One Elected)

Charles F. Lindig, D.,	2,108
Charles R. Reagan, R.,	5,613

VENANGO COUNTY
(One Elected)

Frank B. Allen, D.,	6,597
John H. McKinney, R.,	17,419
Cora B. Pyle, Pro.,	402

WARREN COUNTY
(One Elected)

G. Henry Nicholson, D.,	5,997
W. W. Muir, R.,	10,460
Paul R. Splitstone, Pro.,	144

WASHINGTON COUNTY
First District
(Two Elected)

Francis E. Pettit, D.,	23,486
J. D. Polen, D.,	22,613
Vance D. Peacock, R.,	17,806
William Christian Porter, R.,	16,408

Second District
(Two Elected)

Clarence O. Williams, D.,	24,780
Russell E. Reese, D.,	23,848
H. Earle Wagner, R.,	12,983
Edgar D. Hagerty, R.,	12,440

WAYNE COUNTY
(One Elected)

Paul Lannon, D.,	3,274
Irving S. Dix, R.,	9,240

WESTMORELAND COUNTY
First District
(Two Elected)

Valentine Lesko, D.,	12,113
Roy C. Haberlen, D.,	13,031
David N. Denman, R.,	11,921
Russell St. Clair, R.,	11,133

Second District
(Two Elected)

James E. Lovett, D.,	24,685
Anthony J. Petrosky, D.,	22,275
J. Aber McGeary, R.,	17,175
Samuel T. Johnson, R.,	15,869

Third District
(Two Elected)

David H. Weiss, D.,	22,371
H. J. Maxwell, D.,	22,246
Malcolm D. Young, R.,	15,605
Elliott L. Hibbs, R.,	15,977

WYOMING COUNTY
(One Elected)

W. S. Hufford, D., ... 2,103
Ray W. Greenwood, R., ... 5,586

YORK COUNTY
First District
(One Elected)

Felix S. Bentzel, D., ... 13,226
Charles R. Jacobs, R., ... 8,582

Second District
(One Elected)

Clayton E. Moul, D., ... 16,044
Alvin H. Hocke, R., ... 13,768

Third District
(One Elected)

Russell S. Stine, D., ... 9,446
George H. Johnston, R., ... 7,876

ROLL CALL

The CHIEF CLERK. The roll will now be called.

The roll was called and the following Members-elect were present:

MEMBERS PRESENT

Achterman,	Foor,	Lovett,	Rose, W. E.,
Allmond,	French,	Lyons,	Rosenfeld,
Auker,	Gallagher,	Malloy,	Royer,
Baker,	Gates,	Marks,	Rush,
Balthaser,	Gerard,	Maxwell,	Sarge,
Baugher,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boies,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyhaw,	McKinney,	Simons,
Breth,	Haberlen,	McLanahan,	Skale,
Bretherick,	Haines,	McLane,	Snyder,
Brown,	Hall,	McMillen,	Sollenberger,
Brunner, C. H.,	Hamilton,	McSurdy,	Sorg,
Brunner, P. A.,	Hare,	Melchiorre,	Stambaugh,
Burns,	Harkins,	Mihm,	Stank,
Burris,	Harmuth,	Modell,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Chudoff,	Helm,	Moran,	Tate,
Cochran,	Hering,	Moul,	Taylor,
Cohen, M. M.,	Herman,	Mulr,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley,	Thompson, R. L.,
Cook,	Hewitt,	Nagel,	Trout,
Cooper,	Hirsch,	Nunemacher,	Turner,
Cordier,	Holland,	O'Brien,	Van Allsburg,
Corrigan,	Huntley,	O'Connor,	Verona,
Croop,	Imbrie,	O'Dare,	Vincent,
Cullen,	James,	O'Mullen,	Vogt,
Dalrymple,	Jefferson,	O'Neill,	Voldow,
Dennison,	Jones, G. E.,	Owens,	Voorhees,
DiGenova,	Jones, P. N.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingarten,
D'Ortona,	Kilroy,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wolf,
Falkenstein,	Lee, T. H.,	Reese, D. R.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,

The CHIEF CLERK. Two hundred eight Members-elect having answered to their names a quorum is present. The House is now ready to proceed to business.

RESOLUTION

OATH ADMINISTERED TO MEMBERS-ELECT

Mr. SKALE, a Member-elect, offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That the Hon. Gerald F. Flood a judge, learned in the law of the Court of Common Pleas of Philadelphia County, be requested to administer the oath of office required by Article VII, of the Constitution to be taken by the Members-elect of the House of Representatives.

COMMITTEE APPOINTED TO ESCORT HON. GERALD F. FLOOD TO ROSTRUM

The CHIEF CLERK appointed Messrs. Skale and David P. Reese to escort the Hon. Gerald F. Flood to the rostrum to administer the oath of office to the Members-elect.

OATH ADMINISTERED TO MEMBERS-ELECT

The CHIEF CLERK. A Bible will be found in the desk of each member for those who swear by the Bible.

The Members-elect will rise and remain standing at their desks during the administration of the oaths and affirmations.

The oath of office was then administered to all the Members-elect.

RESOLUTION

ELECTION OF SPEAKER

Mr. MELCHIORRE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That in accordance with the provisions of Article II, Section 9, of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker and that the clerks act as tellers.

NOMINATIONS FOR SPEAKER

Mr. REUBEN E. COHEN. Mr. Chief Clerk and Members of the House, this day is an important one in the lives of many of us, and it is especially important to those members of this House who have just been sworn to perform their duty to this Commonwealth. It is important to all persons in the hall of this House, because they look upon us as those who shall guide the destinies of this great Commonwealth during the next session of this House, which this day started, to put Philadelphia, and to put Pittsburgh, and the other great cities of this Commonwealth and the Commonwealth itself in that high position which it so richly deserves as a part of this great nation.

In the deliberations of this House, it is necessary and it is vital that we do not overlook the fact that the relationship between the members of this House, those who deliberate in its committees and those who take part in the deliberations on the floor, shall have as their leader in the Chair, as Speaker of this House, a person who is endowed with the very essential, everyday precepts of fair play and honesty toward the citizens of Pennsylvania and his fellow members.

I am very proud to stand here today and on behalf of

the members on this side of the House, and on behalf of Philadelphia, place in nomination one of our members from Philadelphia who in my estimation best typifies and exemplifies the great wealth of human understanding and sympathy which I believe the occupant of that position should have. I want to present to this House for its consideration a man who is a veteran in the government service, having served his nation in time of war, a man who has been an outstanding citizen of Philadelphia, who has served in its communal work, a veteran in these legislative halls, and one whom we all by our experience and contact have come to know as a friendly gentleman and as a friend.

It is with great pleasure, Mr. Chief Clerk and Members of this House, that I place in nomination for the position of Speaker of the House of Representatives the gentleman from Philadelphia, the Honorable Elmer Kilroy.

Mr. ACHTERMAN. Mr. Chief Clerk, it has been my privilege and honor to serve under a number of Speakers of this House and in every instance I can truthfully say that each Speaker has had some marked ability that has commended him to me. The man whose nomination I am seconding also has marked ability, particularly in the field of friendship and affability, which is so essential and necessary for the serene operation of any House. I do not mena, however, to say that that alone constitutes his ability. During his service, particularly in this House in 1937, when he was Chairman of the Highways Committee, I felt he did a real job for the city of Philadelphia, particularly in relation to their highways, by receiving and having passed legislation that made it possible for Philadelphia to receive material assistance from the state of Pennsylvania. The Democratic party in winning this election naturally turns to Philadelphia, which contributed no small part to that success, and Philadelphia in turn just naturally gravitates to Elmer Kilroy as their choice for Speaker.

Mr. Chief Clerk, it gives me great pleasure to second the nomination of Elmer Kilroy as Speaker.

Mr. WOODSIDE. Mr. Chief Clerk and Members of the House, I nominate Ellwood Jackson Turner for the high office of Speaker of this House of Representatives. During the past two years he has served as Speaker of this House. During that time, he exhibited the same sterling qualities that were possessed by his many able predecessors, and demonstrated his knowledge of parliamentary procedure.

He has been eminently fair; he recognized the rights of the minority and the privileges and responsibilities of the majority. But that is not all. He more than met the high standards of his able predecessors. Because of his long and varied experience as a member of this body, he brought to the Chair an understanding of the government of this state such as has been possessed by few men in its entire history. By force of his personality he gave the Chair a "new high" in personal dignity. By his quick wit and jovial nature, he maintained an unprecedented degree of friendliness and cooperation. By his punctuality, his courage, his patience and his determination he raised the decorum of this House until it could be favorably compared with any deliberative body in the world. He has a firm belief in the importance and independence of the Legislature as a coordinate branch of the Commonwealth, and an equally firm conviction that its importance and independence must be recognized, understood and appreciated by the public and the other branches of the government, if the democracy which we all love is to survive. He has devoted his energies toward securing that recognition and appreciation by forcefully insisting upon the rights of the Legislature and raising the efficiency of the Legislature which gave it a dignity which demanded respect. Above all he has devoted his time, his energy and his ability to the service of this Commonwealth as no Speaker of the House has ever before done. The result of his efforts are measured in better working facilities, new habits of punctuality, recognition of the rights and privileges of the individual Members of this House, better decorum, more efficiency and greater dignity.

For these reasons, Ellwood Jackson Turner is the choice of the Republican Members of this House for Speaker.

Mr. SCTOCKHAM. Mr. Chief Clerk, I rise to second the nomination of Ellwood Jackson Turner and to express to the Members of this House all those sentiments which Mr. Woodside has so well worded and phrased.

Mr. Turner has been an inspiration to all of us of the Republican party, and I believe has been by his fairness an inspiration even to those of the minority party who were here during the last session of this Legislature.

It is a privilege and it is an honor for me to second the nomination of Ellwood Jackson Turner for the Republican side.

Mr. POWERS. Mr. Chief Clerk, I move that nominations for Speaker of the House be closed.

The motion was agreed to.

ROLL CALL

The CHIEF CLERK. The roll will now be called and each member will announce distinctly, when his name is called, the candidate for whom he votes.

The roll wes called and was as follows:

FOR MR. KILROY

Achterman,	Finnerty,	McClanaghan,	Reynolds,
Allmond,	Flynn,	McDermott,	Rooney,
Baker,	French,	McFall,	Rose, S.,
Balthaser,	Gallagher,	McGrath,	Rosenfeld,
Baugher,	Gerard,	McIntosh,	Rush,
Bentley,	Goodwin,	McLanahan,	Sarraf,
Bentzel,	Gryskewicz,	McLane,	Scanlon,
Boies,	Haberlen,	Melchiorre,	Schwab,
Boney,	Hamilton,	Mihm,	Shaffer,
Bradley,	Harkins,	Modell,	Shaw,
Breth,	Harmuth,	Monks,	Shepard,
Brown,	Harris,	Mooney,	Skale,
Brunner, P. A.,	Heatherington,	Moran,	Stank,
Burns,	Hering,	Moul,	Stine,
Burris,	Herman,	Munley,	Tarr,
Chervenak,	Hersch,	Nagel,	Tate,
Chudoff,	Hirsch,	Nunemacher,	Thompson, E. F.,
Cochran,	Holland,	O'Brien,	Turner,
Cohen, M. M.,	Jefferson,	O'Connor,	Verona,
Cohen, R. E.,	Jones, P. N.,	O'Mullen,	Vincent,
Corrigan,	Keenan,	O'Neill,	Vogt,
Croop,	Kenehan,	Owens,	Voldow,
Cullen,	Kolankiewicz,	Petrosky,	Weiss,
DiGenova,	Komorofski,	Pettit,	Welsh, E. B.,
Dolon,	Leonard,	Polaski,	Welsh, M. J.,
D'Ortona,	Lesko,	Polen,	Williams,
Duffy,	Levy,	Powers,	Wolf,
Early,	Longo,	Prosen,	Woodring,
Elliott,	Lovett,	Rausch,	Wright,
Falkenstein,	Malloy,	Readinger,	Yester,
Finestone,	Marks,	Reese, R. E.,	Young,
	Maxwell,	Regan,	

FOR MR. TURNER

Auker,	Gates,	Lee, E. A.,	Simons,
Boorse,	Gillan,	Lee, T. H.,	Snyder,
Bower,	Gillette,	Leisey,	Sollenberger,
Bretherick,	Greenwood,	Leydic,	Sorg,
Brunner, C. H.,	Gross,	Lichtenwalter,	Stambaugh,
Cadwalader,	Gyger,	Lyons,	Stockham,
Cook,	Habbyhaw,	McClester,	Taylor,
Cooper,	Haines,	McKinney,	Thompson, R. L.,
Cordier,	Hall,	McMillen,	Trout,
Dalrymple,	Hare,	McSurdy,	Van Allsburg,
Dennison,	Helm,	Muir,	Voorhees,
Dix,	Hewitt,	O'Dare,	Wagner,
Eckels,	Huntley,	Rank,	Watkins,
Elder,	Imbrie,	Reagan,	Weingartner,
Ely,	James,	Reese, D. R.,	Wilkinson,
Fisher,	Jones, G. E.,	Rhea,	Winner,
Fiss,	Kilroy,	Rose, W. E.,	Wood, L. H.,
Fleming,	Kline,	Royer,	Wood, N.,
Fletcher,	Knoble,	Sarge,	Woodside,
Foor,	Krise,	Serrill,	Yeakel,

The CHIEF CLERK. The Tellers agree in their count and the vote cast is as follows:

Honorable Elmer Kilroy received one hundred twenty-six votes.

Honorable Ellwood J. Turner received eighty votes.

The Honorable Elmer Kilroy having received a majority of all the votes cast is hereby declared elected Speaker of the House of Representatives.

ELECTION OF SPEAKER MADE UNANIMOUS

Mr. TURNER. Mr. Chief Clerk, in view of the fact that the majority of the House cast their votes for my good colleague, Elmer Kilroy, I move that the election be made unanimous.

Mr. WOODSIDE. Mr. Chief Clerk, I second that motion.

The motion was agreed to and Mr. Kilroy received the unanimous vote of the House.

COMMITTEE TO ESCORT SPEAKER-ELECT TO ROSTRUM

The CHIEF CLERK. The Chair appoints Messrs. Turner and Reuben E. Cohen as a committee to escort the Speaker-elect to the rostrum.

OATH OF OFFICE ADMINISTERED TO SPEAKER-ELECT

The CHIEF CLERK. Members of the House, I have the extreme honor to present to you the Honorable Elmer Kilroy Speaker-elect of this House of Representatives.

The oath of office was then administered to Honorable Elmer Kilroy, Speaker-elect of the House of Representatives by the Honorable Gerald F. Flood.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR

ADDRESS OF THE SPEAKER

The SPEAKER. Fellow Members: First a plain old-fashioned "Thanks." As the poem says "Thoughts are things. . . ." I remember when I first took my seat in this chamber, how impressed I was by the setting and how when the Speaker opened the House I had this fleeting thought, I would like to have friends enough and the ability to hold the position one day that you have so graciously just conferred on me.

I fully realize the importance of the office. I know the responsibilities that attend it and how difficult it will be to live up to my predecesors. Ellwood Turner filed the Chair with dignity and distinction. As a matter of fact, I think I can safely say without fear of contradiction that he filled it in a bigger way—I mean per square inch—than Furman or Sarig. But, seriously, all these men have been a credit to themselves, their party and their constituents, and if at the expiration of my term I can bring down the curtain with the knowledge that I have upheld the tradition of the office, I will indeed be happy.

I need not tell you that I am somewhat scared in my new task. I approach my duties with apprehension because my capabilities in this direction are somewhat limited but then you have seen me operate and knew what to expect when you voted for me.

I am not going to try to set the world on fire. I am not going to suddenly assume a superior attitude and be stiffened by the importance of the position I hold. I am the same fellow that you knew in the last session and the sessions preceding that.

I like to keep my friends and flatter myself that I have a great many on the other side of the House who know that I will play the game according to the rules. Those of you on the minority can feel certain that you will be as safe in my hands as the Democrats were in Ellwood Turner's.

Seriously again, let me say that we all want to remember that, Democrats or Republicans, we are first and foremost Americans. If we have differences in the House, we must not let those differences become so magnified that we cannot be friends.

NOMINATIONS FOR CHIEF CLERK

Mr. BONEY offered the following resolution which was read by the Clerk:

In the House of Representatives, January 7, 1941.

Resolved, That Thomas J. Callahan of Luzerne County, be elected Chief Clerk of this House of Representatives.

Mr. MUNLEY. Mr. Speaker, I move the nominations be now closed.

The motion was agreed to.

On the question,

Will the House adopt the resolution?

It was adopted.

The SPEAKER. There being but one nomination Mr. Thomas J. Callahan is declared elected Chief Clerk of the House.

NOMINATIONS FOR SECRETARY

Mr. GERARD offered the following resolution which was read by the Clerk.

In the House of Representatives, January 7, 1941.

Resolved, That Mr. Dennis J. Mulvihill of Allegheny County be elected Secretary of this House of Representatives.

Mr. MATTHEW J. WELSH. Mr. Speaker, I move the nominations be now closed.

The motion was agreed to.

On the question,

Will the House adopt the resolution?

It was adopted.

The SPEAKER. There being but one nomination Mr. Dennis J. Mulvihill is declared elected Secretary of the House.

OATH ADMINISTERED TO CHIEF CLERK AND SECRETARY

The oath of office was then administered to Thomas J. Callahan, Chief Clerk-elect and Dennis J. Mulvihill, Secretary-elect of the House of Representatives by the Honorable Gerald F. Flood.

The SPEAKER. The Chair extends the thanks of the House to the retiring Chief Clerk of this House, Mr. William Ward, Jr., for his efficient cooperation in the organization of this House.

REMARKS BY HON. WILLIAM WARD, JR.

Mr. WARD. Mr. Speaker and gentlemen of the House, to the members who I knew and the members with whom I have since become acquainted, my thanks for the generous treatment which I have received during the past two years. I have much enjoyed the work, I am of course retiring for the moment. Some might say that the "Wards" are dead, but I believe in the resurrection of the dead and the "Wards" are coming back.

It is gratifying indeed and a pleasure to me to know that as I leave, I leave the office of Chief Clerk in the hands of an able and courteous gentleman who has served you before and I know you will thoroughly enjoy your companionship with him. So with thanks indeed and until we meet again, goodbye.

The SPEAKER. The Chair wishes to thank the retiring Secretary of the House, Bill Roan.

Mr. ROAN. Mr. Speaker and members of the House, I have had the pleasure of serving as a member of this House as well as the pleasure of serving you as Secretary. I have enjoyed it. I thank you very much for your cooperation, and at any time in the future I will be very glad to be at your service. Thank you.

RESOLUTION

THANKING HONORABLE GERALD F. FLOOD FOR ADMINISTERING OATH

Mr. BROWN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That the Members of the House of Representatives do hereby extend their thanks to the Honorable Gerald F. Flood of Philadelphia County, for his services in administering the oath of office to its Members and officers.

RESOLUTION

RULES OF HOUSE

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That the Rules of the last House of Representatives be the Rules of this House, with the following amendments to Rule 27:

Strike out (apportionment to consist of 20 Members) and insert:

Legislative Apportionment to consist of 20 Members.

Strike out (Education to consist of 30 Members) and insert:

Education to consist of 40 Members.

Strike out (Labor to consist of 20 Members) and insert:

Labor to consist of 30 Members.

Strike out (Mines and Mining to consist of 20 Members) and insert:

Mines and Mining to consist of 30 Members.

Strike out (Workmen's Compensation to consist of 20 Members) and insert:

Workmen's Compensation to Consist of 30 Members.

The following shall be added as a Standing Committee of the House, under the provisions of this Rule:

Congressional and Judicial Apportionment to consist of 20 Members.

The membership designated for all Standing Committees of the House shall be in addition to the Chairman and Vice Chairmen thereof.

NOTIFICATION FROM SENATE

The SERGEANT-AT-ARMS. Mr. Speaker, I present a committee on the part of the Senate.

Mr. DEITRICK. Mr. Speaker, I have the honor to inform you that the Senate of the Commonwealth of Pennsylvania is duly organized and ready to proceed with the business of the session.

The SPEAKER. The Chair receives with thanks the message of the Committee on the part of the Senate.

RESOLUTION

NOTIFICATION TO SENATE

Mr. LOVETT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the House of Representatives is organized and ready to proceed with the business of the session.

COMMITTEE APPOINTED

The SPEAKER appointed as a committee to wait upon the Senate and inform that body that the House is organized and ready to proceed with business Messrs. Lovett, McDermott and Trout.

NOTIFICATION TO GOVERNOR

Mr. MALLOY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That a committee of three be appointed by the Speaker to wait upon His Excellency, the Governor of the Commonwealth and inform him that the House of Representatives is organized and ready to receive any communication he may be pleased to make.

COMMITTEE APPOINTED

The SPEAKER appointed as a committee to wait upon the Governor and inform him that the House is organized and ready to receive communications Messrs. Malloy, Readinger and Stockham.

REMARKS BY SPEAKER

The SPEAKER. The Chair requests the committee to convey to His Excellency, the Governor, his personal thanks, and the appreciation of the democratic membership of the House of Representatives for his gracious act in changing the time at which he originally desired to address the General Assembly, from 7 o'clock p. m. to 3:30 p. m. today, so that it would not conflict with the hour set for the Democratic Victory Dinner. In doing this, the Governor cancelled arrangements for a direct

broadcast of his address, and it is very much appreciated. The committee will proceed in the performance of its duties.

SENATE MESSAGES

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

PARLIAMENTARIAN APPOINTED

The SPEAKER in compliance with the Act of the General Assembly approved the 28th day of May, 1931, as amended, appointed S. Edward Moore, of Cumberland County, Parliamentarian.

SECRETARY TO SPEAKER APPOINTED

The SPEAKER in compliance with the Act of the General Assembly approved the 2nd day of July, 1937, P. L. 2765, appointed Helen A. Kelly, Secretary to the Speaker.

The SPEAKER. The Chair requests the gentleman from Delaware, Mr. Turner, to preside.

MR. TURNER IN THE CHAIR

SENATE MESSAGES

TELLER APPOINTED

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1941.

Resolved, That the Senator from Northampton, Mr. Bartlett, be appointed Teller on the part of the Senate to open, compute and count the vote for Auditor General and State Treasurer.

POSTAGE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate which was read as follows:

In the Senate, January 7, 1941.

Whereas, the Post Office Department has decided that the Legislative Journal must be third class matter and has so instructed the Postmaster at Harrisburg, therefore be it

Resolved, (If the House of Representatives concur) That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage so that the Legislative Journal may be mailed according to the requirements of the Post Office Department and that the payment of the postage for the Legislative Journal, also for bills, calendars and histories be provided for in the Appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER (Mr. Kilroy) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for honoring us in presiding.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, at this time I ask the indulgence of the House to call attention to the fact that for a number of months the staff of the Joint State Government Commission has been gathering a great amount of material, not only bearing directly upon the studies which the different sub-committees have been making, but upon many other subjects of interest to the members of the legislature. I believe that most of the older members of the legislature know of the work of the Joint State Government Commission. If any of the members have any questions or if there is any information which they desire to secure in reference to legislation which they want to introduce, if they will go to the Joint State Government Commission's room, which at the present time is on the third floor of the Capitol, but which during the next week or ten days will be moved, possibly to the first floor they will be only too willing to assist you. To those members especially who are serving for the first time I would like to offer as you have the right to have, the services of the staff of the Joint State Government Commission, and access to the data which they have gathered. They may not be able to answer all of your questions readily, they may not have the material which you need for the purposes of your legislation, but on the other hand I believe that you can there find a lot of assistance and help, and if they have the data, it may short-cut your work and enable you to secure the information you desire more quickly and more accurately than you could gather it in your own behalf.

It is for that reason that I asked for the opportunity to call this matter to your attention at the present time.

RESOLUTION

DUTIES OF THE HOUSE EMPLOYES

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Whereas, the laws of the Commonwealth provide for the election by the members of the House of various employes, but fail to define the duties of such employes, and

Whereas, the dispatch of the business of the House requires that these duties should be prescribed by the House in order to enable the Chief Clerk to make the proper assignments and supervise the work of the employes, therefore be it

Resolved that the employes designated by this resolution by title of the position, shall be assigned by the Chief Clerk and shall perform the duties directed by this resolution.

Sergeants-At-Arms. The Chief Sergeants-at-Arms shall have the immediate charge of the chief assistant and assistant sergeant-at-arms. It shall be the duty of the sergeants-at-arms to police the Hall of the House of Representatives and the approaches thereto, to maintain order and decorum during the sessions of the House, to pick bills and insert them in the files on the members desks, and to have charge of and operate the House bill file room where bills are delivered, picked and made available for general distribution. It shall be the duty of the Chief Clerk to divide the force of sergeants-at-arms in such manner so that a sufficient number shall at all times be assigned to police duty and a sufficient number to the House bill file room and the work in connection therewith in picking, filing and distributing bills, resolutions, calendars, histories and journals. Sergeants-at-arms, assigned to policing the House shall wear uniforms furnished by the Chief Clerk.

Clerks to Committees. The clerks to committees

shall be competent and experienced stenographers or stenotypists, each of whom shall be assigned, by the Chief Clerk, to serve particular committees. It shall be the duty of the clerks to committees to act as clerks to the committees to which they have been assigned, act as a secretary to the chairman and vice-chairman of said committees, when not otherwise engaged, assist stenographers of the House with correspondence of the members, and perform such other duties as may be prescribed by the Chief Clerk of the House.

Transcribing Clerks. The personnel of the transcribing room shall be in the immediate charge of the chief official reporter of the House under the supervision of the Chief Clerk. It shall be the duty of the Journal Clerk, assistant Journal Clerk, House message clerk and other personnel assigned to the transcribing room by the Chief Clerk, to keep the Joural of the House, type titles to bills, prepare and deliver communications between the two Houses, and perform such other duties as may be assigned by the Chief Clerk and the Chief Official Reporter.

Legislative Joural Personnel. The personnel engaged in the publication of the Legislative Journal shall be in the immediate charge of the Chief Official Reporter under the supervision of the Chief Clerk.

History Clerk. It shall be the duty of the History Clerk to compile the weekly history of legislation of the House which shall contain such information as may be prescribed by the Chief Clerk and to which shall be attached a complete index of all bills and resolutions introduced. The History shall be compiled by the History Clerk in the Legislative Reference Bureau in order that the records of said office and of the History shall be in accord and errors in transcribing be detected. In the compilation of the History, the History Clerk shall have stenographic assistance assigned by the Chief Clerk.

Reading Clerks. It shall be the duty of the Reading Clerks to be present at each session of the House, read bills, resolutions, amendments, messages, communications and other matter and make announcements from the desk of the House. The assistant reading clerk shall arrange and keep a schedule of committee meetings so as to avoid conflicts of meetings in the same committee room. The Reading Clerk shall perform such other duties as may be assigned by the Chief Clerk.

Desk Clerks. The desk clerks shall be learned in the law. It shall be the duty of the desk clerks to read all prints of bills and resolutions to detect errors in printing and substance, arrange for the correction of printing errors without the necessity for formal amendment, call to the attention of the sponsors of bills, errors of substance, and aid and assist in amending bills and preparing copy for the printer.

The desk clerks shall be assigned by the Chief Clerk to work under the supervision of the Director of the Legislative Reference Bureau.

Assistant Clerk and Chief Stenographer to Chief Clerk. It shall be the duty of the assistant clerk and chief stenographer to the Chief Clerk to prepare the calendars of the House, prepare copy of bills for the printer, be responsible for the correct insertion of amendments to bills and in such work to have the assistance of the desk clerks working under the supervision of the Director of the Legislative Reference Bureau, and to perform such other duties as may be assigned by the Secretary of the House.

Post Office Employes. It shall be the duty of the postmaster, assistant postmaster and messengers in the post office to secure, receive and distribute the mail of the members and officers of the House and place the same in the letter boxes assigned to said persons. It shall be the duty of the Chief Clerk to assign at least two assistant messengers who shall attend the battery of telephone booths which shall be for the exclusive use of House members and its officers.

Pasters and Folders. It shall be the duty of the pasters and folders to prepare for mailing and to mail out bills, resolutions, calendars, histories and legislative journals under the direction of the Chief Clerk.

Superintendent of Store Room. The superintendent of the Store Room in addition to his duties as superintendent of the Store Room, shall under the direction and control of the Chief Clerk, supervise the work of the pasters and folders.

The Custodians of the House and Committee Rooms. The custodians of the House shall perform duties assigned to them by the Chief Clerk, in the Hall of the House, caucus chambers, committee rooms, store rooms, cloakrooms and to assist in picking bills and filing them on the members desks.

Pages. The pages shall be in attendance at each session of the House. It shall be the duty of the pages to perform the duties on the floor of the House assigned to them by the Chief Clerk. Sufficient pages shall be assigned to committee rooms while committees are in session to act as messengers, one page shall be assigned during sessions of the House to the Legislative Reference Bureau for the delivery of papers. The pages shall assist sergeants-at-arms in filing bills on the desks of members and perform such other duties as the Chief Clerk may require.

Resolved, that it shall be the duty of the Chief Clerk to bring to the attention of the Speaker in order that the same may be laid before the Committee on Rules, any case of improper conduct, insubordination or failure or refusal of employes to perform their duties as prescribed by this resolution or required to be performed by the Chief Clerk.

COMMITTEE DISCHARGED

Mr. MALLOY. Mr. Speaker, your committee appointed to wait upon His Excellency the Governor and advise him that the House is organized and ready to receive communications has performed that duty.

The SPEAKER. The Chair receives the report and the Committee is discharged with the thanks of the House.

RESOLUTION

PRESIDENTIAL INAUGURAL COMMITTEE

Mr. ACHTERMAN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Whereas, on January 20, 1941, the Honorable Franklin D. Roosevelt will be inaugurated as the President of the United States of America, and

Whereas, It is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies, to be held in Washington at that time, now therefore be it

Resolved, (if the Senate concur), That the President Pro Tempore of the Senate is hereby authorized to appoint ten Members of the Senate, and the Speaker of the House is hereby authorized to appoint twenty Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania, and to participate on behalf of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Franklin D. Roosevelt.

Ordered, That the Clerk present the same to the Senate for concurrence.

HONORABLE EDWARD J. FLYNN PRESENTED TO HOUSE

The SPEAKER. If there is no objection, the Chair wishes at this time to present to the House the Honorable, Edward J. Flynn, Democratic National Chairman.

The Chair hears none.

Mr. Flynn is my personal guest today, and I would request that he address you at this time.

Mr. FLYNN. Mr. Speaker and Members of the Assembly, I am indeed honored by the great distinction your Speaker has conferred upon me in permitting me to talk to you this morning. It takes me back twenty-five years to the time when I was a member of the Assembly of the State of New York. As I sat here today and saw this House being organized, it took me back twenty-five years to a time when I was much younger and had much more hair, and I realized the impressiveness of the occasion.

The Assembly was organized in New York the same as it was organized here, in a spirit of love and peace making, but unfortunately that love does not continue much beyond the first day. I noticed that the minority leader, who was formerly the Speaker, while he was very gracious and very nice today, I am afraid that tomorrow his tune will change.

I want to thank the Speaker, and I want to thank this distinguished body for the opportunity of being with you this morning.

COMMITTEE DISCHARGED

Mr. LOVETT. Mr. Speaker your Committee appointed to wait upon the Senate and inform that body that the House is organized and ready to proceed with the business of the session has performed that duty.

The SPEAKER. The Chair receives the report and the Committee is discharged with the thanks of the House.

CONNIE MACK PRESENTED TO HOUSE

The SPEAKER. If there is no objection, the Chair wishes to present his personal and life long friend, Connie Mack. The Chair hears none.

Mr. Mack is my personal guest today, and I will request him to say a few words to you.

Mr. MACK. Members of the House, ladies and gentlemen, I don't know why I should feel so nervous, the Yankees are not here. I consider it a great honor to be here today, when your members were so kind as to elect my good friend, Elmer Kilroy, as Speaker of the House. I only hope that as your Speaker he will handle this gavel as well as his father used to handle that baseball. Thank you.

COMMITTEE ON COMMITTEES

The SPEAKER. The Chair advises the House that in addition to the Speaker, the Committee on Committees is comprised of the following members: Messrs. Readinger, Bois, Malloy, Melchiorre, Chervenak, Lovett, Achterman, Turner, Trout and Fiss.

RESOLUTION

THANKS EXTENDED

Mr. ACHTERMAN offered the following resolution which was read as follows:

In the House of Representatives, January 7, 1931.

During the time that has intervened since the adjournment of the regular session of this House, new, enlarged and more adequate quarters have been secured for the Chief Clerk of the House, and for those officers and employes connected with his office.

Sufficient and adequate rooms have been assigned for the use of House committees, and the House Caucus Room on the first floor of this building has been recovered and restored to its original condition for the use of the members.

The poorly arranged suite, formerly used by the Speaker of the House, has been made more modern and efficient.

All of these changes should result in the increased comfort of those who will use them, and the better performance of the work of this House.

These improvements have been largely secured through the persistent and untiring efforts of the Hon. Ellwood J. Turner, former Speaker of the House, who, through long months, has unstintingly given of his time and efforts to provide a better workshop for this House and its officers and employes, therefore be it

Resolved, That the members of the 1941 session of the General Assembly of the Commonwealth of Pennsylvania extend to the former Speaker, the Hon. Ellwood J. Turner, their full thanks for his efforts in their behalf and in appreciation of what he has accomplished, and be it further

Resolved, That this resolution be spread upon the Journal and that a copy thereof shall be furnished to the said Hon. Ellwood J. Turner.

On the question,

Will the House adopt the resolution?

The CHAIR recognized the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker, I have so many times this morning taken part in these proceedings that I rather hestitate on a resolution of this kind to rise to say anything further.

The resolution refers to office and quarters of the Chief Clerk and the Speaker of the House as well as additional committee rooms, but I think one improvement was omitted from the resolution as I heard it read from the desk, which was a great disappointment I am sure to the present Speaker and many of the Members of the House, and that is the addition of a rest room and locker room for lady members of the House. I was perhaps unduly optimistic in the minds of a great many people, because not only did I provide quarters for lady members of the House, but I refurbished and provided what has been said by many officials on the Hill to be the finest offices occupied by the head of any Department of the government.

This morning you made reference to the manner in which I took care of the Democrats. That seemed to arouse some amusement on the part of my colleagues, but I can assure my colleagues that you were sincere when you said that, and I think they failed to realize the truth of the statement that I did provide well for the Democrats in the beautiful offices which you now occupy. I have received many compliments on those beautiful offices. The Press of Pennsylvania in the last few months has had very little to write about, and perhaps being unable to find anything else to write about, took great delight in talking about the offices which I had kindly provided for the Democrats.

I assure you that the heighth of that compliment was achieved yesterday when I happened to meet, as I left the Capitol the Chairman of the Democratic party of the city of Philadelphia, the Honorable John B. Kelly, who gracefully doffed his hard hat, introduced me to a very charming lady and thanked me for the offices which I had fixed up for you. It has been a work of love, it has

been a great enjoyment to me to fix them up, and having taken such good care of the Democrats I hope I have set an example for them and that when they leave those offices in January of 1943, they will leave them improved for my colleagues who come after me.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted.

CONDOLENCE RESOLUTIONS

Messrs. HEWITT and McMILLAN offered the following privileged resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, January 7, 1941.

Born in Duffington Township, Indiana County, on the 22d day of August, 1862, Honorable J. T. Stewart, a member during the Sessions of 1935, 1937 and 1939, died on October 7th, 1940, after having spent the greater part of his life of 78 years in the service of his fellowmen.

He was the son of James and Elizabeth Jane Stewart, and a grandson of Major James Stewart, who was born in the same township in 1796. He was educated in the public schools of Indiana County and graduated from the Indiana State Teachers College and Ada University in Ohio.

His personal business was that of an insurance agent, but most of his active life was spent in some capacity relating to the public schools. He was superintendent of schools in Indiana County from 1899 to 1908, and taught public school in his home county for twelve terms. He was superintendent of the Bible School of the First United Presbyterian Church for 17 years, State Deputy of Weights and Measures from 1927 to 1934, secretary of the Board of the Y. M. C. A. of Indiana for 10 years, and was the author of a history of Indiana County.

During his term as a member of this House, he devoted most of his time to the interests of the public schools of the Commonwealth, and was an authority on the law relating thereto. Mr. Stewart left to survive him, his wife, Genevieve Morrison Stewart, and five children; therefore be it

Resolved, That in the passing of the Honorable J. T. Stewart, the County of Indiana has lost an outstanding citizen and the public school system has been deprived of the services of one who devoted most of his life to its interests; and be it further

Resolved, That the House extends its sincere sympathy to Mrs. Stewart, and to the children of the deceased, and directs that a copy of this resolution be printed in the Legislative Journal and a copy thereof transmitted to them by the Chief Clerk of this House.

Messrs. GATES and HELM offered the following privileged resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, January 7, 1941.

The Honorable Frank J. Atkins, a Member of this House from Armstrong County, died on the 28th day of July, 1940. He was born in West Newton, Armstrong County, April 16th, 1887, and was educated in the public schools of Monongahela, Kittanning Academy and Grove City College.

After his graduation he became engaged in the practice of law in Armstrong County, and continued as an active practitioner until the time of his death. He served as a Member of this House during the 1935, the 1937 and 1939 Sessions. He was married to the former Laura Montgomery, who, together with two children, survive him; therefore be it

Resolved, That in the death of Honorable Frank J. Atkins, his constituents in Armstrong County have lost the services of a representative who was an outstanding Member of this House; and be it further

Resolved, That this House extends to his wodow its sincere sympathy and directs that a copy of this resolution be printed in the Legislative Journal, and a copy thereof be transmitted by the Chief Clerk of the House to Mrs. Laura Montgomery Atkins.

Mr. BAKER offered the following privileged resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, January 7, 1941.

The Honorable Thomas D. Malone, a Member of this House during the Sessions of 1909 and 1939, died on the 9th day of July, 1940. Our former Member was born in Pittsburgh on the 1st day of November, 1875, was educated in the public schools of Pittsburgh, and followed the profession of a paper ruler.

During his terms of service in this House, he faithfully and capably represented the interests of his constituents and through his genial personality endeared himself to those with whom he associated. He leaves to survive him, Mrs. Marjorie Ellen Ward Malone; therefore be it

Resolved, That in the passing of the Honorable Thomas D. Malone, the people of his legislative district have been deprived of the service of a useful public servant and this House has lost the companionship of an able and affable Member; and be it further

Resolved, That this House extends its heartfelt sympathy to his widow and directs that this resolution be printed in the Legislative Journal and a copy thereof be transmitted by the Chief Clerk of the House to his widow.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session this afternoon at three-thirty o'clock.

ARTHUR H. JAMES

Mr. CHERVENAK. Mr. Speaker, I move that His Excellency, the Governor of the Commonwealth be invited to address the Joint Assembly at a time to be fixed by Concurrent Resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in joint session Tuesday, January 7th, 1941, at 3:30 o'clock p.m. in the Hall of the House of Representatives for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer held Tuesday, November 5th, 1940, in the several counties of this Commonwealth, and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1941.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House (if the House shall appoint such Committee), to escort the Governor to the Hall of the House to address the members of the General Assembly in Joint Session, at 3:30 o'clock Tuesday afternoon, January 7, 1941, pursuant to a concurrent resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.
On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.
Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee on the part of the House to act with a similar committee on the part of the Senate to escort the Governor to the Hall of the House, Messrs. Moul, Nagel and Norman Wood.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE

Mr. SHAW offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That the Speaker appoint a committee of two to escort the Members of the Senate to the Hall of the House this day at 3:30 o'clock, for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER appointed as a committee to escort the Senate to the Hall of the House, Messrs. Shaw and Charles H. Brunner.

RESOLUTION

APPOINTMENT OF TELLER

Mr. STANK offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, January 7, 1941.

Resolved, That the gentleman from Cambria, Mr. O'Connor be appointed teller on the part of the House of Representatives to open, compute and count the vote for Auditor General and State Treasurer.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 7, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, January 13, 1941 at 4:00 p. m. and when the House of Representatives adjourns this week it reconvene on Monday, January 13, 1941 at 9:00 o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.
On the question,
Will the House concur in the resolution of the Senate?
It was unanimously concurred in.
Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM SECRETARY OF COMMONWEALTH

The Deputy Secretary of the Commonwealth being introduced, presented a communication in writing from the Secretary of the Commonwealth, which was read as follows:

PUBLICATION OF PROPOSED AMENDMENTS TO CONSTITUTION

OFFICE OF THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

No. 1

A JOINT RESOLUTION

Proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of the Commonwealth Pennsylvania be, and the same is hereby, proposed, in accordance with the eighteenth article thereof:—

That article nine, section eight, of the Constitution of Pennsylvania is hereby amended to read as follows:—

Section 8. The debt of any city, borough, township, school district or other municipality or incorporated district, except as provided herein and in section fifteen of this article, shall never exceed seven (7) per centum upon the average assessed value of the taxable realty therein for the nine years immediately preceding the time any debt is incurred or increased; and the debt of any county, other than Philadelphia, shall never exceed ten (10) per centum upon the average annual assessed value of the taxable realty therein for the nine years immediately preceding the time any debt is incurred or increased; and the debt of the City and County of Philadelphia shall never exceed twelve (12) per centum upon the average annual assessed value of the taxable realty therein for the nine years immediately preceding the time any debt is incurred or increased; nor shall any county, city, borough, township, school district or other municipality or incorporated district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such average annual assessed valuation of taxable realty for the nine immediately preceding years without the consent of the electors thereof at a public election in such manner as shall be provided by law.

In ascertaining the borrowing capacity of the City and County of Philadelphia at any time, there shall be deducted from such debt so much of the debt of said City and County as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction, purchase or condemnation of any public utility or part thereof or facility therefor, to the extent that such public improvement or public utility or part thereof, whether separately or in connection with any public improvement

or public utility or part thereof, may yield or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon.

The method of determining such amount so to be deducted may be prescribed by the General Assembly.

In incurring indebtedness for any purpose, the City and County of Philadelphia may issue its obligations, maturing not later than fifty (50) years from date thereof, with provisions for a sinking fund sufficient to retire said obligations at maturity, the payment to such sinking fund to be in equal or graded annual or other periodical installments. Where any indebtedness shall be or shall have been incurred by said City and County of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said City and County or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said City and County, such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of work for which said indebtedness shall have been incurred but not in excess of five years from the time of the incurring of such indebtedness, and said City and County shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten, article nine, of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work.

A true copy of Joint Resolution No. 1.

SOPHIA M. R. O'HARA,
Secretary of the Commonwealth.

I do hereby certify that pursuant to constitutional mandate, the Secretary of the Commonwealth caused Joint Resolution No. 1, passed by the General Assembly of the Commonwealth of Pennsylvania in the session of one thousand nine hundred thirty nine, proposing an amendment to section eight, article nine of the Constitution of the Commonwealth of Pennsylvania, a copy of which is attached hereto, to be published three months before the general election held on the fifth day of November, in the year of our Lord, one thousand nine hundred forty, in at least two newspapers in every county in the Commonwealth of Pennsylvania in which such newspapers were published.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Secretary's Office to be affixed, the day and year above written.

/s/ S. M. R. O'HARA
Secretary of the Commonwealth

(SEAL)

OFFICE OF THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

No. 2

A JOINT RESOLUTION

Proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of the Commonwealth of Pennsylvania be, and the same is hereby, proposed, in accordance with the eighteenth article thereof:—

That article nine, section eight, of the Constitution of Pennsylvania is hereby amended to read as follows:—

Section 8. The debt of any city, borough, township, school district or other municipality or incorporated district, except as provided herein and in section fifteen of this article, shall never exceed seven (7) per centum upon the average assessed value of the taxable realty therein for the ten years immediately preceding the time any debt is incurred or increased; and the debt of any county, other than Philadelphia, shall never exceed seven (7) per centum upon the average annual assessed value of the taxable realty therein for the ten years immediately preceding the time any debt is incurred or increased; and the debt of the City and County of Philadelphia shall never exceed ten (10) per centum upon the average annual assessed value of the taxable realty therein for the ten years immediately preceding the time any debt is incurred or increased; nor shall any county, city, borough, township, school district or other municipality or incorporated district incur any new debt or increase its indebtedness to an amount exceeding two (2) per centum upon such average annual assessed valuation of taxable realty for ten immediately preceding years without the consent of the electors thereof at a public election in such manner as shall be provided by law.

In ascertaining the borrowing capacity of the City and County of Philadelphia at any time, there shall be deducted from such debt so much of the debt of said City and County as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction, purchase or condemnation of any public utility or part thereof or facility therefor, to the extent that such public improvement or public utility or part thereof, whether separately or in connection with any public improvement or public utility or part thereof, may yield or may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon.

The method of determining such amount so to be deducted may be prescribed by the General Assembly.

In incurring indebtedness for any purpose, the City and County of Philadelphia may issue its obligations, maturing not later than fifty (50) years from the date thereof, with provisions for a sinking fund sufficient to retire said obligations at maturity, the payment to such sinking fund to be in equal or graded annual or other periodical installments. Where any indebtedness shall be or shall have been incurred by said City and County of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said City and County or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said City and County, such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the competion of work for which said indebtedness shall have been incurred but not in excess of five years from the time of the incurring of such indebtedness, and said City and County shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten, article nine, of the Constitution of Pennsylvania until the expiration of said period of one year after the completion of said work: Provided, however, That any city, county, borough, township or other municipality or incorporated district may, with the consent of the electors thereof, increase its indebtedness to the extent of three (3) per centum over and beyond any limitation fixed herein, toward the sole purpose of constructing or completing sewage treatment works.

A true copy of Joint Resolution No. 2.

SOPHIA M. R. O'HARA,
Secretary of the Commonwealth.

I do hereby certify that pursuant to constitutional mandate, the Secretary of the Commonweath caused Joint Resolution No. 2, passed by the General Assembly of the Commonwealth of Pennsylvania in the session of one thousand nine hundred thirty-nine, proposing an amendment to section eight, article nine of the Constitution of the Commonwealth of Pennsylvania, a copy of which is attached hereto, to be published three months before the

general election held on the fifth day of November, in the year of our Lord, one thousand nine hundred forty, in at least two newspapers in every county in the Commonwealth of Pennsylvania in which such newspapers were published.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Secretary's Office to be affixed, the day and year above written.

/s/ S. M. R. O'HARA
Secretary of the Commonwealth

(SEAL)

OFFICE OF THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

No. 3.

A JOINT RESOLUTION

Proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth article thereof:—

That section one, article nine, of the Constitution of Pennsylvania is hereby amended to read as follows:—

Section 1. Except as hereinafter specifically provided, all taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, institutions of purely public charity and real and personal property owned, occupied, and used by any branch, post or camp of honorably discharged soldiers, sailors, and marines.

Income inheritance and estate taxes shall be levied and collected under general laws, but such laws may grant exemptions and may impose graded or graduated rates; but no intangible personal property shall be subject to any other State or local tax either on income or capital values during any time that the income therefrom is taxed under any law imposing an income tax on individuals.

A true copy of Joint Resolution No. 3.

SOPHIA M. R. O'HARA,
Secretary of the Commonwealth

I do hereby certify that pursuant to constitutional mandate, the Secretary of the Commonwealth caused Joint Resolution No. 3, passed by the General Assembly of the Commonwealth of Pennsylvania in the session of one thousand nine hundred thirty-nine, proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, a copy of which is attached hereto, to be published three months before the general election held on the fifth day of November, in the year of our Lord, one thousand nine hundred forty, in at least two newspapers in every county in the Commonwealth of Pennsylvania in which such newspapers were published.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Secretary's Office to be affixed, the day and year above written.

/s/ S. M. R. O'HARA
Secretary of the Commonwealth

(SEAL)

OFFICE OF THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

No. 4.

A JOINT RESOLUTION

Proposing an amendment to section one, article eight, of the Constitution of the Commonwealth of Pennsylvania.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1. The following amendment to the Constitution of the Commonwealth of Pennsylvania be, and the same is hereby, proposed, in accordance with the eighteenth article thereof:—

Section one of article eight is hereby amended to read as follows:—

Section 1. Every citizen, twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact.

1. He or she shall have been a citizen of the United States at least one month.

2. He or she shall have resided in the State one year (or, having previously been a qualified elector or native born citizen of the State, he or she shall have removed therefrom and returned, then six months) immediately preceding the election.

3. He or she shall have resided in the election district, where he or she shall offer to vote, at least two months immediately preceding the election.

4. If twenty-two years of age and upwards, he or she shall have paid, within two years, a county, municipal, or school tax which shall have been assessed at least two months and paid at least one month before the election.

A true copy of Joint Resolution No. 4.

SOPHIA M. R. O'HARA,
Secretary of the Commonwealth.

I do hereby certify that pursuant to constitutional mandate, the Secretary of the Commonwealth caused Joint Resolution No. 4, passed by the General Assembly of the Commonwealth of Pennsylvania in the session of one thousand nine hundred thirty-nine, proposing an amendment to section one, article eight of the Constitution of the Commonwealth of Pennsylvania, a copy of which is attached hereto, to be published three months before the general election held on the fifth day of November, in the year of our Lord, one thousand nine hundred forty, in at least two newspapers in every county in the Commonwealth of Pennsylvania in which such newspapers were published.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Secretary's Office to be affixed, the day and year above written.

/s/ S. M. R. O'HARA
Secretary of the Commonwealth.

(SEAL)

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented a communication in writing from His Excellency the Governor which was read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from May 6, 1940 to date.

ARTHUR H. JAMES.

(For Reasons see Appendix).

RECESS

The SPEAKER. If there are no objections the Chair will declare a recess until 3 o'clock p. m.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Elmer Kilroy) IN THE CHAIR.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

PRESIDENTIAL INAUGURAL COMMITTEE

In the House of Representatives, January 7, 1941.

Whereas, on January 20, 1941, the Honorable Franklin D. Roosevelt will be inaugurated as the President of the United States of America, and

Whereas, It is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies, to be held in Washington at that time, now therefore be it

Resolved, (if the Senate concur), That the President Pro Tempore of the Senate is hereby authorized to appoint ten members of the Senate, and the Speaker of the House is hereby authorized to appoint twenty members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania, and to participate on behalf of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable Franklin D. Roosevelt.

PRESIDENTIAL INAUGURAL COMMITTEE APPOINTED

The SPEAKER. Pursuant to the provisions of the Concurrent Resolution adopted by the Senate and House of Representatives, the Chair appoints as a Committee to attend the Inaugural Ceremonies of the Honorable Franklin D. Roosevelt on January 20, 1941, Messrs. Achterman, O'Neill, Finnerty, Allmond, Sarraf, Readinger, Chervenak, Matthew J. Welsh, Malloy, Stank, Lovett, Moul, Hirsh, McFall, McDermott, Holland, Nagel, Russell E. Reese, Huntley and Imbrie.

REPORT OF THE PHILADELPHIA SAVING FUND OF PHILADELPHIA

The SPEAKER laid before the House the report of The Western Saving Fund Society of Philadelphia as of the first Monday of November 1940.

(For report see Appendix)

REPORT OF THE PHILADELPHIA SAVING FUND SOCIETY

The SPEAKER laid before the House the Biennial Statement as of January 1, 1940 of The Philadelphia Saving Fund Society.

(For report see Appendix)

RESIGNATION

The SPEAKER laid before the House the following resignation which was read by the Clerk:

New Castle, Penna., Nov. 7, 1940.

Hon. Ellwood J. Turner,
Speaker of the House,
Harrisburg, Penna.

Dear Mr. Speaker:

I wish to tender my resignation as a member of the House of Representatives due to the fact that I have taken a position that is not compatible to a member.

I wish this resignation to be effective as of November 1, 1940.

Yours very sincerely,

(Signed) CARMIN G. PRESTON.

THANKS EXTENDED

The SPEAKER: The Chair wishes to thank Mr. Clarence Connor of Chester for his excellent work in arranging the seating of the families and guests of the members for today's session. The Chair presents Mr. Connor to the members.

Mr. CONNOR. Mr. Speaker, I am appreciative of the honor that I have had in being able to assist you with this job today. It has been a real pleasure, and thanks for your cooperation.

DISCHARGE OF COMMITTEE

Mr. SHAW. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the Hall of the House for the Joint Session has performed that duty and the Senate is now present.

The SPEAKER. The Committee is discharged with the thanks of the House.

The President of the Senate is invited to preside over the Joint Session of the General Assembly and the President pro tempore is invited to a seat on the rostrum. The members of the Senate will remain standing until called to order by the President of the Senate.

JOINT SESSION

LIEUTENANT-GOVERNOR SAMUEL S. LEWIS PRESIDING

LIEUTENANT-GOVERNOR LEWIS. The Joint Assembly will be in order pending the arrival of the Governor.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I present to you the Committee appointed to escort the Governor to the Hall of the House.

Mr. STEVENS. Mr. President, I have the honor to present to you His Excellency, the Governor of the Commonwealth, the Honorable Arthur H. James.

LIEUTENANT-GOVERNOR LEWIS. The Chair has the pleasure of presenting the Governor of the Commonwealth of Pennsylvania, the Honorable Arthur H. James, who will address the Joint Assembly.

ADDRESS OF GOVERNOR ARTHUR H. JAMES

GOVERNOR ARTHUR H. JAMES: Members of the General Assembly of the Commonwealth of Pennsylvania:

This session of the Legislature meets at a critical period.

Our country is in the midst of a race against the clock to complete our defense program in time to protect our homes, our possessions and our civilization.

President Roosevelt has pleaded for united action aimed at two objectives: first, military security at the earliest possible moment; second, continued peace, if we can maintain it.

I can see no proper room for disagreement on anyone's part with those two objectives.

The steps to be taken nationally, and the decision on the various issues involved, are subjects for further discussion between Congress and the Chief Executive, and I shall not refer to them.

The question which concerns us is:

"What can Pennsylvania do to speed up the defense program?"

That problem transcends any political issues within our State.

I call upon the members of this Legislature to give that problem the unity of purpose and action which already have been urged by the President of the United States.

Until our crisis is met, political hatchets must be buried. We must have an armistice on the political battlefronts.

I am not trying to further any program of my own. I have no "must" bills. I am now and will remain fully open to alternative suggestions for any recommendations I make. I hope to see not my own ideas but the best ideas prevail during this legislative session.

Neither am I seeking a truce to investigation or criticism. Both are welcome. Our record speaks for itself. Our books are open.

I ask unified advancement of defense because I believe such unity is our urgent need in saving state and nation from the disasters that have fallen on so many peoples abroad who allowed domestic wrangles to prevent their joining hands against mutual dangers.

Further, I fully expect that such unity will be gladly granted. I am convinced that cooperation and harmony will keynote this session in the solution of all problems relating to national defense.

Let us take stock of Pennsylvania's position:

We are fully prepared for any calls for soldiers. Our superb National Guard unit, the Twenty-eighth Division, is ready for active service later this winter. Our Selective Service machinery has been completed on a wholly non-political basis, step by step ahead of the national schedule, and has functioned efficiently without bottlenecks and breakdowns. Now that we are approaching the time for calling out thousands of draftees each month, everything is ready to examine and certify whatever number of young men the United States Army is prepared to receive.

Two other important steps will be taken the moment developments warrant. One is organization of a State-wide Council of Defense, and the other is formation of a militia or home guard whenever our National Guard's services are lost to the state.

Several State departments already are virtually on a war footing in the extent to which they are participating in the defense program. The first is the Department of Military Affairs. Another is the Department of Agriculture, which has mobilized the agricultural resources of the state in preparation for any emergency. A third is the Department of Health, which, in addition to its new programs for the control of pneumonia, cancer, social disease and maternal and child care which have brought the public service of this department to an unparallelled level, also is in full cooperation with federal authorities in the examination and protection of young men now being drafted into military service.

The baby of our family, the Department of Commerce, which was created less than two years ago but which already has amply demonstrated the State's need for such a function of government, has been an active partner of the federal authorities in finding and opening new avenues for the creation of defense supplies.

In fact, I do not know of any branch of this Administration which has not thrown its shoulder behind the defense program. Time will not permit an exhaustive survey on this occasion. I hope to make a detailed report in the near future.

Pennsylvania, both industrially and officially, has been in the forefront in rearming Uncle Sam. No state has moved faster or gone further. Nevertheless, it is my duty today to tell you that we have barely started. Much more remains to be done.

President Roosevelt has called upon America to become the Arsenal of Democracy. To accomplish that, Pennsylvania must become the Arsenal of America.

Before the defense program of the nation can reach full speed, activity in Pennsylvania must be one hundred per cent of our capacity.

This is the task for which I ask the most active attention and diligence of this legislative body—to put the wheels of Pennsylvania industry into higher gear. Together, let's release the brakes and take out the sprags.

America cannot buy Preparedness and Security with dollars any more than we were able to buy our way out of the Depression into Prosperity.

We can't buy preparedness. We must earn it,—earn it by cooperation and by laying luxury and easy living on the altar of sacrifice.

There are three Pennsylvania yardsticks to measure the progress of the national defense program. One is coal and another is steel. Both industries have increased, but neither is near top production. Until those two vital industries are at maximum capacity, rearmament will lag.

A third yardstick is the number of idle factories.

We have in this State enough factory buildings whose windows are still dark to unblock any conceivable bottleneck in the national program.

Our Department of Commerce recently listed the large idle factory buildings available for this purpose. They found forty million square feet of working space.

The survey found 111 unused buildings of more than 100,000 square feet, and 259 idle factories with between 25,000 and 100,000 square feet. Many hundred smaller buildings were omitted from the list.

Mind you, these are complete, usable factories, in such good condition that almost everything needed to put them in operation would be to unlock the doors and tear down the signs which read: "Closed; no help wanted."

What can be done to reopen them? Undoubtedly, some of the impetus must come from Federal authorities.

To pave the way for such increased participation by Pennsylvania industry in the National Defense Program, as well as to establish better relations between Federal activities and those of the State Government, I am directing our Department of Commerce to establish a branch office in the National Capitol.

This Legislature has within its power much which will help unlock these doors of our idle mills. Conversely it has within its power courses of action which would nail those doors forever shut.

Perhaps the most important field concerns the relations of the working man and the employer.

Much has been said about the labor record of this Administration. What are the facts? Your present Chief Executive was elected on a pledge of setting up the Administration as the impartial friends of both capital and labor—and on the companion promise to prevent rule by either overlords of labor or overlords of industry.

The changes in our laws were in accordance with those pledges. What did we do?

First, we banned sitdown strikes. Is there anyone who would repeal that statute, and pave the way for sitdown strikers on defense jobs?

Second, we permitted employers as well as employes to appeal to the Labor Relations Board. Does anyone deny the fairness of that change?

Third, we strengthened the law to protect valid labor contracts once they had been entered into. Do I hear anyone demanding that the right be given labor leaders to break the promises they make?

Fourth, we substituted a workable Compensation Act for one which everyone in the State knew was unenforceable. By that action, we have brought within the protection of Workmen's Compensation thousands upon thousands of Pennsylvanians who otherwise would have had no redress except to sue their employer—and then to hope that he could and would pay their award.

There may be amendments needed to the Act of 1939, but does anyone wish to return to the chaos and lack of protection which marked the 1937 Workmen's Compensation Act?

I have listed the important labor changes. These have given Pennsylvania the best labor relations it has had for years—fewer strikes, more harmony, better treatment, more jobs.

They produced results which have made them the model for virtually every suggested change in the National Labor Relations Board since the Pennsylvania laws went into effect. These Pennsylvania acts are setting the pace for labor legislation in virtually every section of the country.

It is because of the broad policy of the Administration, as carried out by these enactments, that this State has seen so few of the strikes and tie-ups on defense contracts which have slowed down production in others parts of the country.

In considering any proposed changes in these laws, I ask you to apply to them one acid test: would such changes speed up or slow down the defense program?

The rights of labor must be protected. So must the rights of employers. And so, let me emphasize, must the rights of the men and women of this nation to adequate and speedy rearmament.

There are certain suggestions I wish to make:

First, steps should be taken to end the reported labor rackets by which employes at certain defense contract operations are said to be fleeced of large parts of their earnings.

Second, emergency methods of arbitrating labor disputes affecting defense contracts could well be provided.

Third, an appropriation should be made to permit the State to pay claims awarded under the terms of the Occupational Disease Act.

Fourth, study should be given to the Unemployment Compensation Act with the thought of reducing the waiting period, increasing the number of payments, and otherwise liberalizing its terms.

Fifth, consideration should be given to the possibility of requiring companies which reject the Workmen's Compensation Act to furnish bonds proving their ability to pay injured employes.

Taking up other phases of the defense program, there are many fields in which this legislature can be of service.

As the nation's peril increases, so does our danger from the so-called fifth-columnists—the friends of our enemies who hope at the critical hour to cut us down from within. Any proper setps which you may take to lessen this danger will be of the greatest service.

A special appropriation of $100,000 might well be set aside, in the Department of Justice or under the control of some other branch or official of the government, to permit the secret investigations which are the only means of striking at the root of these secret activities.

Two further recommendations I wish to make are: first, that the oath of allegiance which I recently requested of all State employes be incorporated into law and made a condition of public employment or candidacy for public office; and second, that you take steps to bar from recognition as political parties any groups which seek to tear down our form of government by force or other methods not contemplated by our Constitution.

Another subject deserving of your attention is that of protecting the rights of draftees and volunteers. The benefit rights of men who enter the Army should be protected in the fields of unemployment compensation, insurance, foreclosure of mortgages, and all similar matters. Means also should be provided for assuring men called from employment into army service that upon their return the same jobs or equivalent jobs will be waiting for them.

The right of youth to employment has often been referred to. Our Department of Public Instruction now has under way a program of retraining, and plans the extension and enlargement of this work during the next biennium. May I urge upon you that you study this problem and do what you can to help train the unskilled hands which represent so pathetic a by-product of the long depression and are so severe a handicap to opening wide the throttle of rearmament. It should be emphasized that the urgent problem of training our young people is not a task merely for State and nation, but is one in which organized labor itself must assume its proper responsibility.

Military security without adequate highways is an impossibility in these days of mechanized armies.

We are fortunate that the economies and the correction of abuses in our Highway Department has freed funds enough to permit us to put our roads in a condition which today surpasses anything in the State's history.

Nevertheless, much remains to be done. The administration already is moving to attack three serious bottlenecks in our highway system, any of which would impede mobilization or military movements.

One of these is in Pittsburgh, where there has been worked out a program of improving the entrances to our western metropolis, with the cooperation of the federal authorities and the officials of the City of Pittsburgh and of Allegheny County. This program calls for the expenditure of between twenty and thirty million dollars of State funds in the next five years.

I am asking the Highway Department to organize a similar program for Philadelphia, calling for the use of ten million dollars of State funds each year for the next five years. With the impetus of this fifty millions of dollars, Philadelphia may receive, not only the critically needed approaches to the Delaware River Bridge, but also the opening of arterial highways so badly needed to the north, south and west.

Outside the metropolitan areas, the worst highway bottle-necks of the State are along the Susquehanna River. I am directing the Highway Department to proceed with

surveys looking to new bridges at Millersburg and at Harrisburg.

Even as it exists today, the Pennsylvania Turnpike will be of considerable military value. For complete service, however, it is imperative that it be extended.

I ask you, therefore, to authorize the extension of this Dream Highway to the Ohio State line, as you already have authorized its construction to Philadelphia; and I further ask that you memorialize the Federal authorities, emphasing the importance of the completion of the eastern and western ends both for their domestic and their military value.

I ask also that at the same time you memorialize the Federal officials requesting, first, that the Skyline Drive be extended from its present northern terminus at Front Royal, Virginia, along the crest of Pennsylvania mountains, to the Delaware Water Gap, this work to be financed in this state as it has been in those in which it has been completed; and second, that the Federal government give consideration to a new superhighway for Pennsylvania to extend from our ocean port at Philadelphia to our lake port at Erie.

Mention of these matters brings up another subject to which I invite your serious attention. I refer to the rapid decrease in the return which Pennsylvania receives from the Federal government as compared with the contribution which the taxpayers of this State make to the nation.

The Pennsylvania Economy League, at my request, has completed a survey of Pennsylvania's contribution and what we receive for it. The figures show not only that our State is being heavily surcharged, but that the surcharge is growing by leaps and bounds.

In the fiscal year which ended June 30, 1938, after all deductions for direct grants, benefits and share of Federal expenditures and obligations has been charged off, the State still was paying $59,500,000 more than its share.

In the next year this shortage increased to $128,400,000. For the year which ended last June 30, the shortage had increased to $168,100,000, a total of $357,000,000 in three years, and an increase during that period of 183 per cent.

I do not charge that there is any policy on the part of the national administration of deliberately shortchanging Pennsylvania. Neither do I assert that any large industrial state should receive back all that it contributes. It is not the fact that some of the revenues from Pennsylvania are being expended for the benefit of other states that concerns me, but the rapid increase in the amount so expended, in the face of the tremendous needs in this Commonwealth.

We know where some of the shortage arises. Upwards of a hundred million dollars of it represents the amount withheld from us in the last two years by WPA.

As for the remainder, and the means of correcting this situation, I ask your cooperation. One speedy means of correction, of course, would be the embarking immediately by the Federal authorities upon the three major highway improvements I have mentioned.

Many other suggestions come to mind. Certain of these bear so closely upon our finances that I shall wait until I make my budget address to you early in February to submit them.

At that time also I shall go into detail about our financial picture. Today I will say only that, aside from a few imperative increases to permit us to open the remaining buildings put up by the General State Authority program and to extend critically needed subsidies, the financial pattern of the coming budget will be virtually identical with the present one, so far as administrative functions are concerned. We do not propose to swerve from the path of economy and thrift which we have cut through the wildernesss of waste and extravagance.

Relief needs bid fair to drop enough to absorb the remainder of the seventy-one and a half million dollars of inherited debts and unfinanced obligations with which this administration began. That would set the stage for drastic tax reductions at the end of the next two years. With good fortune and persistence, some of these reductions may become possible even before that date.

We can avoid new taxes at this legislative session, if we follow the pattern which is very clearly cut. As I have said before, if needless tax increases or new taxes are enacted, I shall veto them.

The State is not bankrupt, despite the loose talk. It is not going further into debt, but is on its way out of debt. Our financial strength was well shown recently when we sold $25,000,000 worth of tax anticipation notes at an interest rate of less than one fourth of one percent—the lowest interest rate in the history of the State.

For the enlargement and modernization of certain state institutions urgently in need of improvement, we already have arranged to use funds available through the General State Authority.

One of these is Byberry. The institutions at Polk and Pennhurst also will be included.

If the Authority funds permit, I propose the erection of a new Executive Mansion, so that the next Governor of Pennsylvania, whoever he may be, may have a residence in keeping with the State's respect for the dignity of the high position he holds.

Out of current State funds we plan to open enough new buildings to take care of the whole present waiting list of those needing the services of the State's sanitaria.

Mention of these unfortunates brings to mind another group of the State's dependents whose plight is rapidly becoming one of the most heart-rending of the problems before us.

I refer to the several hundred thousands of persons now living upon relief and who are, by reason of physical, emotional and other handicaps, unemployable in any program now in sight.

The present defense boom, and any future enlargement of it, cannot help the status of those who are unable to compete for the jobs thus opened up. Unless means can be found to aid these people into at least partial self-support, they are doomed to remain dependent upon relief, a dead weight upon the taxpayers of the State, and leading an existence without hope or future so far as the unfortunate men and women themselves are concerned.

Recent policies of the WPA have increased their misery. Seven thousand women ordinarily unemployable have been dismissed from WPA sewing projects, and twelve thousand more have been slated for firing at the end of this month.

This high-handed action, if completed, will not only cause needless suffering in thousands of Pennsylvania homes, but will arbitrarily raise the percentage of the State's contribution to WPA—at present 27.5 instead of

the required 25 per cent—to the almost prohibitive figure of 29.6 per cent.

I ask that this Legislature give attention to the possibility of modifying and changing the Pierson work-relief act to permit the Commonwealth to enter upon the field which WPA appears determined to abandon—that of furnishing work to those who most need it instead of competing in the labor market for the services of those who soon can take their pick of jobs in private employment.

I recommend that the Pierson Act be changed to permit the Department of Public Assistance to operate work-relief projects jointly with other state departments and with counties and municipalities. These projects would follow the pattern cut by the national WPA in its original setup. Precautions should be incorporated to avoid the political abuses which have so muddled the history of WPA.

Perhaps at this point I should say once more that I have no intention of permitting Pennsylvania's relief system, which has functioned so admirably in the last two years that it has been referred to by President Roosevelt himself as a model, in any way to be undermined. Relief will be maintained, kept out of politics, and continued available to those who need it regardless of race, color, creed or politics.

I advocate State work relief as a means, first, of improving the standards of living of those who are dependent, and second, of encouraging a larger share of local responsibility.

In two phases of the relief picture I wish to ask this legislature's cooperation to obtain a more generous attitude from the National government.

Our State is losing several million dollars a biennium in federal funds intended for blind relief, not because our standards are too low but because they are too high. We cannot have federal participation, we have been told, unless we reduce our standards. A similar situation exists with relation to old age pensions, where, if we are to continue to receive Federal participation, it is necessary to conform to Social Security interpretations of what constitutes dependency.

I ask that this Legislature memorialize the Social Security Board to ask more generous interpretations of its regulations covering both pensions to the blind and to the aged, so that Pennsylvania be not penalized for exceeding the standards set up by this federal agency.

In conclusion, may I run through a list of unrelated suggestions for which I request your consideration. The first of these concerns civil service.

I believe the time has come to extend the merit system along the pattern already in existence. I, therefore, recommend placing under civil service the Department of Health, the Department of Welfare, the Motor Police, and the Fish and Game Commissions.

I further recommend that consideration be given to centralized examination and employment for all branches under civil services. This would result in tremendous economies, and would permit applicants to become eligible for jobs in any of the departments concerned upon the successful completion of the one examination.

Our milk problem continues to be vexing one. In the absence of any new program which appears to be an improvement upon the one now in effect, I make the following suggestions: First, that the recently-discovered loophole in the act which threatens to disrupt all State control of milk be plugged by an amendment covering the producer-dealer consignment agreements which the courts have held do now not come within the control of the Milk Commission. Second, I suggest study of the relief milk program to determine whether this should be continued.

I wish to call to your attention that the new census figures soon to be available will require the reapportionment of legislative and congressional districts. I believe preparations should begin at once, so that the task may be completed in ample time to give to the citizens of this state their proper representation.

I recommend also that Permanent Registration Act be amended to require the re-registration of any person who fails to vote at any general election. This would constitute a mild but fitting punishment for those who fail to exercise their right of franchise, and would serve also as a means of keeping the permanent registration lists up-to-date and accurate.

Permit me to ask your body to give early attention to the matter of school subsidies. Studies should be made to determine the extent and the proper methods of relieving distressed school districts and underpaid teachers. It is to be hoped that means can be found to guarantee every teacher in the Commonwealth a minimum salary of $1000, and to see that the salary is paid when due. Our broad program of education must not suffer during the period when emphasis is being placed on national defense.

Should it be found necessary to establish a Legislative Commission to conduct such study, let me urge that temporary assistance be given to the most seriously distressed districts during the period of investigation.

Many other suggestions could be made, but time will not permit enlarging upon them today. Undoubtedly, the State Government Commission, whose members have given much time and study, have valuable suggestions to report.

In closing, let me welcome the gentlemen of this Assembly to Harrisburg, and to offer you my help and my cooperation. Let me say again that I have no "must" program. If from your ranks come better ideas than my own for the solution of our State's problems, I shall be the first to welcome them.

Your responsibilities are perhaps greater than any previous body of legislators who have sat in this hall.

On the fundamental matters I am sure that we are in agreement. If we are to have disagreements, let them be differences on methods and policies and principles, and may we all, Democrats and Republicans alike, refrain from stirring dissention with the paddle of partisanship.

As I said before, you have many tasks. But one of them dwarfs all the rest. That is to help Pennsylvania help America—to rearm this nation so that we need fear no dictator on earth.

In that task I ask of you, and I volunteer, our best efforts and utmost diligence and fullest cooperation.

Once that major task is accomplished, then may we pray with the Psalmist—pray that "through God we shall do valiantly; for He it is that shall tread down our enemies."

Thank you.

LIEUTENANT-GOVERNOR LEWIS. Governor James, in behalf of this General Assembly I want to thank you for your very patriotic address.

ELECTION RETURNS

LIEUTENANT-GOVERNOR LEWIS. This being the day and time agreed upon by concurrent resolution of the Senate and House of Representatives in accordance with the laws of this Commonwealth for the opening, counting and computing of the official returns for the election of Auditor General and State Treasurer held on Tuesday, November 5, 1940, in the several counties of this Commonwealth the returns will be now opened and read.

The teller on the part of the Senate is the gentleman from Northampton, Mr. Bartlett, the teller on the part of the House is the gentleman from Cambria, Mr. O'Connor. They will please come to the desk and proceed in the performance of their duty.

The returns were accordingly opened and read by the Clerks.

LIEUTENANT-GOVERNOR LEWIS. The Chair recognizes the Senator from Northampton, Mr. Bartlett.

Mr. BARTLETT. Mr. President, the Tellers agree in their count and make the following report:

VOTES CAST AT THE GENERAL ELECTION HELD NOVEMBER 5, 1940 FOR CANDIDATES FOR THE OFFICE OF AUDITOR GENERAL

Counties	F. Clair Ross, DEM.	Frederick T. Gelder, REP.	William F. Miller, PRO.	Peter Joseph Paul, COM.	George S. Taylor, IND. GOV.	Scattering
Adams,	7,305	8,373	34	3	22	
Allegheny,	355,989	259,278	1,414	1,001	709	2
Armstrong,	11,799	13,896	234	9	26	
Beaver,	32,507	24,252	285	107	101	
Bedford,	7,247	8,393	104	10	10	
Berks,	50,349	31,031	285	112	105	1
Blair,	20,427	26,676	254	17	79	
Bradford,	6,310	14,715	91	5	14	
Bucks,	20,162	25,207	103	61	26	
Butler,	13,944	18,514	276	28	24	
Cambria,	40,612	30,001	398	83	148	2
Cameron,	1,352	1,809	14	2	3	
Carbon,	12,216	10,748	61	14	13	
Centre,	9,760	10,408	123	14	13	
Chester,	21,113	28,441	148	9	23	
Clarion,	6,951	8,309	168	4	14	
Clearfield,	17,246	14,934	224	19	31	1
Clinton,	6,952	6,952	85	4	10	
Columbia,	12,489	9,130	145	4	12	
Crawford,	9,867	15,068	211	19	14	
Cumberland,	15,516	15,128	101	7	16	
Dauphin,	36,503	42,411	177	50	90	
Delaware,	57,741	80,141	175	75	49	2
Elk,	6,898	6,545	68	12	13	
Erie,	30,660	35,319	162	55	62	1
Fayette,	41,187	23,424	115	39	36	
Forest,	804	1,742	30	1	1	
Franklin,	12,563	12,845	79	13	9	
Fulton,	1,961	2,005	10	1	3	
Greene,	10,158	6,108	61	10	21	
Huntingdon,	5,374	8,703	99	5	29	
Indiana,	11,792	15,110	291	27	28	
Jefferson,	8,362	11,585	196	7	22	
Juniata,	3,576	3,398	30		2	
Lackawanna,	68,415	54,269	101	90	47	
Lancaster,	31,512	44,383	204	50	30	
Lawrence,	17,920	18,804	396	27	61	
Lebanon,	12,769	13,474	158	11	12	
Lehigh,	31,309	28,544	97	51	51	
Luzerne,	96,696	77,387	168	126	95	
Lycoming,	18,115	20,826	330	34	34	
McKean,	6,043	14,488	117	9	12	
Mercer,	16,961	19,730	240	47	26	
Mifflin,	6,778	6,237	66	6	9	1
Monroe,	6,674	5,548	53	6	9	
Montgomery,	46,464	73,625	213	63	89	1
Montour,	3,071	2,584	15	4	3	
Northampton,	32,267	24,220	178	70	90	
Northumberland,	24,244	22,985	226	53	81	2
Perry,	4,495	5,757	34	1	5	
Philadelphia,	517,797	353,983	626	2,125	372	5
Pike,	1,799	2,486	13	3	5	
Potter,	2,681	5,655	60		7	
Schuylkill,	46,021	44,648	181	121	91	
Snyder,	2,417	5,586	36	4	3	
Somerset,	13,844	17,086	83	13	13	
Sullivan,	1,587	1,937	6	1	7	
Susquehanna,	5,102	9,404	48	4	7	
Tioga,	4,275	11,445	63	14	7	
Union,	2,135	5,472	53	4	3	
Venango,	6,747	17,207	421	8	6	
Warren,	5,695	10,656	148	5	11	
Washington,	49,857	28,330	274	109	121	1
Wayne,	3,223	9,077	61	8	18	1
Westmoreland,	62,723	41,266	676	183	215	
Wyoming,	2,333	5,264	55	7	7	
York,	38,899	29,405	354	32	32	2
Totals,	2,099,340	1,861,197	12,040	5,116	3,357	22

VOTES CAST AT THE GENERAL ELECTION HELD NOVEMBER 5, 1940 FOR CANDIDATES FOR THE OFFICE OF STATE TREASURER

Counties	G. Harold Wagner, DEM.	James F. Malone, Jr., REP.	L. J. Lindsey, PRO.	Benjamin Careathers, COM.	Mary Gesensway, IND. GOV.	Scattering
Adams,	7,307	8,366	37	2	3	
Allegheny,	350,612	267,421	1,512	960	463	2
Armstrong,	11,420	14,133	191	4	20	
Beaver,	31,876	24,597	295	99	66	
Bedford,	7,173	8,590	94	10	8	
Berks,	50,262	31,224	241	108	80	3
Blair,	19,759	27,388	237	23	38	
Bradford,	6,402	14,605	108	6	7	
Bucks,	20,195	25,202	100	57	28	
Butler,	13,136	19,092	312	23	29	1
Cambria,	39,758	31,151	341	72	76	2
Cameron,	1,311	1,861	15	2	1	
Carbon,	12,237	10,804	43	10	14	
Centre,	9,671	10,531	102	10	13	
Chester,	21,070	28,721	152	13	17	
Clarion,	6,805	8,481	154	2	16	
Clearfield,	16,936	15,206	269	15	32	1
Clinton,	6,884	6,509	89	4	9	
Columbia,	12,358	9,264	142	2	7	
Crawford,	9,717	15,269	220	18	17	
Cumberland,	15,320	15,316	126	7	11	
Dauphin,	35,782	43,009	177	51	71	
Delaware,	57,740	80,210	174	72	43	1
Elk,	6,620	6,773	70	11	14	
Erie,	30,900	35,465	156	54	47	
Fayette,	41,150	23,551	110	36	39	
Forest,	893	1,747	29	1		
Franklin,	12,354	13,048	91	9	6	
Fulton,	1,970	2,024	7	1	2	
Greene,	10,028	6,253	70	6	18	
Huntingdon,	5,127	8,961	100	5	10	
Indiana,	11,427	15,416	293	18	21	
Jefferson,	8,236	11,748	177	10	16	
Juniata,	3,528	3,465	17		4	
Lackawanna,	68,451	54,363	108	54	28	
Lancaster,	31,417	44,586	187	47	29	
Lawrence,	17,678	19,110	423	35	35	
Lebanon,	12,635	13,633	151	10	11	2
Lehigh,	31,556	28,558	78	48	33	2
Luzerne,	97,086	77,422	108	118	83	
Lycoming,	17,981	20,960	343	18	24	
McKean,	6,526	14,637	137	8	10	
Mercer,	16,469	20,271	249	52	16	2
Mifflin	6,678	6,308	76	9	5	1
Monroe,	6,705	5,504	56	5	7	1
Montgomery,	46,310	73,800	217	52	65	1
Montour,	3,006	2,620	28	1	2	
Northampton,	32,475	24,245	156	70	40	2
Northumberland,	24,048	23,144	151	33	54	
Perry,	4,438	5,824	34	1	5	
Philadelphia,	516,981	355,589	599	2,120	317	3
Pike,	1,811	2,486	10	3	4	
Potter,	2,643	5,088	61	1	5	
Schuylkill,	46,359	44,613	128	104	67	
Snyder,	2,351	5,644	31	4	5	
Somerset,	13,777	17,190	71	9	11	
Sullivan,	1,572	1,963	10	1	3	
Susquehanna,	5,115	9,355	63	4	11	
Tioga,	4,261	11,451	58	9	5	
Union,	2,097	5,524	49	2	3	
Venango,	6,526	17,392	457	7	6	
Warren,	5,635	10,682	143	10	8	
Washington,	49,335	29,006	283	108	101	
Wayne,	3,230	9,063	73	5	6	
Westmoreland,	61,658	42,622	620	204	160	
Wyoming,	2,379	5,168	57	5	5	
York,	38,609	29,751	369	28	28	2
Totals,	2,083,712	1,883,043	11,785	4,946	2,432	26

Whereupon, the President of the Senate announced that F. Clair Ross of Butler County, having received the highest number of votes was duly elected Auditor General for the term of four years from the first Tuesday of May, 1941, and G. Harold Wagner of Luzerne County having received the highest number of votes was duly elected State Treasurer for the term of four years from the first Monday of May, 1941.

LIEUTENANT-GOVERNOR LEWIS. Four certificates of election in both of these cases having been signed by the officers in accordance with the Act of Assembly they will be spread upon the Journal.

Commonwealth of Pennsylvania,
January 7, 1941.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the seventh day of January, A. D. one thousand nine hundred and forty-one, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the vote by a Teller, appointed on the part of each House, it appeared that F. Clair Ross had the highest number of votes; whereupon the said F. Clair Ross was declared to have been duly elected Auditor General of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

S. S. LEWIS,
President of the Senate
ELMER KILROY,
Speaker of the House of Representatives
CHARLES A. P. BARTLETT,
Teller on the part of the Senate
ALBERT L. O'CONNOR,
Teller on the part of the House of Representatives

Commonwealth of Pennsylvania,
January 7, 1941.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the seventh day of January, A. D. one thousand nine hundred and forty-one, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon counting the vote by a Teller, appointed on the part of each House, it appeared that G. Harold Wagner had the highest number of votes; whereupon the said G. Harold Wagner was declared to have ben duly elected State Treasurer of the Commonwealth.

In testimony whereof, we have hereunto set our hands and affixed our seals the day and year above written.

S. S. LEWIS,
President of the Senate
ELMER KILROY,
Speaker of the House of Representatives
CHARLES A. P. BARTLETT,
Teller on the part of the Senate
ALBERT L. O'CONNOR,
Teller on the part of the House of Representatives

ELECTION OF DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

LIEUTENANT-GOVERNOR LEWIS. Pursuant to the Act of Assembly we will now proceed to the election of the Director of the Legislative Reference Bureau.

RESOLUTION

NOMINATIONS

Mr. LANIUS offered a resolution which was twice read as follows:

In Joint Session, January 7, 1941.

Resolved, That in accordance with the provisions of the Act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An act creating a Legislative Reference Bureau; providing for the election of a Director by the General Assembly; * * *," as amended, the Senate and House of Representatives in joint session, elect Herbert B. Cohen of York County, as Director of the Legislative Reference Bureau.

Mr. BENTZEL. Mr. President, I second the nomination of Herbert B. Cohen as Director of the Legislative Reference Bureau.

Mr. HEYBURN. Mr. President, I am directed by the joint caucus of the Republican members of the Legislature to place in nomination the name of Robert S. Frey of York County for the office of Director of the Legislative Reference Bureau.

Mr. MILLER. Mr. President, I deem it an honor and a privilege to second the nomination of the Honorable Robert S. Frey because of his accomplishments and outstanding service to the Legislature of Pennsylvania and to the Commonwealth in general.

LIEUTENANT-GOVERNOR LEWIS. Are there any other nominations? If not nominations are closed.

The President directed that the Clerks call the roll of the General Assembly and requested each member to name the candidate for whom he casts his vote.

The roll was called and was as follows:

Messrs.	Barr	named	Herbert B. Cohen
	Barlett	do.	Robert S. Frey
	Becker	do.	Robert S. Frey
	Carr	do.	Robert S. Frey
	Cavalcante	do.	Herbert B. Cohen
	Chapman	do.	Robert S. Frey
	Coleman	do.	Herbert B. Cohen
	Cox	do.	Herbert B. Cohen
	Crider	do.	Robert S. Frey
	Crowe	do.	Robert S. Frey
	Deitrick	do.	Robert S. Frey
	Dent	do.	Herbert B. Cohen
	DiSilvestro	do.	Herbert B. Cohen
	Edmonds	do.	Robert S. Frey
	Farrell	do.	Robert S. Frey
	Frey	do.	Herbert B. Cohen
	Geltz	do.	Robert S. Frey
	Haluska	do.	Herbert B. Cohen
	Heyburn	do.	Robert S. Frey
	Homsher	do.	Robert S. Frey
	James	do.	Robert S. Frey
	Jaspan	do.	Herbert B. Cohen
	Kephart	do.	Robert S. Frey
	Lanius	do.	Herbert B. Cohen
	Letzler	do.	Robert S. Frey
	Mallery	do.	Robert S. Frey
	McCreesh	do.	Herbert B. Cohen
	McGinnis	do.	Herbert B. Cohen
	McQuiddy	do.	Herbert B. Cohen
	Miller	do.	Robert S. Frey
	Mundy	do.	Herbert B. Cohen
	Reed	do.	Herbert B. Cohen
	Ruth	do.	Herbert B. Cohen
	Scarlett	do.	Robert S. Frey
	Shapiro	do.	Herbert B. Cohen
	Snowden	do.	Robert S. Frey
	Stevenson	do.	Robert S. Frey
	Stiefel	do.	Herbert B. Cohen
	Tallman	do.	Robert S. Frey
	Taylor	do.	Robert S. Frey

Messrs.	Thomas	do.	Robert S. Frey
	Tyler	do.	Robert S. Frey
	Wade	do.	Robert S. Frey
	Walker	do.	Robert S. Frey
	Watkins	do.	Robert S. Frey
	Wilson, Henry I.	do.	Robert S. Frey
	Wilson, Thomas B.	do.	Robert S. Frey
	Ziesenheim	do.	Robert S. Frey
	Ealy, President pro tem. of the Senate	do.	Robert S. Frey
	Achterman	do.	Herbert B. Cohen
	Allmond	do.	Herbert B. Cohen
	Auker	do.	Robert S. Frey
	Balthaser	do.	Herbert B. Cohen
	Baugher	do.	Herbert B. Cohen
	Bentley	do.	Herbert B. Cohen
	Bentzel	do.	Herbert B. Cohen
	Boies	do.	Herbert B. Cohen
	Boney	do.	Herbert B. Cohen
	Boorse	do.	Robert S. Frey
	Bower	do.	Robert S. Frey
	Bradley	do.	Herbert B. Cohen
	Breth	do.	Herbert B. Cohen
	Bretherick	do.	Robert S. Frey
	Brown	do.	Herbert B. Cohen
	Brunner, Charles H.	do.	Robert S. Frey
	Brunner, Paul A.	do.	Herbert B. Cohen
	Burns	do.	Herbert B. Cohen
	Burris	do.	Herbert B. Cohen
	Cadwalader	do.	Robert S. Frey
	Chervenak	do.	Herbert B. Cohen
	Chudoff	do.	Herbert B. Cohen
	Cochran	do.	Herbert B. Cohen
	Cohen, Marshall M.	do.	Herbert B. Cohen
	Cohen, Reuben E.	do.	Herbert B. Cohen
	Cook	do.	Robert S. Frey
	Cooper	do.	Robert S. Frey
	Cordier	do.	Robert S. Frey
	Corrigan	do.	Herbert B. Cohen
	Cullen	do.	Herbert B. Cohen
	Dalrymple	do.	Robert S. Frey
	Dennison	do.	Robert S. Frey
	DiGenova	do.	Herbert B. Cohen
	Dix	do.	Robert S. Frey
	D'Ortona	do.	Herbert B. Cohen
	Duffy	do.	Herbert B. Cohen
	Early	do.	Herbert B. Cohen
	Eckels	do.	Robert S. Frey
	Elder	do.	Robert S. Frey
	Elliott	do.	Herbert B. Cohen
	Ely	do.	Robert S. Frey
	Falkenstein	do.	Herbert B. Cohen
	Finestone	do.	Herbert B. Cohen
	Finnerty	do.	Herbert B. Cohen
	Fisher	do.	Robert S. Frey
	Fiss	do.	Robert S. Frey
	Fleming	do.	Robert S. Frey
	Flynn	do.	Herbert B. Cohen
	Foor	do.	Robert S. Frey
	Gallagher	do.	Herbert B. Cohen
	Gates	do.	Robert S. Frey
	Gerard	do.	Herbert B. Cohen
	Gillette	do.	Robert S. Frey
	Goodwin	do.	Herbert B. Cohen
	Greenwood	do.	Robert S. Frey
	Gross	do.	Robert S. Frey
	Gryskewicz	do.	Herbert B. Cohen
	Habbyshaw	do.	Robert S. Frey
	Haberlen	do.	Herbert B. Cohen
	Haines	do.	Robert S. Frey
	Hall	do.	Robert S. Frey
	Hamilton	do.	Herbert B. Cohen
	Hare	do.	Robert S. Frey
	Harkins	do.	Herbert B. Cohen
	Harmuth	do.	Herbert B. Cohen
Messrs.	Harris	do.	Herbert B. Cohen
	Heatherington	do.	Herbert B. Cohen
	Helm	do.	Robert S. Frey
	Hering	do.	Herbert B. Cohen
	Herman	do.	Herbert B. Cohen
	Hersch	do.	Herbert B. Cohen
	Hewitt	do.	Robert S. Frey
	Hirsch	do.	Herbert B. Cohen
	Holland	do.	Herbert B. Cohen
	Huntley	do.	Robert S. Frey
	Imbrie	do.	Robert S. Frey
	James	do.	Robert S. Frey
	Jefferson	do.	Herbert B. Cohen
	Jones, George E.	do.	Robert S. Frey
	Jones, Presley N.	do.	Herbert B. Cohen
	Keenan	do.	Herbert B. Cohen
	Kenehan	do.	Herbert B. Cohen
	Kline	do.	Robert S. Frey
	Knoble	do.	Robert S. Frey
	Kolankiewicz	do.	Herbert B. Cohen
	Komorofski	do.	Herbert B. Cohen
	Krise	do.	Robert S. Frey
	Leisey	do.	Robert S. Frey
	Leonard	do.	Herbert B. Cohen
	Lesko	do.	Herbert B. Cohen
	Levy	do.	Herbert B. Cohen
	Leydic	do.	Robert S. Frey
	Longo	do.	Herbert B. Cohen
	Lovett	do.	Herbert B. Cohen
	Malloy	do.	Herbert B. Cohen
	Marks	do.	Herbert B. Cohen
	Maxwell	do.	Herbert B. Cohen
	McClanaghan	do.	Herbert B. Cohen
	McDermott	do.	Herbert B. Cohen
	McDowell	do.	Robert S. Frey
	McFall	do.	Herbert B. Cohen
	McGrath	do.	Herbert B. Cohen
	McIntosh	do.	Herbert B. Cohen
	McKinney	do.	Robert S. Frey
	McLanahan	do.	Herbert B. Cohen
	McLane	do.	Herbert B. Cohen
	McSurdy	do.	Robert S. Frey
	Melchiorre	do.	Herbert B. Cohen
	Mihm	do.	Herbert B. Cohen
	Modell	do.	Herbert B. Cohen
	Monks	do.	Herbert B. Cohen
	Mooney	do.	Herbert B. Cohen
	Moran	do.	Herbert B. Cohen
	Moul	do.	Herbert B. Cohen
	Muir	do.	Robert S. Frey
	Munley	do.	Herbert B. Cohen
	Nagel	do.	Herbert B. Cohen
	Nunemacher	do.	Herbert B. Cohen
	O'Brien	do.	Herbert B. Cohen
	O'Connor	do.	Herbert B. Cohen
	O'Mullen	do.	Herbert B. Cohen
	O'Neill	do.	Herbert B. Cohen
	Owens	do.	Herbert B. Cohen
	Petrosky	do.	Herbert B. Cohen
	Pettit	do.	Herbert B. Cohen
	Polaski	do.	Herbert B. Cohen
	Polen	do.	Herbert B. Cohen
	Powers	do.	Herbert B. Cohen
	Prosen	do.	Herbert B. Cohen
	Rausch	do.	Herbert B. Cohen
	Readinger	do.	Herbert B. Cohen
	Reagan	do.	Robert S. Frey
	Reese, David P	do.	Robert S. Frey
	Reese, Russell E.	do.	Herbert B. Cohen
	Regan	do.	Herbert B. Cohen
	Reynolds	do.	Herbert B. Cohen
	Rhea	do.	Robert S. Frey
	Riley	do.	Robert S. Frey
	Rooney	do.	Herbert B. Cohen
	Rose, Samuel	do.	Herbert B. Cohen
	Rose, Walter E.	do.	Robert S. Frey
	Royer	do.	Robert S. Frey
	Rush	do.	Herbert B. Cohen
	Sarge	do.	Robert S. Frey
	Sarraf	do.	Herbert B. Cohen

Messrs. Scanlon	do.	Herbert B. Cohen
Schwab	do.	Herbert B. Cohen
Serrill	do.	Robert S. Frey
Shaffer	do.	Herbert B. Cohen
Shaw	do.	Herbert B. Cohen
Shepard	do.	Herbert B. Cohen
Simons	do.	Robert S. Frey
Skale	do.	Herbert B. Cohen
Snyder	do.	Robert S. Frey
Sollenberger	do.	Robert S. Frey
Sorg	do.	Robert S. Frey
Stambaugh	do.	Robert S. Frey
Stank	do.	Herbert B. Cohen
Stine	do.	Herbert B. Cohen
Stockham	do.	Robert S. Frey
Tarr	do.	Herbert B. Cohen
Tate	do.	Herbert B. Cohen
Taylor	do.	Robert S. Frey
Thompson, Edwin F.	do.	Herbert B. Cohen
Thompson Ronald L.	do.	Robert S. Frey
Trout	do.	Robert S. Frey
Turner	do.	Robert S. Frey
Van Allsburg	do.	Robert S. Frey
Vincent	do.	Herbert B. Cohen
Vogt	do.	Herbert B. Cohen
Voldow	do.	Herbert B. Cohen
Voorhees	do.	Robert S. Frey
Wagner	do.	Robert S. Frey
Watkins	do.	Robert S. Frey
Weiss	do.	Herbert B. Cohen
Welsh, Ellwood B.	do.	Herbert B. Cohen
Welsh, Matthew J.	do.	Herbert B. Cohen
Wilkinson	do.	Robert S. Frey
Williams	do.	Herbert B. Cohen
Winner	do.	Robert S. Frey
Wolf	do.	Herbert B. Cohen
Wood, Lloyd H.	do.	Robert S. Frey
Wood, Norfan	do.	Robert S. Frey
Woodring	do.	Herbert B. Cohen
Woodside	do.	Robert S. Frey
Wright	do.	Herbert B. Cohen
Yeakel	do.	Robert S. Frey
Yester	do.	Herbert B. Cohen
Young	do.	Herbert B. Cohen
Kilroy, Speaker of the House of Representatives	do.	Herbert B. Cohen

So it appeared that,

Herbert B. Cohen received one hundred thirty-seven votes.

Robert S. Frey received ninety-three votes.

LIEUTENANT-GOVERNOR LEWIS. Herbert B. Cohen having received a majority of all the votes cast is declared elected Director of the Legislative Reference Bureau.

LIEUTENANT-GOVERNOR LEWIS. We might as well make this York County Day. Your presiding officer is from York County. Mr. Cohen's name was placed in nomination by the Senator from York, Mr. Lanius. His nomination was seconded by a member from York. Mr. Cohen succeeds a man from York, so I am going to appoint Representative Moul and Representative Stine from York County to escort Mr. Cohen to the rostrum for the purpose of having the oath of office administered.

It is really an unusual and extreme pleasure for me to know that we have elected a former member of the Legislature from York County to succeed a former member of the Legislature from York County to this position, and although it may look a little like it, it is not, as some one suggested, a bi-partisan machine and a frame-up.

Herb and I have been friends for a good many years. We never did agree politically and we never will, but as far as professional and personal relations are concerned they have been of the very best, and they will continue such no matter what our political differences may be.

The oath of office was then administered to the Director-elect of the Legislative Reference Bureau by Lieutenant-Governor Lewis.

LIEUTENANT-GOVERNOR LEWIS. The Chair presents his fellow townsman, Mr. Cohen.

Mr. HERBERT B. COHEN. Mr. President and members of the Senate and House, I assure you that I appreciate the honor that you have bestowed upon me, and I also assure you that I realize the tremendous burden that will be placed upon the Bureau in an effort to continue it in the high esteem in which the Bureau has been held by the Members of the General Assembly. I hope to be able to continue the Bureau along those high lines of operation and I pledge to the entire membership of this Joint Session the sincere cooperation of the entire personnel of the Bureau, regardless of political affiliations. I thank you.

LIEUTENANT-GOVERNOR LEWIS: Before I turn this gavel back to the Speaker, I wish to repeat publicly what I told him yesterday, and that is that although he presides over a House that is of a different political faith than the body over which I preside over, I want to assure him and every member of this House that the President of the Senate stands ready to cooperate in every way possible with this House in determining the momentous problems that are before us and which we will have to solve.

JOINT SESSION ADJOURNED

LIEUTENANT-GOVERNOR LEWIS. The business for which the Joint Session was assembled having been transacted the Joint Session is now adjourned. The Senators will please re-assemble immediately in the Senate Chamber.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair announces that the page boys have bills which have been prepared by the Legislative Reference Bureau for certain of the members. The Chair would request that the Members remain in their seats until these bills have been distributed. The bills are to be kept by the members until the Committees have been appointed. They are given to the members for their examination at this time, but to be introduced at a later date.

RESOLUTION

SEWING PROJECTS

Messrs. SHAW and MATTHEW J. WELSH offered a resolution and asked and obtained unanimous consent for its reading and immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 7, 1941.

Whereas, Twelve thousand women are presently employed on sewing projects supported by Federal funds throughout the Commonwealth of Pennsylvania, and

Whereas, His Excellency, Arthur H. James, Governor of the Commonwealth, has indicated that the Commonwealth will not comply with Federal requirements relative to State contribution for the continuance of these sewing projects, and

Whereas, The failure of the Commonwealth to make its proper contribution will result in the shut-down of sewing projects throughout the Commonwealth, throwing twelve thousand women out of useful and productive employment on January 27, 1941, and

Whereas, The members of the House of Representatives are deeply concerned over the needless suffering and hardship which will inevitably follow the closing of the sewing projects throughout the Commonwealth, now therefore be it

Resolved, That a committee of five be appointed by the Speaker of the House to investigate immediately all the circumstances surrounding the indicated failure of the Commonwealth to make its proper contribution to the sewing projects and to report its findings and recommendations promptly to the House of Representatives.

On the question,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, I do not believe there is any Member of this House who is not concerned with the possibility of twelve thousand women now employed in sewing projects losing their jobs. I know that all of the Members on this side are as much concerned with that situation as are those on the other side, but all of us are anxious to know all the facts in connection with the controversy that has been going on between the Governor and the Director of WPA in Pennsylvania. The Governor in his speech has just stated that his books are open, and that he invites investigation of matters of this kind. The wording of this resolution is unfortunate because it seems to me it has rather a marked tinge of partisanship, and were it not for the fact that I have confidence that the man, who I understand will be named chairman of the investigating committee, will carry on an absolutely non-partisan and unbiased investigation, I would object to the resolution in the form in which is now is because I think the real investigation may hinge upon, What is the proper contribution for Pennsylvania to make?

I do not want to go into a discussion of the controversy at this time, because that is for the investigating committee, but I do think the resolution might have been worded a little differently so that the investigation would cover the entire situation and not assume that the amount which the WPA administrator says should be paid to the Commonwealth is the proper amount. However, I believe that the committee, under the leadership of the gentleman who introduced this resolution, will investigate the entire matter and it is with that thought in mind and with the feeling that they will approach the matter from a non-partisan standpoint, that we will have no objection to the form of the resolution. So far as the purpose of the resolution is concerned, we are in complete accord. We are concerned not only with the twelve thousand women who are now working, but also the seven thousand women who have recently been laid off, because, as I understand it, the Federal Government neglected to supply the necessary funds.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

COMMITTEE APPOINTED

The SPEAKER. Pursuant to the resolution just adopted the Chair appoints as the Committee therein provided for Messrs. Shaw, Chairman, Scanlon, Readinger, Bretherick and Stockham.

CONDOLENCE RESOLUTION

Mr. MUNLEY offered the following resolution which was twice read, considered and unaminously adopted.

In the House of Representatives, January 7, 1941.

It is with deep concern that we learn of the sudden death of the beloved sister of our fellow member, the Honorable Harry P. ONeill, veteran member of this Assembly, at the commencement of his seventh term.

Mrs, James J. Mahady died quite unexpectedly this morning at her home in Latrobe; be it therefore

Resolved, That the Members of the House of Representatives hereby extends its sincere condolence to her bereaved brother and our dear friend Harry P. O'Neill; and directs the Chief Clerk to transmit a copy of this resolution to him at his home in Dunmore.

ANNOUNCEMENTS

The Democratic Victory Dinner this evening will begin promptly at 6:45 at Zembo Mosque. All who desire to attend are urged to arrive on time.

Republican Caucus, Monday, January 13, at 8 p. m. in the new Caucus Room.

Democratic Caucus, January 13, at 4 p. m. in the new House Caucus Room.

ADJOURNMENT

Mr. HERING. Mr. Speaker I move that this House do now adjourn until Monday, January 13, 1941, at 9 o'clock p. m.

The motion was unanimously agreed to, and (at 4:53 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, JANUARY 13, 1941. No. 2.

SENATE

MONDAY, January 13, 1941

The Senate met at 4:00 o'clock p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Almighty God and Everlasting Father of us all, whose worthy praise and adoration neither mind of man nor the power of speech can capably express, it is our gracious privilege to seek Thy favor this day upon our thoughts and actions which, we pray Thee, may be used according to Thy will.

Give us a vision beyond our present state that as individuals, as law-makers, as a Commonwealth and as a Nation we may do the right thing amidst so many changing scenes throughout our rapidly changing world:

That our decisions may be arrived at with the general welfare of all concerned deep within our consciences: that our hopes and fears be equally dealt with in the light of divine disposition: that the ultimate consummation of all these disturbing factors composing our every-day life and living so filled with tension and uneasiness, be unhesitatingly sought at Thy merciful throne. With our eyes fixed upon Thee and our hearts consecrated and committed unto Thy gracious care, we can not fail in this hour of national emergency. Of such fabric has our national history thus far been composed and, we most humbly pray, that it shall continue so to be fashioned after the beautiful devotion of a Washington and the definite consecration of a Lincoln.

"Our little systems have their day,
They have their day and cease to be;
They are but broken lights of Thee,
But Thou, O Lord, are greater than they."

How clearly, then, do we see and know our limitations without Thee! And as well how wondrous may our influence be with Thee! We humbly pray Thy abiding presence with us each one today. In His name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. EALY and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. STIEFEL asked and obtained leave of absence for the Senator from Philadelphia, Mr. SHAPIRO.

Mr. WADE asked and obtained leave of absence for the Senator from McKean, Mr. THOMAS B. WILSON.

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. EDMONDS asked and obtained leave of absence for himself for tomorrow if there be a Session on account of a personal appointment.

Mr. CAVALCANTE asked and obtained leave of absence for the Senator from Washington, Mr. REED, on account of the death of a very close friend of his.

Mr, BECKER asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

Mr. CAVALCANTE asked and obtained leave of absence for the Senator from Luzerne, Dr. MUNDY, who is not feeling well.

REPORT OF PENNSYLVANIA DEPARTMENT OF COMMERCE

The Chair presented Report No. 1, dated November, 1940, of the Pennsylvania Department of Commerce and directed that receipt of same be noted in the Journal.

QUESTION OF INFORMATION

Mr. EDMONDS. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Montgomery, Mr. Edmonds, will state his point of information.

Mr. EDMONDS. Mr. President, I desire to inquire whether under our rules we should have a motion that the Senate advise and consent to nominations for Notaries Public and Commissioners of Deeds.

The PRESIDENT. The Chair so understands.

Mr. EDMONDS. Then, Mr. President, it is no longer necessary that we go into Executive Session?

The PRESIDENT. That is the understanding of the Chair.

MOTION THAT THE SENATE ADVISE AND CONSENT TO NOMINATIONS FOR NOTARIES PUBLIC AND COMMISSIONERS OF DEEDS

Mr. EDMONDS. Mr. President, I move that the Senate do now advise and consent to the nominations for Notaries Public and Commissioners of Deeds which have been sent to us by the Governor.

Mr. EALY. Mr. President, I second the motion.

The motion was agred to.

The PRESIDENT. According to the understanding of

the Chair, under the new rules adopted by the Senate, nominations for notaries public and justices of the peace and recorders of deeds will not be reported to any committee, as heretofore; they will be disposed of right away. All others will be referred to the Committee on Executive Nominations

Mr. EALY. Mr. President, I understand nominations for justices-of-the-peace are not included.

The PRESIDENT. That is right. Notaries Public and Recorders of Deeds. All others will be referred to committees.

The nominations were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Katherine Allan, Pittsburgh, 835 Warrington Ave.
Robert Edw. Hamburg, West View.
Anthony Komorowski, Scott Twp., 327 Carothers Ave., Carnegie.
Miss Angeline Mamula, Pittsburgh, 3414 Fifth Ave.
T. B. McCafferty, Pittsburgh, 1062 Progress St.
A. M. Mertens, Pittsburgh, Benedum Trees Bldg., 221 Fourth Ave.
Leslie Rankin, Wilkinsburg.

BEAVER COUNTY

Miss Marie Capone, Aliquippa.
Mrs. Emma B. Wagner, Rochester.

BUCKS COUNTY

Benjamin Silber, Bristol.

CAMBRIA COUNTY

Miss Clara McNamara, Johnstown.

CRAWFORD COUNTY

Hurst R. Anderson, Meadville.
C. L. Craine, Meadville.

ERIE COUNTY

Harold J. Drown, Erie.

FRANKLIN COUNTY

Miss Florence M. Hartzell, Green Twp., c/o Dr. Corbett, Main Street, Fayetteville.

LANCASTER COUNTY

F. P. Wolf, Lancaster.

LEHIGH COUNTY

Miss Emma H. Joseph, Allentown.

LUZERNE COUNTY

Samuel Davis, Wilkes-Barre.
Paul J. Schmidt, Wilkes-Barre.

MONTGOMERY COUNTY

Miss Alma M. Flood, Norristown.
Miss Martha Y. Martin, Norristown.

NORTHAMPTON COUNTY

Russell S. Reimer, Upper Mount Bethel Twp., R. F. D. 1, Bangor.

NORTHUMBERLAND COUNTY

Louis Cohen, Mount Carmel.

PHILADELPHIA COUNTY

Samuel D. Berger, Phila., 310-12 North American Bldg.
Alfred C. Davis, Phila., 4700 Frankford St.
Mrs. Elizabeth H. Erickson, Phila., 1510 Chestnut St.
Miss Sue Oxenberg, Phila., 701 Morris Bldg., 1421 Chestnut St.
E. S. Rolle, Phila., 705 Bankers Securities Bldg.
Mrs. Genevieve D. Simons, Phila., 6221 Rising Sun Ave.
Miss Elizabeth G. Tarpey, Phila., 5328 Walton Ave.
Robert Vearling, Phila., 2642 North 5th St.
Miss Estelle Woodruff, Phila., 340 North Broad St.

POTTER COUNTY

Mrs. Susan Masolotte, Coudersport.

WASHINGTON COUNTY

Mrs. Mary G. Lowstuter, Charleroi.
Miss Marie Martin, Washington.
Mrs. Martha C. Yenko, Bentleyville.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

David N. Sinton, North Braddock, January 14, 1941.

PHILADELPHIA COUNTY

Miss Velma K. Lown, Phila., Chancellor Hall, 206 South 13th St., January 14, 1941.
Edward L. McGarrity, Phila., 624 South 62d St., January 14, 1941.

GREENE COUNTY

Mrs. Clara M. Inghram, Franklin Twp., R. D. 6, Waynesburg, January 18, 1941.

ALLEGHENY COUNTY

Raymond E. Born, Mt. Oliver, January 19, 1941.

NORTHUMBERLAND COUNTY

Miss C. L. Deppen, Sunbury, January 22, 1941.

YORK COUNTY

Jacob E. Weaver, York, January 22, 1941.

ALLEGHENY COUNTY

Scott M. Stewart, McKeesport, January 23, 1941.
Jacob Bartosch, McKees Rocks, January 24, 1941.
Mrs. Rosena L. Rice, Pittsburgh, 2123 Wylie Ave., January 24, 1941.
Miss Anna M. Tanney, Pittsburgh, 2620 Grant Bldg January 24, 1941.

BEAVER COUNTY

Homer H. Swaney, Beaver Falls, January 24, 1941.

LACKAWANNA COUNTY

Thomas R. Millen, Scranton, January 24, 1941.

INDIANA COUNTY

Miss Mary M. Plotzer, Indiana, January 25, 1941.

CHESTER COUNTY

Miss Lydia R. Parker, West Chester, January 26, 1941.

BEAVER COUNTY

Joseph A. Tritschler, Beaver Falls, January 27, 1941.

DELAWARE COUNTY

Miss Helen M. Johnson, Chester, January 27, 1941.

PHILADELPHIA COUNTY

Jos. A. Addis, Phila., 1720 North 24th St., January 28, 1941.

BLAIR COUNTY

T. W. Tobias, Altoona, January 29, 1941.

WASHINGTON COUNTY

Joseph C. Spriggs, Washington, January 29, 1941.

ALLEGHENY COUNTY

Wm. H. Baumann, Pittsburgh, 1627 Penn Ave., January 31, 1941.

Miss D. J. Doyle, Pittsburgh, 808 Columbia Bldg., January 31, 1941.

BERKS COUNTY

Mrs. Martha S. Hoverter, Reading, January 31, 1941.

BLAIR COUNTY

Miss Ada E. Reynolds, Altoona, January 31, 1941.

LEBANON COUNTY

Mrs. Catherine E. Cilley, Lebanon, January 31, 1941.

PHILADELPHIA COUNTY

Ashley W. Hagey, Phila., 166 E. Duval Street, January 31, 1941.

Joseph C. Kall, Phila., Forrest Bldg., 119 South 4th St., January 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ERIE COUNTY

Miss Laurine M. Krug, Erie, January 18, 1941.

ALLEGHENY COUNTY

Arthur B. Pitts, Duquesne, January 24, 1941.

BUCKS COUNTY

Raymond A. Dreisbach, Morrisville, January 24, 1941.

ERIE COUNTY

Everett F. Spring, Erie, January 24, 1941.

LAWRENCE COUNTY

Jos. W. Humphrey, Ellwood City, January 24, 1941.

PHILADELPHIA COUNTY

Mitchell L. Goldman, Phila., 1411 Walnut St., January 24, 1941.

Rudolph H. Winter, Jr., Phila., 831 North 16th St., January 24, 1941.

VENANGO COUNTY

Donald Glenn, Franklin, January 24, 1941.

BERKS COUNTY

Wendell L. Huntzinger, Hamburg, January 27, 1941.

LAWRENCE COUNTY

J. Roy Mercer, New Castle, January 29, 1941.

LACKAWANNA COUNTY

R. Louis Grambs, Scranton, January 30, 1941.

MONTGOMERY COUNTY

P. Frank Hunter, Jr., Norristown, January 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Elmer L. Collins, Collier Twp., Box 273, Bridgeville.
J. P. Collins, Verona.
Harold Smith Haller, Pittsburgh, Law and Finance Bldg.
Howard J. Hook, Pittsburgh, 116 Seventh St.
Kermit R. Johns, Pittsburgh, 644 Grant St.

BERKS COUNTY

Miss Lillie M. Geiger, Reading.
Alvin H. Rick, Topton.

DAUPHIN COUNTY

F. J. Evans, Jr., Harrisburg.
Miss Ellen C. Harris, Harrisburg.

ERIE COUNTY

Mrs. Esther B. Pihl, Fairview.

LANCASTER COUNTY

Willis W. Shenk, Lancaster.

LEBANON COUNTY

Gregory J. Yake, Lebanon.

LUZERNE COUNTY

William H. Clewell, Kingston.

McKEAN COUNTY

Miss Esther M. Shelgren, Bradford.

PHILADELPHIA COUNTY

Miss E. Claire McNichol, Phila., 826 Fidelity-Phila Trust Bldg.
Charles M. Rose, Phila., 2034 West Columbia Avenue.
Robert C. Stubbs, Phila., 1160 South 18th St.
Mrs. Marie C. Taylor, Phila., 320 Chestnut St.

SCHUYLKILL COUNTY

Miss Helen M. Walsh, Pottsville.

CLEARFIELD COUNTY

William E. Ziegler, DuBois.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Clyde Barnett, Pittsburgh, The Union Trust Co. of Pittsburgh, 5th Ave and Grant St.

BUCKS COUNTY

Winston W. Lindes, Quakertown.

CAMBRIA COUNTY

Mrs. Cathryn J. Herrmann, Johnstown.

DAUPHIN COUNTY

Miss Dorothy J. Tyson, Harrisburg.

NORTHAMPTON COUNTY

Miss Ruth Reibman, Easton.

NORTHUMBERLAND COUNTY

Miss Amelia Pirozek, Shamokin.

ARTHUR H. JAMES.

And the question recurring,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—40

Barr,	Dent,	Lanius,	Stiefel,
Becker,	DiSilvestro,	Letzler,	Tallman,
Carr,	Ealy,	Mallery,	Taylor,
Cavalcante,	Edmonds,	McGinnis,	Thomas,
Chapman,	Farrell,	McQuiddy,	Tyler,
Coleman,	Frey,	Miller,	Wade,
Cox,	Geltz,	Ruth,	Walker,
Crider,	Haluska,	Scarlett,	Watkins,
Crowe,	Heyburn,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS ALDERMAN OF CITY OF YORK

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Willis W. Gilbert, 1027 South Queen Street, York, York County, for appointment as Alderman in and for the Fifteenth Ward of the City of York, York County, until the first Monday in January, 1942, vice Mrs. Mary G. Cooper, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS CORONER FOR THE COUNTY OF WYOMING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate B. O. Sheldon of Laceyville, Wyoming County, for appointment as Coroner in and for the County of Wyoming, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice Ray W. Greenwood, resigned.

ARTHUR H. JAMES.

RE-APPOINTMENT AS A MEMBER OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Evan B. Lloyd, 139 Green Street, Johnstown, Cambria County, for reappointment as a member of the Cambria County Board of Assistance, until December 31, 1943.

ARTHUR H. JAMES.

RECALLING NOMINATION OF DR. WILMER KRUSEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on January 7, 1941, for the appointment of Dr. Wilmer Krusen, Philadelphia, as a member of the Board of Trustees of Philadelphia State Hospital, Doctor Krusen having subsequently resigned.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF THE PEACE IN AND FOR THE TOWNSHIP OF BRADY, HUNTINGDON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Newton Parker of Mill Creek, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Brady, Huntingdon County, until the first Monday in January, 1942, vice P. W. Finn, deceased.

ARTHUR H. JAMES.

RE-APPOINTMENT AS NOTARY PUBLIC IN THE CITY OF PITTSBURGH

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Dewey Clark, 440 Fourth Avenue, Pittsburgh, Allegheny County, for reappointment as a Notary Public in the City of Pittsburgh, Allegheny County, for a term of four years to compute from January 24, 1941.

ARTHUR H. JAMES.

COMMUNICATIONS FROM GOVERNOR LAID ON THE TABLE

The PRESIDENT. The Chair announces, pending appointment of membership of Committees, to be announced by the President Pro Tempore, further communications from the Governor will be laid on the table, which will be later taken from the table and referred to their respective committees.

REPORT FROM SLATE COMMITTEE

Mr. CHAPMAN, from the Slate Committee reported the following nominations:

In the Senate, January 13, 1941.

Resolved, That the following persons be elected employes of the Senate:

ASSISTANT CLERK

Russell B. Gulick.

JOURNAL CLERK

Bennett F. Kiehl.

ASSISTANT JOURNAL CLERK

A. Howard Glick.

EXECUTIVE CLERK

Bessie B. Everett.

MESSAGE CLERK

Harry McGroerty

TRANSCRIBING CLERKS

Wallace J. Kramer.
Wm. R. Gallagher.
Grant K. Pulen.
Paul Heffner.
George Albro.

SERGEANT-AT-ARMS

James Thompson.

CHIEF ASST. SERGEANT-AT-ARMS

F. Walter Grace.

ASSISTANT SERGEANTS-AT-ARMS

Ralph N. DeCamp.
J. Humbird Linn.
Fern Glenn.
A. L. Cotton.
Wm. R. McLain.
Frank C. Thompson.
Alovsius Griffin.
Frank Bixler.

POSTMASTER

George A. Comerer.

ASSISTANT POSTMASTER

Wm. Schramm.

MESSENGER

Loretta E. Ziegler.

ASSISTANT MESSENGER

Martha Jane Cooper.

SUPT. FOLDING ROOM

Howard Frey.

PASTERS AND FOLDERS

Wm. C. Murdock.
George Williams.
Harold J. O'Neill.

CHAPLAIN

Rev. Burleigh A. Peters.

DAY WATCHMAN

Alex. C. Davy.

CLERKS TO COMMITTEE

Justine Roth.
Edwin Wallace.
Frank J. Delaney.
Richard F. Heylmun.
Harry C. McDade.
James L. Adams.
Donald A. Gallagher.
Edward B. Hall.
Carl Bach.
Geo. L. Livingstone.
James Phillips.
Grace Putman.

CUSTODIAN, SENATE CHAMBER

Wm. R. Scott.

CUSTODIANS, COMMITTEE ROOMS

Jack Feigles.
Michael E. Lazor.

CUSTODIAN, WASH ROOM

Ralph L. Earley.

CUSTODIAN, BASEMENT

Roy A. Carlson.

CHIEF PAGE

Herbert V. Eynon.

PAGES

Stanley Smee.
Charles Mitchell
Eugene Hinkle.
B. S. Hefkin.
John E. Williams.
Donald Harpel.
Leslie Frye, Jr.
Alfred Barbush.
Mark Gruell.
John Hocker.
Edw. J. Faley.
Robert Evans.
Wm. H. Mahoney.
Edwin Stauffer.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Dent,	Lanius,	Stiefel,
Becker,	DiSilvestro,	Letzler,	Tallman,
Carr,	Ealy,	Mallery,	Taylor,
Cavalcante,	Edmonds,	McGinnis,	Thomas,
Chapman,	Farrell,	McQuiddy,	Tyler,
Coleman,	Frey,	Miller,	Wade,
Cox,	Geltz,	Ruth,	Walker,
Crider,	Haluska,	Scarlett,	Watkins,
Crowe,	Heyburn,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

APPOINTMENT OF SENATE COMMITTEES

The PRESIDENT. The Chair understands the Senator from Somerset, Mr. Ealy, is ready to announce the composition and membership of committees. We will defer action on bills in place until that announcement has been made.

The Senator from Somerset announces the following appointments to committees. As the list is rather voluminous the Chair suggests that the names be incorporated in the Journal, if there is no objections, as that will save a lot of time.

Is there objection? The Chair hears none.

It was so ordered:

The Committees are as follows:

SENATE COMMITTEES

AERONAUTICS—15

Messrs. Tyler, Chairman
Ziesenheim,
Bartlett,
Farrell,
Miller,
Thomas,
Crider,
Wade,
Wilson, T. B.,
Frey,
Cavalcante,
Coleman,
McCreesh,
Barr,
Ealy, ex-officio.

AGRICULTURE—15

Messrs. Scarlett, Chairman,
Heyburn,
Crowe,
Homsher,
Ziesenheim,
Kephart,
Becker,
Carr,
Wade,
Crider,
Reed,
Dent,
McQuiddy,
McCreesh,
Ealy, ex-officio.

APPROPRIATIONS—21

Messrs. Chapman, Chairman,
Stevenson,
Vice-Chairman,
Mallery,
Heyburn,
Homsher,
Scarlett,
Deitrick,
Ziesenheim,
Walker,
Snowden,
Farrell,
Tallman,
James,
Geltz,
Lanius,
Mundy,
McGinnis,
Shapiro,
Cavalcante,
Stiefel,
Ealy, ex-officio.

BANKING—15

Messrs. Becker, Chairman,
Edmonds,
Scarlett,
Homsher,
Deitrick,
Snowden,
Heyburn,
Kephart,
Wade,
DiSilvestro,
Haluska,
Reed,
Shapiro,
McCreesh,
Ealy, ex-officio.

CONGRESSIONAL APPORTIONMENT—15

Messrs. Wade, Chairman,
Bartlett,
Homsher,
Letzler,
Thomas,
Mallery,
Taylor,
Geltz,
Kephart,
Coleman
Jaspan,
McGinnis,
Haluska,
DiSilvestro,
Ealy, ex-officio.

CORPORATIONS—15

Messrs. Kephart, Chairman,
Woodward,
Mallery,
Edmonds,
Walker,
Geltz,
Letzler,
Tallman,
Watkins,
Barr,
Cavalcante,
Frey,
DiSilvestro,
Cox,
Ealy, ex-officio.

CONSTITUTIONAL CHANGES—15

Messrs. Crider, Chairman,
Woodward,
Mallery,
Stevenson,
Heyburn,
Tallman,
Deitrick,
Kephart,
Taylor,
Wade,
Jaspan,
DiSilvestro,
Mundy,
Lanius,
Ealy, ex-officio.

COUNTY GOVERNMENT—15

Messrs. Taylor, Chairman,
Mallery,
Tallman,
Ziesenheim,
Scarlett,
Homsher,
Bartlett,
Thomas,
Tyler,
Lanius,
Reed,
Ruth,
Coleman,
Barr,
Ealy, ex-officio.

EDUCATION—15

Messrs. Homsher, Chairman,
Edmonds,
Crowe,
Deitrick,
Miller,
Farrell,
Letzler,
Becker,
Wilson, T. B.,
Coleman,
Haluska,
McGinnis,
Ruth,
Shapiro,
Ealy, ex-officio.

EXECUTIVE NOMINATIONS—7

Messrs. James, Chairman,
Chapman,
Letzler,
Stevenson,
Geltz,
Edmonds,
Ealy, ex-officio.

ELECTIONS—15

Messrs. Farrell, Chairman,
James,
Miller,
Chapman,
Walker,
Tyler,
Wade,
Wilson, H. I.,
Wilson, T. B.,
Frey,
Barr,
Cavalcante,
McCreesh,
Ruth,
Ealy, ex-officio.

FEDERAL RELATIONS—15

Messrs. Woodward, Chairman,
Tallman,
Chapman,
Edmonds,
Snowden,
Thomas,
Carr,
Crider,
Wade,
Watkins,
Cavalcante,
Ruth,
Cox,
McQuiddy,
Ealy, ex-officio.

FINANCE—15

Messrs. Heyburn, Chairman,
Edmonds,
Woodward,
Geltz,
Snowden,
Tallman,
Scarlett,
Letzler,
Walker,
Watkins,
Cavalcante,
Frey,
Shapiro,
Coleman,
Ealy, ex-officio.

HIGHWAYS—21

Messrs. Snowden, Chairman,
Mallery,
Homsher,
Letzler,
Stevenson,
Scarlett,
Ziesenheim,
Geltz,
Thomas,
Crowe,
Tyler,
Kephart,
Taylor,
Wilson, T. B.,
Dent,
Lanius,
McGinnis,
Mundy,
Reed,
McQuiddy,
Ealy, ex-officio.

FORESTS AND WATERS, GAME AND FISH—15

Messrs. Crowe, Chairman, Walker, Woodward, Thomas, Letzler, James, Becker, Tyler, Ziesenheim, Crider, Reed, Barr, Haluska, Ruth, Ealy, ex-officio.

INSURANCE—15

Messrs. Edmonds, Chairman, Heyburn, Letzler, Crowe, James, Geltz, Bartlett, Wade, Watkins, Carr, Dent, DiSilvestro, Haluska, Cox, Ealy, ex-officio.

JUDICIARY GENERAL—21

Messrs. Walker, Chairman, Mallery, Edmonds, Woodward, James, Crowe, Farrell, Stevenson, Tallman, Kephart, Geltz, Wilson, T. B., Becker, Watkins, Cavalcante, Stiefel, McGinnis, Shapiro, Reed, Ruth, Ealy, ex-officio.

LABOR AND INDUSTRY—15

Messrs. Wilson, T. B., Chairman, Heyburn, Chapman, Thomas, James, Wilson, H. I., Tyler, Carr, Homsher, Dent, Jaspan, Haluska, McQuiddy, Barr, Ealy, ex-officio.

JUDICIARY SPECIAL—9

Messrs. Carr, Chairman, Snowden, Wilson, H. I., Taylor, Crider, Lanius, Barr, Jaspan, Ealy, ex-officio.

LAW AND ORDER—15

Messrs. Letzler, Chairman, Chapman, Heyburn, Scarlett, Thomas, Mallery, Carr, Tyler, Wilson, H. I., Lanius, McCreesh, Cox, Ruth, Reed, Ealy, ex-officio.

MILITARY AFFAIRS—15

Messrs. Miller, Chaiman, Bartlett, Becker, Crowe, Walker, Ziesenheim, Edmonds, Stevenson, Crider, Cavalcante, DiSilvestro, Stiefel, McCreesh, Cox, Ealy, ex-officio.

MINES AND MINING—15

Messrs. Thomas, Chairman, Letzler, Chapman, Mallery, Snowden, Miller, Crowe, Deitrick, Wilson, H. I., Coleman, Dent, Haluska, Mundy, McQuiddy, Ealy, ex-officio.

MUNICIPAL GOVERNMENT—15

Messrs. Stevenson, Chairman, Mallery, Woodward, Farrell, James, Thomas, Miller, Snowden, Taylor, Ziesenheim, Coleman, McGinnis, McCreesh, DiSilvestro, Ealy, ex-officio.

PUBLIC HEALTH—15

Messrs. Deitrick, Chairman, Chapman, Bartlett, Letzler, Carr, Kephart, Farrell, Stevenson, Miller, Wilson, H. I., Mundy, Stiefel, Frey, Ruth, Ealy, ex-officio.

PUBLIC UTILITIES—15

Messrs. Mallery, Chairman, Scarlett, James, Walker, Geltz, Kephart, Becker, Wilson, T. B., Watkins, Dent, McGinnis, Jaspan, Cox, Ealy, ex-officio.

REPRESENTATIVE APPORTIONMENT—15

Messrs. Watkins, Chairman, Woodward, Geltz, Tallman, Farrell, Deitrick, Tyler, Carr, James, Dent, Jaspan, Lanius, Cox, Ealy, ex-officio.

RULES—7

Messrs. Geltz, Chairman, Tallman, Edmonds, Letzler, James, Shapiro, Ealy, ex-officio.

SENATORIAL APPORTIONMENT—15

Messrs. Ziesenheim, Chairman, Chapman, Bartlett, Heyburn, Snowden, Walker, Miller, Becker, Farrell, Wilson, H. I., Frey, Mundy, McCreesh, Stiefel, Ealy, ex-officio.

STATE GOVERNMENT—15

Messrs. Tallman, Chairman, Farrell, Woodward, Heyburn, Taylor, Miller, Crider, Wade, Ziesenheim, Frey, Wilson, T. B., Reed, Mundy, Stiefel, Ealy, ex-officio.

WELFARE, PUBLIC ASSISTANCE AND PENSIONS—15

Messrs. Bartlett, Chairman, Deitrick, Woodward, Crowe, Edmonds, Letzler, Homsher, Scarlett, Becker, Mundy, Shapiro, Frey, Jaspan, Ealy, ex-officio.

WORKMEN'S COMPENSATION—15

Messrs. Wilson, H. I., Chairman,	Carr,
Bartlett,	Tyler,
Chapman,	Dent,
Heyburn,	Cox,
Farrell,	Lanius,
Taylor,	McQuiddy
Wilson, T. B.,	Ealy, ex-officio.

BILLS INTRODUCED

Mr. MALLERY read in his place and presented to the the Chair Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphans' home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges.

Which was committed to the Committee on Education.

Mr. EDMONDS on behalf of Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also on behalf of Senator WOODWARD, read in his place and presented to the Chair Senate Bill No. 3, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 4, entitled:

An Act to amend and reenact section five hundred and twenty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 5, entitled:

An Act providing for the payment by the State Treasurer of the tax on certain Premiuns paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into their police pension funds, and, in certain cases, into the State Employes' Retirement Fund for the benefit of the Pennsylvania Motor Police.

Which was committed to the Committee on Municipal Government.

Mr. BARTLETT read in his place and presented to the Chair Senate Bill No. 6, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for different classes of operators' licenses and learners' permits; prescribing the circumstances under which they shall be issued; requiring proof of financial responsibility in certain cases; denying operating privileges under certain circumstances and providing additional penalties.

Which was committed to the Committee on Finance.

Mr. EDMONDS at the request of the Committee of Seventy read in his place and presented to the Chair Senate Bill No. 7, entitled:

An Act to carry into effect section one of article fifteen of the Constitution, giving cities the right and power to frame, adopt and amend their own charters, and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city coucils, city officers, county boards of elections, courts of common pleas, and the Secretary of the Commonwealth; and providing for the payment of certain expenses by cities.

Which was committed to the Committee on Constitutional Changes.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 8, entitled:

An Act to amend article three of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the formation of a State Association of County Treasurers and imposing certain expenses on counties.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics; and increasing the duties of certain county officials.

Which was committed to the Committee on Public Health.

He also read in his place and presented to the Chair Senate Bill No. 10, entitled:

An Act providing for the licensing, bonding and regulation of junk dealers; and prescribing penalties.

Which was committed to the Committee on County Government.

Mr. HALUSKA. Mr. President, I rise in my place and present a number of bills, which I believe I should perhaps briefly explain. These are a number of bills which offer amendments to our public assistance laws and these bills will tend to increase the benefits of old-age pensions to aging persons of our Commonwealth, under a plan which back in my county is known as the Haluska sixty-at-sixty plan. Realizing, of course Mr. President, that if these bills should become law we must have additional funds to finance them, I am prepared also to introduce additional bills to finance my plan.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 11, entitled:

An Act to provide revenue by imposing a license tax on the keepers of all pin-ball games, hi-score games or other games or devices of skill for purposes of profit; providing for the collection of said tax and imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue, and appropriating the proceeds from such tax to the Department of Welfare.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 12, entitled:

An Act to promote the public welfare by providing for assistance to aged persons in need.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 13, entitled:

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by prescribing the manner in which the property of indigent persons shall become affected by the liens of the State for assistance and making certain assignments, writings and judgments null and void.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 14, entitled:

An Act to provide revenue by imposing a license tax on the owners of all places where bingo games are played for purpose of profit; providing for the collection of said tax; and imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue; and appropriating the proceeds from such tax to the Department of Public Assistance for the purpose of assisting persons over sixty years of age; authorizing charitable and non-profit organizations to conduct bingo game upon the payment of a permit fee.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 15, entitled:

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from demanding or accepting a bond or judgment note from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 16, entitled:

An Act imposing a license tax on keepers of coin operated music boxes, mechanical player pianos, graphaphones and other similar mechanical musical devices; and imposing certain duties on county treasurers.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 17, entitled:

An Act to further amend clause (b) of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by redefining "aged persons" to mean persons who are sixty years of age or more.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 18, entitled:

Regulating the practice of operating bank nights by theatres, motion picture houses and other places of entertainment; requiring a permit therefor from the county treasurer, and imposing a state tax on gifts or prizes; providing for the collection thereof by the county treasurer and the disposition of such moneys; authorizing an additional county employe for the purpose of carrying out the provisions of this act.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 19, entitled:

To Amend clause (e) of section four hundred one and section four hundred three of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system

of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by reducing the waiting period and by increasing the weekly rates of compensation.

Which was committed to the Committee on Workmen's Compensation.

He also read in his place and presented to the Chair Senate Bill No. 20, entitled:

An Act to provide revenue by legalizing and imposing a license tax on slot machines and other devices of skill or chance for the successful operation of which money or the equivalent thereof is paid; providing for the collection of said tax and imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue; and appropriating the proceeds from such tax to the Department of Health for crippled children's hospitals.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 21, entitled:

An Act to amend clause (a) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by defining "sufficient financial ability."

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 22, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605, and 606, to amend Section 609, to further amend Sections 613, 620 and 621, to add Sections 623 to 638, both inclusive, to Article VI, and to further amend Section 713 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackles trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen; justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures; fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor buses, omnimuses, and school buses; fixing fees; and imposing additional penalties.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 23, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales; providing remedies for violations thereof, and establishing penalties therefor.

Which was committed to the Committee on Judiciary General.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 25, entitled:

An act to add paragraph seven B. to section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating the compensation of certain teachers in fourth class school districts.

Which was committed to the Committee on Education.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 26, entitled:

An Act to amend part of article thirteen and clause (t) of section one thousand four hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating, and changing the law relating thereto," providing for the payment out of the Game Fund of damages done to cultivated crops, fruit trees and vegetables by deer.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 27, entitled:

An Act to prevent the evasion of laws prohibiting marriage.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 28, entitled:

An Act to further assimilate interests in real and personal property; to prescribe the types of estates capable of being created or conveyed or of arising by operation of law, and to facilitate their indentification, and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary General.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 29, entitled:

An Act to promote the public welfare by prescribing circumstances under which sexual sterilization of certain persons may be performed without civil or criminal liability; making such operations unlawful in all other cases; imposing the cost of such operations on the institutions wherein such persons are detained; providing for appeals to the court of common pleas; making it unlawful to release, parole or authorize the release or parole of certain unsterilized inmates from certain institutions or places of confinement; and providing penalties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 30, entitled:

An Act providing for the establishment, construction, maintenance and use of a mountain ridge road or skyway on State forest, game and fish lands in the Pocono Mountains, through or bordering the counties of Monroe, Northampton, Carbon, Luzerne, Lackawanna, Wayne and Pike, to be known as the "Rim Parkway"; conferring powers and imposing duties on the Department of Highways; providing for the acquisition and taking of additional land; and the use of Federal Funds; authorizing the collection of tolls and rentals: and appropriating moneys out of the Motor License Fund.

Which was committed to the Committee on Highways.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 31, entitled:

An Act to amend section nine hundred one of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by giving the court discretion as to the penalty for burglary.

Which was committed to the Committee on Judiciary General.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 32, entitled:

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at Irwin in Westmoreland County, the western terminus of the turnpike heretofore constructed by said commission, to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable soley from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Which was committed to the Committee on Highways.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 33, entitled:

An Act to amend section one of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2460), entitled "An act creating a joint legislative commission, to be known as the Joint State Government Commission; providing for the appointment of its members; and defining its powers and duties," changing the number of members; and extending the power to employ assistance.

Which was committed to the Committee on State Government.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

Mr. PRESIDENT. The Senator from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President and members of this body, for quite some time in the past and at the present time the Department of Public Assistance has a procedure of compelling a person who has his home and who might be compelled to apply for relief to sign a two thousend dollar reimbursement bond.

Last May, Mr. President, during the Special Session of the General Assembly, I introduced in this Senate a resolution asking for abolition of this practice.

At that time, Mr. President, the 15th day of May, on page 317 of the Senate Journal, this body passed a resolution calling upon the secretary of the Department of Public Assistance to have an investigation made and to report back to this body his findings as to whether or not he might deem it advisable to discontinue or continue this practice.

MOTION CALLING UPON SECRETARY OF PUBLIC ASSISTANCE TO FURNISH REPORT TO EACH MEMBER OF SENATE

Mr. HALUSKA. Therefore, Mr. President, I am now ready to make a motion to call upon that secretary to bring forth his investigation and place it upon the desk of each Senator in this body.

Mr. WALKER. Mr. President, I second the motion of the gentleman from Cambria, Mr. Haluska.

The PRESIDENT. It has been moved by the Senator from Cambria, Mr. Haluska, and seconded by the Senator from Pittsburgh, Mr. Walker, that the secretary of the Department of Public Assistance shall make a report as set

forth in the resolution of the Senator from Cambria, Mr Haluska, as appeared in page 317 of the Journal of the Senate of the Special Session of 1940; and that a copy of said report be placed on the desk of each Senator.

On the question,

Will the Senate agree to the motion.

Mr. EDMONDS. Mr. President, I may be in favor of the motion of the gentleman from Cambria, but I do not know what the Senator said four or five months ago. Therefore, Mr. President, I think we ought to have the complete resolution before us before we attempt to vote on it.

Mr. HALUSKA. Mr. President, I was unable to hear the remarks of the Senator from Montgomery, Mr. Edmonds.

The PRESIDENT. For the information of the Senator from Cambria, the Senator from Montgomery, Mr. Edmonds, said he does not object to the resolution but he would like to have some information as to what was contained in the Senator's resolution of last May, and that possibly the Senator from Cambria could read the resolution which was offered and adopted during the last session.

Mr. HALUSKA. Mr. President, the resolution read as follows, after it was amended and re-amended. I will try to give you the corrected resolution.

"Whereas, The rule or regulation of the Department of Public Assistance requiring relief recipients to execute a bond as a condition precedent to receiving relief has been a (you fellows cut it up pretty badly) source of controversy; and

"Whereas, The General Assembly regards home ownership as one of the highest forms of good citizenship and wishes to encourage it in every conceivable manner; therefore be it

"Resolved (if the House of Representatives concur), That the Secretary of Public Assistance is hereby directed to make a study and investigation of:

"(1) The relative advantages and disadvantages to all concerned of the present rule or regulation requiring relief recipients to execute a reimbursement agreement as a condition precedent to qualifying for relief.

"Resolved, That the Secretary of Public Assistance shall make a report of such study and investigation to the General Assembly at its next regular session, together with his recommendations, for its guidance on this subject."

Mr. EALY. Mr. President, if it is so hard for the Senator from Cambria, Mr. Haluska, to read the resolution perhaps the secretary of Public Assistance will have trouble too.

Mr. HALUSKA. Mr. President, I might answer the Senator form Somerset by saying the resolution I introduced was very simple but it seemed at that time that the members on that side of the House found some reason to cut it up, which made it almost impossible to read, and I will say, Mr. President, it is very difficult to read it now. However, it was passed in that manner.

The PRESIDENT. The Chair thinks the proper inquiry would be to determine, after the resolution was adopted, whether the proper official sent a copy to the Secretary of Assistance.

Mr. EDMONDS. Mr. President, what is the date of the resolution?

Mr. HALUSKA. Mr. President, the date of the origiial resolution was May 13, 1940 and it was passed May 16, 1940 of the Special Session of 1940.

Mr. EDMONDS. Mr. President, was that a resolution originally introduced by the Senator from Cambria.

Mr. HALUSKA. That is correct, Mr. President.

Mr. EDMONDS. Then it was considered, Mr. President, and amended by a committee of which the Senator from Indiana, Mr. Wolfenden, was then the chairman. I see no objection to it but I do think the form is a bit complicated.

It seems to me, Mr. President, if the gentleman from Cambria would add to the motion a request that the secretary of Public Assistance furnish a report, as required by the resolution, it would very much accelerate the matter.

Mr. HALUSKA. Mr. President, in reply to the remarks of the Senator from Montgomery, Mr. Edmonds, I did just that. I presented a resolution trying to abolish the requirement of a two thousand dollar bond and the gentlemen on the other side agreed that was a condition, but decided it should be properly investigated and you wrote your own amendment calling upon the secretary to make an investigation.

I am only asking for his report, Mr. President.

Mr. EDMONDS. I see no objection to that, Mr. President. I shall vote for it under those circumstances.

The PRESIDENT. The whole thing boiled down is a request for the report that was to be furnished in pursuance to the adoption of this resolution, and also that a copy be furnished and placed on the desk of each senator; am I correct.

Mr. HALUSKA. That is correct, Mr. President.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Geltz, will state his point of order.

Mr. GELTZ. Mr. President, I believe that motion is out of order and I believe also if the Senator from Cambria, Mr. Haluska, wants this report at this time he should secure it by resolution or by making a request, but not by a motion such as he has made. It seems to me, Mr. President, that a motion of this kind is out of order.

The PRESIDENT. The Chair does not so understand. The Chair thinks it is merely a request to the secretary of the Department of Public Assistance to furnish the report that this body asked for and it should be filed if the secretary has finished the report. If the report has not been finished then the secretary of Public Assistance should be requested to furnish a report and a copy of the report should be placed on the desk of each member. It seems to the Chair that is very simple.

Mr. GELTZ. Then, Mr. President, I ask before we vote on the motion of the gentleman from Cambria, Mr. Haluska, that the motion be read so that the members of the Senate may understand what we are voting on.

Mr. HALUSKA. I will make a new motion, Mr. President.

POINT OF INQUIRY

Mr. WALKER. Mr. President, I rise to a point of inquiry.

The PRESIDENT. The Senator from Allegheny, Mr. Walker, will state his point of inquiry.

Mr. WALKER. Do I understand, Mr. President, that there is some question as to whether or not a copy of the resolution which this body adopted in the May Special Session of this General Assembly was or was not served on the secretary of the Department of Public Assistance

The PRESIDENT. The Chair suggested that inquiry a short time ago but received no response.

Mr. WALKER. Mr. President, may I suggest, in order that there may be no misunderstanding on the part of the members of the Senate, all we are trying to do is to

stop the use of those bonds and I think the motion made by the gentleman from Cambria, Mr. Haluska, will accelerate the desire which has been expressed here. All the Senator from Cambria wants to do is to get that report in here so that we can stop the use of those bonds.

Mr. CAVALCANTE. Mr. President, if I gather well from the discussion the difficulty is here that some members do not understand what the motion contained.

Am I correct, Mr. President, in stating that the motion calls on the clerk of the Senate to advise the secretary of the Department of Public Assistance that we are ready to receive the report and for him to make it conformably with the resolution adopted by this body.

The PRESIDENT. And also ask him to supply a copy of the report for each member of the Senate.

Mr. CAVALCANTE. Yes, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

TIME OF NEXT MEETING

Mr. ZIESENHEIM offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 13, 1941.

Resolved, (if the House of Representatives concur) That when the Senate adjourn this week it reconvene on Monday, January 27, 1941, at 4 p. m. o'clock; and when the House of Representatives adjourn this week it reconvene on Monday, January 27, 1941, at 9 p. m. o'clock.

On the question,

Will the Senate agree to the Resolution?

Mr. DENT. Mr. President, I cannot quite understand why there should be such a difference in time between the House meeting and the Senate meeting. We can not act upon matters requiring joint action of the House and Senate, requiring the signatures of both the President Pro Tempore of the Senate and the Speaker of the House, unless we come back later in the evening, which would be mighty inconvenient for members of this body living in the western end of the state, to come in here at four o'clock in the afternoon, when they know they will have to be up the biggest part of the night anyway, if the House is slow in getting its work done.

Mr. President, I do not see why it is necessary to depart from our usual practice. It has always been our practice to have the House and the Senate meet within an hour of the time the other body meets. I do not wish to express any personal desire, but I wish the matter would be explained to me, as to why we should have five hours difference in time.

The PRESIDENT. The Senator from Somerset, Mr. Ealy, will answer the inquiry of the gentleman from Westmoreland.

Mr. EALY. Mr. President, the Senator from Westmoreland knows when we sat here all evening, up until one o'clock, in the first night of the weekly session, all the members were not in very good condition to do any real business on Tuesday. We think, Mr. President, if we can meet at four o'clock and get through with the principal routine business of the Senate, during the Monday evening we can then have committee meetings in regular succession so that we do not need to have half a dozen committees meeting at one time. We are hoping, Mr. President, that this way we could have a committee meet at from eight to nine o'clock, another from nine to ten o'clock and another from ten to eleven o'clock, if necessary, and we can all get to bed at a reasonable time Monday night so as to be fresh on Tuesday for real work.

That is the plan we had hoped to put in effect, Mr. President.

Mr. DENT. Then, Mr. President, I would suggest that it might be well that some of the older members of the House get some sleep, in order that they also may be able to transact some business.

And the question recurring,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

EXTENDING SYMPATHY TO FAMILY OF HONORABLE GEORGE GRAY

Mr. FARRELL offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 13, 1941.

In the death of Honorable George Gray, who represented the Eighth Senatorial District of Philadelphia from 1919 until 1923, Philadelphia has lost one of its distinguished citizens.

Senator Gray was born in England in 1874 and came to America when he was seven years of age. His family settled in northeast Philadelphia, which is included in the Eighth Senatorial District, and there Senator Gray lived until his death on the twentieth of August, 1940.

He was an active member of the Republican party not only in Philadelphia but throughout the State and during the course of his life he rendered splendid service in civic affairs and welfare work.

He was influential in business circles in his community and a leading factor in the development of northeast Philadelphia.

His death is a distinct loss to his community and to the people of his District, therefore, be it

Resolved, That the Members of the Senate do hereby extend to the family of the Honorable George Gray their sincere sympathy in the loss they have suffered.

Resolved, That a copy of this resolution be transmitted to the family of Honorable George Gray by the Chief Clerk of the Senate.

RESOLUTION MEMORIALIZING CONGRESS TO ENACT ADEQUATE AND REASONABLE OLD AGE PENSIONS

Mr. MALLORY. Mr. President, I offer a resolution and in offering this resolution I want to remark that this resolution is a joint resolution memorializing Congress to enact an adequate and responsible old age pension.

Mr. President, like many other members in the Senate, and particularly my colleague to the left and my neighbor, Senator Haluska, we feel that this is a matter that is entitled to very serious consideration; it is a matter which does pertain not only to the people of Pennsylvania but to all people in our country and, Mr. President, I feel that if Congress should enact a reasonable and adequate old age pension we would not have the overlapping functions of government to which I am opposed, but it would also prevent aged people who live in one state from trying to establish homes in other states where adequate and reasonable old age pensions exist.

I, therefore, Mr. President, present this resolution. I will not ask for immediate consideration, but I do ask that it be referred to an appropriate committee.

Mr. MALLERY offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 13, 1941.

The demand on the part of the people of this Commonwealth for adequate and reasonable pensions to be granted by the Federal Government to aged persons has become one of the major political and economic issues of the present generation.

The cost of the maintenance of our aged persons has, in most cases, been borne by relatives who are frequently unable to asume such burden without seriously affecting their ability to properly provide for their immediate families.

The care of the aged is more a part of the Nation's responsibility than the care of the unemployed. Age is never deliberately assumed, and unemployment is frequently preferred.

Proper care of all aged persons by the Federal Government would assist in creating jobs for the unemployed, therefore be it

Resolved (if the House of Representatives concur), That this General Assembly does hereby memorialize the Representatives in Congress to immediately consider some form of adequate and reasonable allowance to be paid to aged persons, and be it further

Resolved, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Speaker of the House of Representatives of Washington, the Chairman of the House Ways and Means Committee and the President of the United States Senate, and a copy be forwarded to the President of the United States.

Which was referred to Committee on Welfare, Public Assistance and Pensions.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Cambria, Mr. Haluska, will state his question of personal privileage.

Mr. HALUSKA. Mr. President, I just wish to offer my congratulations to the Senator from Blair, Mr. Mallery, for being pension minded. I think this body must come to that point sooner or later and I am happy to know somebody else is wiling to sacrifice and do what he can to take care of the aged of our Commonwealth, and I therefore say, Mr. President, the gentleman from Blair should be complimented on his efforts.

I also wish to offer the hope, Mr. President, after the gentleman from Blair, and also his colleagues, finds time to consider the bills I have offered, go over them and when he does that I feel quite certain we may be able to pass some modern up-to-date public assistance laws.

Mr. WALKER. Mr. President, I should like to suggest to the gentleman from Cambria, Mr. Haluska, that Republicans as well as Democrats gradually get to be sixty years of age and we would like to have that pension also.

MOTION TO TAKE NOMINATIONS FROM THE TABLE AND REFER THEM TO COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. EALY. Mr. President, if there are no further resolutions to be offered, I move that the nominations made by the Governor, which were laid on the table last week, be taken from the table and referred to the Committee on Executive Nominations.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

RE-APPOINTMENT OF MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as member of the Susquehanna County Board of Assistance, for the terms set opposite their names:

E. E. Corey, Auburn Center, (Meshoppen P. O.) until December 31, 1943.

Miss Mercedes O. Cubria, Montrose, until December 31, 1943.

Mrs. Nellie Ness, Susquehanna, until December 31, 1943.

ARTHUR H. JAMES.

APPOINTMENT OF MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of County Boards of Assistance, for the terms set opposite their names:

CLARION COUNTY

Rev. R. K. Atchison, Rimersburg, until December 31, 1943. (Reappointment).

Mrs. Elizabeth Cribbs, New Bethlehem, until December 31, 1943. (Reappointment).

Mrs. Stella Shotts, Leeper, until December 31, 1943. (Reappointment).

WAYNE COUNTY

Dr. Kenneth A. Gillespie, Honesdale, until December 31, 1943, and until his successor is duly appointed and qualified, vice Mrs. Ernestine Haag, whose term expired.

Mrs. Gladys Herrman, Honesdale, until December 31, 1943, and until her successor is duly appointed and qualified, vice Miss Bridget Corcoran, whose term expired.

Mrs. Hazel Hill, Honesdale, until December 31, 1943. (Reappointment).

ARTHUR H. JAMES.

APPOINTMENT OF MEMBER OF HUNTINGDON COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles H. Stone of Petersburg, Huntingdon County, for appointment as a member of the Huntingdon County Board of Assistance, to fill a vacancy, for the term ending December 31, 1943, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons for appointment as members of the Board of Trustees of

Thaddeus Stevens Industrial School, for terms of four years and until their successors are qualified:

Mrs. Helen Trescher Arnold, R. F. D. No. 5, Lancaster, Lancaster County, vice Albert H. Fritz, whose term expired.

Clifford C. Aument, Quarryville, Lancaster County, vice Dr. Charles W. Ursprung, whose term expired.

Louis B. Bond, Christiana, Lancaster County, vice W. S. Sullivan, whose term expired.

Claude W. Breneman, Elizabethtown, Lancaster County, vice Harry J. Stumpf, whose term expired.

Wm. A. Brock, 340 North Mulberry Street, Lancaster, Lancaster County, vice Rev. W. R. Knerr, whose term expired.

Dr. E. P. Clark, Intercourse, Lancaster County, vice H. Nelson Albright, whose term expired.

Park H. Lutz, R. F. D. No. 1, Denver, Lancaster County, to fill a vacancy.

Hon. Oliver S. Schaeffer, 1124 Wheatland Avenue, Lancaster, Lancaster County. (Reappointment).

Theodore Schwalm, 304 Atkins Avenue, Lancaster, Lancaster County. (Reappointment).

ARTHUR H. JAMES.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ADAMS COUNTY

Miss Mildred A. Widder, Gettysburg.
William J. Yingling, Littlestown.

ALLEGHENY COUNTY

Leroy E. Ulrich, Pittsburgh.
Miss Hilda Munns, Pittsburgh.
Charles B. Shapiro, Pittsburgh.
Samuel Wesoky, Pittsburgh.
Kenneth D. Jones, Homestead.
Miss Anna J. Collins, Pittsburgh.
Miss Marion B. McCall, Pittsburgh.
Mrs. Lela M. Riley, Pittsburgh.
Miss Mildred M. Trautwein, Pittsburgh.
Fred J. Herrington, Pittsburgh.
Miss Mary Kruth, Pittsburgh.
James B. Moore, Pittsburgh.
Thomas M. Constantin, Pittsburgh.
R. G. DeFilippo, Pittsburgh.
Miss Lillian B. King, Pittsburgh.
Frank X. Weis, Pittsburgh.
Miss Catherine J. Monahan, Pittsburgh.
James Crouse, Ross Twp.
Mrs. Ruth England, Pittsburgh.
I. Harry Goldberg, McKeesport.
Miss Gladys Kratz, Pittsburgh.
Leroy L. Lewis, Pittsburgh.
Mrs. Alice B. Coleman, Caraopolis.
John P. Manion, Scott Twp.
Miss Sara Jane Bour, Pittsburgh.
William P. Cawley, Pittsburgh.
Mrs. Edna Christopher, Pittsburgh.
Miss Mary M. Kraus, Pittsburgh.
Hugo E. J. Schwenke, Jr., Pittsburgh.
Clyde E. Donaldson, Pittsburgh.
Mrs. Margaret Winkler, Pittsburgh.
R. K. Eastman, Pittsburgh.
Ralph E. Graham, Carnegie.
Mrs. Glenna E. Hollis, Aspinwall.
Miss Martha Mae Clowes, Pittsburgh.
Mrs. Helen Henderson, Pittsburgh.
Elmer S. Messer, Pittsburgh.
George A. Briggs, Jr., McKeesport.
J. S. Rockwell, Elizabeth.
Anthony A. Barrante, Pittsburgh.
E. C. Buerklet, Pittsburgh.
John G. Dunay, Pittsburgh.
Miss Edna P. Fischer, McKees Rocks.
Elmer H. Fuehr, Pittsburgh.
Wm. B. Henninger, Pittsburgh.
J. W. Holland, Carnegie.
P. J. Hyland, Pittsburgh.
Robert E. Langdon, Pittsburgh.
Miss Jeanne Levinson, Pittsburgh.
Walter R. McDonough, Pittsburgh.
E. S. McPherson, Pittsburgh.
Walter J. Mesing, Brentwood.
C. L. Richey, Coraopolis.
Hymen Schlesinger, Pittsburgh.
Elmer R. Schuetz, Sharpsburg.
Miss Margaret Weigand, Pittsburgh.
Edgar Wright, Pittsburgh.
Wm. H. Dalzell, Pittsburgh.
H. deS. Kennedy, Pittsburgh.
Chas. F. McClintock, Stowe Twp.
Miss Florence R. Bowers, Duquesne.
Miss Ella M. Ryan, Pittsburgh.
James H. Cunningham, Pittsburgh.
Harry E. Kingan, Duquesne.
Miss T. Eleanor Austerlitz, Pittsburgh.
Walter J. Besterman, Sewickley.
Merton F., Dake, Pittsburgh.
Miss Julia Donovan, Pittsburgh.
Herman Stratman, Pittsburgh.
Charles Thatcher, Jefferson Twp.
Miss Ellen C. Hoge, Pittsburgh.
Francis L. Milton, Pittsburgh.
Miss Catherine Snyder, Pittsburgh.
Wilbur J. White, Pittsburgh.
Floyd W. Goodwin, Pittsburgh.
Justus H. Haun, Pittsburgh.
H. G. Hedstrom, Pittsburgh.
Mrs. Stella M. Kaiser, Pittsburgh.
Fred H. Brenner, Pittsburgh.
Paul L. Kesel, Pittsburgh.
Herman Litman, Braddock.
C. Fred Rebhun, Clairton.
Miss Muriel Wilson, Pittsburgh.
Miss Thelma McCandless, Pittsburgh.
Miss Elizabeth M. Scheib, Pittsburgh.
Miss Henrietta Perkinson, Wilkinsburg.
Robert D. Waggener, Pittsburgh.
T. D. Jacobs, Pittsburgh.
Miss L. M. Fire, Pittsburgh.
J. A. Seibert, Pittsburgh.
Geo. S. Barr, Pittsburgh.
Mrs. Louise C. Dull, Pittsburgh.
Frank E. King, Pittsburgh.
Arthur D. Keagy, Castle Shannon.
W. R. Shoup, Jr., Pittsburgh.
George A. Slater, Pittsburgh.
Walter L. Wickard, West Homestead.
Miss Sara Doole, Pittsburgh.
Miss Glenda M. Fitch, Crafton.
Louis Katz, Pittsburgh.
Jack E. Scott, Sewickley.
Raymond O. Toperzer, Pittsburgh.
Miss Helen K. Banjanin, Pittsburgh.
William C. Casley, Patton Twp.
U. Clark Swengel, O'Hara Twp.
L. C. Morehouse, Pittsburgh.
John G. Clark, Bethel Twp.
Louis Winterhalter, Pittsburgh.
Cecil C. Harper, Coraopolis.
Virgil F. Bowyer, Pittsburgh.
Miss Esther M. Groetzinger, Pittsburgh.
Miss Anna M. Gauschehan, Pittsburgh.
Geo. A. Hagenlocher, Pittsburgh.
T. C. Dummett, Pittsburgh.
J. M. Greer, Mifflin Twp.
Miss Ellanora Joyce, Mt. Lebanon Twp.

Norman V. Tate, Pittsburgh.
Miss Eleanor M. Weismiller, Wilkinsburg.
Miss Madeline Levinson, Pittsburgh.
Miss Elizabeth Alleman, Pittsburgh.
Morris Gordon, Pittsburgh.
Joseph A. Wells, Pittsburgh.
Arthur Wessel, Dormont.
Ralph S. Adams, Crafton.
C. Homer Chadwick, Penn Twp.
Miss Alyce A. Pifer, Braddock.
Mrs. Sally Stein, Pittsburgh.
David J. McBeth, Jr., Pittsburgh.
Miss Mary M. Smethana, Pittsburgh.
Mrs. Thelma Hayes West, Pittsburgh.
Clyde L. Patterson, Clairton.
Fred K. Becker, Jr., Mt. Lebanon Twp.
Philip Goldstein, Pittsburgh.
Thomas Laird, Castle Shannon.
Joseph Moore, Homestead.
Mrs. Alice B. Williams, Pittsburgh.
L. R. Behers, Moon Twp.
Fred P. Benthin, Pittsburgh.
Russell E. Boyer, Pittsburgh.
Mrs. Margaret Brooks, Sharpsburg.
Miss Jeannette Burkhart, Wilkinsburg.
A. Perry Everstine, Pittsburgh.
N. A. Michalski, Pittsburgh.
Mrs. Constance T. Huber, Pittsburgh.
Miss Alma Grace Culin, Mt. Lebanon Twp
Charles Estelle, Pittsburgh.
Miss Margaret E. Robinson, Duquesne.
Mrs. E. M. Davis, Stowe Twp.
Russell E. Johnston, Pittsburgh.
Miss Lillian I. Marshall, Pittsburgh.
Joseph Sabol, Jr., Duquesne.
Clyde J. Beavers, Pittsburgh.
A. T. Downey, Pittsburgh.
Mrs. Catherine M. Lang, McKeesport.
Miss Eva G. Scardamalia, Pittsburgh.
W. C. Smitley, Swissvale.
Emanuel Williams, Pittsburgh.
Mrs. Anne B. Swinney, Pittsburgh.
Miss Dorothy R. Kelly, Pittsburgh.
Miss D. H. Till, Pittsburgh.
Mrs. Edna Klinger Fisher, Pittsburgh.
Mrs. Cora Bryan, Duquesne.
Thos. F. Maxwell, Homestead.
Miss Dorothy J. Collins, Pittsburgh.

ARMSTRONG COUNTY

Mrs. Margaret S. Dorfield, Gilpin Twp.
Charles L. Miler, Kittanning.
W. Mack Guthrie, Apollo.
W. M. McCune, Apollo.
Mrs. Alena Barger Westall, Kittanning.

BEAVER COUNTY

Mrs. Gladys A. Fitch, Aliquippa.
Samuel B. Laughner, South Heights.
Miss Anna Steiner, Beaver Falls.
Miss Josephine Lutz, Beaver Falls.
Mlss Harriet J. Otto, Beaver Falls.
Miss Gladys V. Dickey, Beaver.
Ellsworth J. Zitzman, Rochester.
Mrs. Jean F. Dowdell, New Brighton.
William Bechtel, Monaca.
John Howell, Aliquippa.
Elmer Kross, Beaver Falls.
Miss Hazel M. Curti, Beaver Falls.
Mrs. LaVaughn Todd, Aliquippa.

BEDFORD COUNTY

Miss Dorothea J. Carnell, Bedford.
Jordan F. Gates, Bedford.
K. A. Thomas, Bedford.

BERKS COUNTY

Miss Anna V. Albrecht, Reading.
J. K. Brintzenhoff, Reading.
J. Walter Miller, Laureldale.
Miss Kathryn M. Rhoda, Reading.
Robert B. Temple, Reading.
Mrs. Esther W. Fisher, Reading.
M. R. Leeser, Topton.
Warren W. Swoyer, Reading.
P. A. Scheck, Reading.
Paul F. Lanshe, Reading.
Mrs. Della N. Esterly, Mt. Penn.
Robert J. Master, Kutztown.
Milton F. Fegely, Shillington.
Leroy F. Werner, Mohnton.
Charles B. Ebling, Muhlenberg Twp.
Cornelius M. Brennan, Hamburg.
Mrs. Mildred M. Green, Reading.
Harry E. Herb, Muhlenberg Twp.
Wayne H. Albright, Reading.
Miss Mary E. Flemming, West Reading.
Mrs. Naomi M. Dunkelberger, Reading.

BLAIR COUNTY

John J. Clark, Tyrone.
Miss Dessa E. Sell, Hollidaysburg.
L. Oder Burket, Roaring Spring.
Martin Goodman, Altoona.
Miss Evelyn Kane, Altoona.
Mrs. Arda Rose Carberry, Hollidaysburg.
James H. Hay, Altoona.
John R. Bassler, Roaring Spring.
Miss Dorothy E. Reigh, Williamsburg.
Edwin A. Rudasill, Altoona.
Miss M. Eleanor Coxey, Altoona.
Bayard T. Skilling, Hollidaysburg.
Mrs. Mame McAleer, Altoona.

BRADFORD COUNTY

Mrs. Georgiana Williams, LeRaysville.
Miss Mary A. Bustin, Towanda.
A. S. Buckley, Athens.
Donald E. Merris, Towanda.
Mrs. Mary C. Tuton, Towanda.
Mrs. Nancy C. LaBarr, Sayre.

BUCKS COUNTY

Mrs. Stella G. Myers, Doylestown.
Harry W. Weierbach, Springfield Twp.
Paul D. Fretz, Perkasie.
Arthur H. Stackhouse, Lower Makefield Twp.
Miss Anna Nealis, Bristol.
Ray Z. Hartman, Quakertown.
Mrs. Mildred M. Spielman, Perkasie.
Miss Anita E. Lynn, Bristol.
Elwood M. Hazel, Bristol.
John S. Fenstermacher, Telford.
Howard B. Freed, Quakertown.

BUTLER COUNTY

Leo S. Duffy, Butler.
Leo A. Bloom, Butler.
W. O. Cruciger, East Butler.
Mrs. Ann H. Walker, Butler.
Miss Almyra, Pitts, Slippery Rock.
W. J. Uber, Slippery Rock.
R. W. Emerson, Butler.
Mrs. Helen Plaisted, Butler.

CAMBRIA COUNTY

Mrs. Ruth MacDonald, Ferndale.
Miss Zola K. Rodkey, Spangler.
Miss Edna M. Walker, Johnstown.
Mrs. Margaret Schmidt, Johnstown.
Mrs. Lillian C., Hassell, Johnstown.
E. F. Croyle, Johnstown.
Herman J. Werfel, Summerhill.
Mrs. Helen Butts, Johnstown.
Mrs. Margaret O. Cover, Johnstown.
Miss Augusta M. La Manita, Nanty-Glo.
Paul D. Washington, Cresson.

Miss Dorothy B. Johnson, Johnstown.
Miss Evelyn F. Ream, Johnstown.
Miss Helen Michlo, Johnstown.

CAMERON COUNTY

Miss Lucille P. Bierly, Emporium.

CARBON COUNTY

Anthony F. Sander, Bowmanstown.
Mrs. Laura M. Diehl, Palmerton.
Miss Evelyn F. Gabert, Lehighton.
Kenneth H. Seaboldt, Lehighton.
Mrs. Mary Hoffman, Parryville.
Mrs. Arlene Zellner Hess, Palmerton.
Francis X. Koomar, Mauch Chunk Twp.
Andrew Shutack, Lehighton.

CENTRE COUNTY

A. L. Francis, Bellefonte.
Mrs. Louetta Neusbaum, State College.
Richard T. Baney, Bellefonte.
David F. Kapp, State College.
Mrs. Mary C. Clemson, State College.
William R. Long, State College.

CHESTER COUNTY

James S. Phillips, Tredyffrin Twp.
Mrs. Mary K. Eisenbrey, Phoenixville.
Mrs. Alma T. Newlin, Avondale.
Harold W. Hood, Coatesville.
Mrs. Mary Lafreeda, Phoenixville.
M. Stead Mauger, Malvern.
Hubert L. Snyder, Coatesville.
Miss Marthe Nields, Downingtown.
Miss Margaret O'Connor, Phoenixville.
S. Earl Entrekin, Jr., Downingtown.
Walter L. Amos, Coatesville.
Mrs. Marion G. Clark, West Chester.
Miss Anna E. Heald, West Grove.

CLARION COUNTY

Mrs. Mildred J. Stahlman, New Bethlehem.
Mrs. Susen E. Pierce, Knox.
Miss Laura E. Byers, Clarion.
Ellis L. Hatfield, Washington Twp.
Freas E. Powell, Clarion.
Miss Mercedes Meisinger, Clarion.
Nelson Wall, New Bethlehem.
Nelson Seigworth, Washington Twp.

CLEARFIELD COUNTY

William C. Nelson, Clearfield.
L. N. Rougeux, Clearfield.
Robert S. Walker, DuBois.

CLINTON COUNTY

Wilson P. Poorman, Lock Haven.

COLUMBIA COUNTY

Mrs. Jeanette Feldman, Bloomsburg.
E. Eugene Eves, Bloomsburg.
Mrs. Margaret Kyle, Millville.

CRAWFORD COUNTY

J. B. Trace, Meadville.
Miss Fidelia A. Richardson, Meadville.
Mrs. Alberta Winans Fish, Spartansburg.
Miss Marjorie J. Scott, Meadville.
Mrs. Anna T. Henretta, Meadville.
Thomas J. O'Laughlin, Meadville.
A. D. Stevens, Conneautville.

CUMBERLAND COUNTY

Luther K. Bowman, Newville.
Mrs. Rose B. Hippensteele, Shippensburg.

DAUPHIN COUNTY

Harvey J. Dowhower, Derry Twp.
Fred Collins, Harrisburg.
Miss Kathryn M. Quickel, Middletown.
Harry W. Cook, Harrisburg.
E. S. Nailor, Harrisburg.
Miss Florence Fegley, Lykens.
Charles B. Fishel, Harrisburg.
Doyle S. Poorman, Harrisburg.
Miss Amy A. Swab, Harrisburg.
Mrs. Catharine K. Smith, Harrisburg.
Miss Dorcas M. Keister, Harrisburg.
George E. Bowman, Harrisburg.
Miss Margaret G. Miller, Harrisburg.
Mrs. Josephine Hambright, Middletown.
Mrs. Beulah M. Kocher, Berrysburg.
Paul E. Deimler, Hummelstown.
Wilbur E. Buffington, Harrisburg.
Morley W. Baker, Harrisburg.
George D. Fry, Harrisburg.
R. Prince, Jr., Harrisburg.
Clarence M. Jones, Harrisburg.
R. B. Manley, Harrisburg.
Mrs. Corinne J. Lee, Harrisburg.
Miss Betty J. Sullivan, Harrisburg.
Miss E. Gertrude Dunn, Harrisburg.
Miss Miriam S. Pressel, Harrisburg.
Lewis W. Roberts, Harrisburg.
Miss Ina M. Sanders, Penbrook.
Robert R. Shaffner, Harrisburg.
Neil B. March, Millersburg.

DELAWARE COUNTY

Mrs. Alice McElroy, Chester.
Miss Frances E. Carlisle, Darby.
Miss Rena B. Van Zandt, Chester.
Mrs. Emma Q. Kelley, Radnor Twp.
Mrs. Evelyn S. Taylor, Chester.
Abraham Lachman, Ridley Park.
Miss Leona Collins, Newtown Twp.
Mrs. Christine N. Dallett, Upper Darby Twp.
Arthur M. Saunders, Springfield Twp.
T. P. Davis, Chester.
R. L. Headley, Radnor Twp.
J. Guy McCormick, Upper Darby Twp.
William J. Vogt, Upper Darby Twp.
William Rosen, Upper Darby Twp.
Martin F. Hatch, Upper Darby Twp.
Miss Bettie McKinney, Chester.
E. S. Quay, Upper Darby Twp.
William E. Griffith, Aston Twp.
John H. Steele, Clifton Heights.
Mrs. Florence Haines Rockwell, Chester.
Walter D. LoMasney, Darby.
John I. Davidson, Marcus Hook.
C. L. Roach, Upper Darby Twp.
W. A. Gray, Jr., Prospect Park.
Arthur J. Parsons, Upper Darby Twp.
Raymond W. Bradway, Chester.
Louis B. Nolan, Upper Darby Twp.
Charles Noll, Lansdowne.
Miss Orpha M. Rennie, Chester Twp.
Edgar J. Wilson, Lansdowne.
Mrs. Kathryn C. Sherrer, Glenolden.
John T. Titherington, Chester.
H. E. Ritchie, Lansdowne.
Miss C. I. Parks, Radnor Twp.
Edw. Rittenhouse, Lansdowne.

ELK COUNTY

J. R. Bauer,, St. Marys.
Miss Hilda A. Cannon, St. Marys.
Miss Clare Pontzer, St. Marys.
William D. Gallagher, Ridgway.

ERIE COUNTY

Miss Elva F. Jackson, Erie.
Mrs. Mary Sheridan Mowry, Erie.

Spencer A. Sisson, Erie.
Mrs. T. M. Swaney, Edinboro.
C. Manton, Emery, Erie.
Orrin M. Hillburg, Corry.
M. Hjalmer Johnson, Erie.
Alfred L. Lechner, Erie.
W. Everett Benson, Erie.
James E. Marsh, Erie.
Miss Shirley Phillips, Wesleyville.
Miss Irene R. Buzanowski, Erie.
W. Tighe Heinlein, Erie.
Harry R. Zoll, Erie.
Mrs. Florence E. McQuillen, Erie.
Miss Margaret L. Hough, Erie.
Mrs. Edna Brown, Springfield Twp.
Miss Rita Mulcahy, Erie.
Paul G. Atkins, Erie.
Miss Helen M. Wakefield, Erie.
Donald Huntingdon, Erie.
Otto G. Hitchcock, Jr., Erie.
Mrs. Marguerite A. Mattis, Erie.
Mrs. Veronica B. Humphries, Erie.
Miss Lynette Murray, Erie.
Mrs. P. L. Downs, Erie.

FAYETTE COUNTY

W. J. Hausman, Dunbar.
Victor Holt, Henry Clay Twp.
Mrs. Aurella A. Gibson, Brownsville Twp.
Miss Virginia Marshall, Uniontown.
John C. Reisinger, Uniontown.
S. C. Robinson, Uniontown.
Mrs. Sarah Mc. Neville, Uniontown.
Guido Gentile, Uniontown.
W. Leonard Dillinger, Point Marion.
Mrs. Mary Lucius, Uniontown.
Leo Haberer, Masontown.
Miss Edna L. Herrington, Upper Tyrone Twp.
L. P. Zimmerman, Uniontown.
Joseph M. Baron, South Union Twp.
Charles S. Hempstead, Menallen Twp.

FOREST COUNTY

W. J. Phillips, Hickory Twp.

FRANKLIN COUNTY

Harold W. Brake, Chambersburg.
J. C. Foust, Greencastle.

GREENE COUNTY

Mrs. Dorina B. Trout, Clarksville.
Willis E. Fox, Mt. Morris.
J. D. South, Greensboro.

HUNTINGDON COUNTY

Charles A. Bauer, Smithfield Twp.
Ralph H. Galbraith, Huntingdon.
John L. Gilliland, Warriors Mark Twp.

INDIANA COUNTY

Miss Dorothy Holsopple, Homer City.
George Marcus, Indiana.
Roy E. Penfield, Indiana.
S. J. Orange, Indiana.
Miss Ruth Marshall, Indiana.
Miss Esther Blyth, Indiana.

JEFFERSON COUNTY

Harry H. Nolph, Brookville.
B. L. Shobert, Sykesville.
Clifton P. Weaver, Brookville.

LACKAWANNA COUNTY

Miss Jane E. Clark, Scranton.
Robert A. Furiosi, Scranton.
Vincent McGowan, Throop.
W. E. Smith, Dalton.
Mrs. May N. Thompson, Scranton.
Miss Anna A. Pillot, Scranton.
Miss Ruth Harrity, Scranton.
Fred M. Francis, Dalton.
Miss Gretchen R. Davies, Scranton.
Louis M. Marcus, Scranton.
Mrs. Mary Lanuti, Scranton.
Daniel H. Jenkins, Scranton.
Miss Helen Munchak, Scranton.
Arthur J. Butler, Dunmore.
Ralph E. Davis, Scranton.
Miss Myriel R. Davies, Scranton.
Mrs. Dorothy C. Phillips, Scranton.
Leon N. Mruk, Dickson City.
Franklin Price, Moosic.
Miss Dorothy A. Miller, Scranton.
David Feldman, Scranton.
Miss Lillian P. Kiesel, Scranton.
Miss Mary Levins, Scranton.

LANCASTER COUNTY

Henry J. Erisman, Lancaster.
Miss Gertrude Pothke, Mount Joy.
Leroy S. Zell, Elizabethtown.
Charles R. Case, Lancaster.
H. S. Risser, Elizabethtown.
Miss Margaret E. Harkins, Lancaster.
J. Rankin Wiley, Fulton Twp.
Nelson K. Myers, Lancaster.
Miss Irene M. Hoover, Ephrata.
Joseph E. Fritz, Manheim Twp.
Miss Anna M. Hensel, Quarryville.
Mrs. O. S. Stoner, Lancaster.
Miss Ruth R. Huber, Lancaster.
Miss Helen M. Heist, Lancaster.
Miss Grace C. Offner, Lancaster.
Mrs. Helen S. Nolt, Lancaster.
Melvin K. Mentzer, Manheim.
Mrs. Florence L. Steele, Lancaster.
Mrs. Harriet L. Rhen, Lancaster.

LAWRENCE COUNTY

Joseph Solomon, New Castle.
Miss H. M. McCracken, New Castle.
Walter P. Simpson, Ellwood City.
C. L. Bauder, Ellwood City.
Miss Ann Lienert, New Castle.
Mrs. Elvie M. Mitchell, New Castle.
Clyde M. Buzard, Ellwood City.
Miss Mary A. Patterson, New Castle.
Mrs. Pauline V. Isaac, North Beaver Twp.
Frank B. Beale, Bessemer.
T. C. Ben, Ellwood City.

LEBANON COUNTY

Mrs. Mary Holahan, Lebanon.
Franklin H. Blouch, North Lebanon Twp.
George E. Yiengst, Swatara Twp.
Miss Therisa C. Fritz, Cornwall.
Miss Erma J. Light, Lebanon.
Mrs. Violet E. Webber, Heidelberg Twp.
Raymond W. Henry, Myerstown.
Irvin A. Reist, Palmyra.

LEHIGH COUNTY

Donald S. Weida, Lower Macungie Twp.
J. T. Wolfel, Allentown.
Miss Elizabeth M. Thesli, Allentown.
Oscar T. Iobst, Emaus.
Miss Fay Seaman, Allentown.
M. H. Andrews, Allentown.
O. R. Bittner, Allentown.
Fred. H. Schantz, Allentown.
Harold R. Fatzinger, Allentown.
Miss Dorothy W. Hagy, Allentown.
Mrs. Marjorie G. Snelling, Allentown.
Miss Frances V. Harris, Allentown.

Samuel Glickman, Catasauqua.
Mrs. Mary Rau Smith, Allentown.
Fred G. Harwick, Emaus.
Mrs. Emma E. Welsh, Coopersburg.
E. T. Kramer, Allentown.

LUZERNE COUNTY

J. Albert Spare, Hazleton.
Miss M. L. Grzybowski, Wilkes-Barre.
Oscar J. Parker, Pittston.
Charles P. Krick, Wilkes-Barre.
George B. Balcomb, Forty Fort.
Miss Elizabeth J. Homan, Wilkes-Barre.
Thomas F. Jacob, Wilkes-Barre.
Harry E. Jones, Kingston.
Miss Ceola M. Kishbaugh, Nescopeck.
Miss Winifred L. Curley, Wilkes-Barre.
Frederick J. Eck, Dallas.
S. N. Feidelman, Hazleton.
Albert N. Wallace, Wilkes-Barre.
James H. Hopper, Wilkes-Barre.
William T. Madden, Jenkins Twp.
Clem Krause, Nanticoke.
Howard R. Wright, Wilkes-Barre.
Nicholas V. Gerard, West Pittston.
Miss Mary Litavis, Hazleton.
Nicholas Walker, Hazleton.
Miss Margaret F. Adams, Wilkes-Barre.
Bernard C. Brennan, Hazleton.
Vernon T. Sorber, Union Twp.
A. Sterling Learn, Freeland.
Jerome W. Daylida, Wilkes-Barre.
T. P. Dolan, Plains Twp.
Miss Helen H. McPhillips, Wilkes-Barre.
Miss Ruth M. Schroeder, West Pittston.

LYCOMING COUNTY

Ernest J. Cruse, Picture Rocks.
Mrs. Margarette Minnick, Williamsport.
Norman A. Norrito, Williamsport.
James L. Thomas, Williamsport.
Miss Beatrice L. Walton, Muncy.
Miss A. Marie Ertel, Williamsport.
Miss Mary Welteroth, Williamsport.
Jay H. Campbell, Williamsport.

McKEAN COUNTY

Mrs. Mildred Brandes, Bradford.
Mrs. Rita D. Quirk, Smethport.
Eugene R. Black, Mt. Jewett.
Griffith A. Herold, Bradford.

MERCER COUNTY

Mrs. Nellie W. Mitchell, Grove City.
Alvin R. Isenberg, Sharon.
Kenneth J. Kilner, Greenville.
S. T. Niece, Grove City.
Royal J. Morrison, Stoneboro.
Roy E. Perrine, Greenville.
Edmond H. Daurelle, Farrell.
Glenn Hazlett, Sharon.
Miss Florence Hilkirk, Hickory Twp.
Mrs. Eleanor Dale, Grove City.
Mrs. Mabel S. Wilson, Sharon.
Arthur Courtney, Greenville.
William B. Reichard, Greenville.

MIFFLIN COUNTY

Cloyd E. Harman, Union Twp.
H. M. Riddle, Granville Twp.
Robt. B. Grubb, Lewistown.

MONROE COUNTY

Mrs. Hazel B. Lauffer, Stroudsburg.
Chester A. Coleman, Stroudsburg.
Horace G. Walters, East Stroudsburg.

MONTGOMERY COUNTY

Francis A. Mahan, Lower Merion Twp.
Fred A. Clayton, Lansdale.
Mrs. Florence K. Insley, Norristown.
John M. Koser, Lower Merion Twp.
Francis W. Wack, Schwenksville.
Mrs. Betty M. Miller, Abington Twp.
Ralph N. Campbell, Conshohocken.
Harry H. Schultz, Lansdale.
Lloyd M. Huston, Lower Providence Twp.
John P. Henrie, Cheltenham Twp.
Mrs. Ida S. Bone, Hatboro.
Mrs. Marian R. Hand, Lower Merion Twp.
J. George Hummel, Upper Dublin Twp.
Kendall S. Renninger, Cheltenham Twp.
Miss Mary D. Casey, Whitemarsh Twp.
Herbert Goldberg, Jenkintown.
H. Earl Love, Bridgeport.
James Herbert Egan, Norristown.
Miss Mary H. Lanahan, Conshohocken.
Edward W. Jones, Whitemarsh Twp.
Miss Marie J. Pollock, Jenkintown.
Miss Gertrude E. Friskits, Hatboro.
Mrs. Elizabeth Price Wilson, Cheltenham Twp.
Harry I. Schotter, Lower Merion Twp.
Edward V. Schiesser, Upper Moreland Twp.
Miss Marie Patane, Cheltenham Twp.
Walter E. Dames, Pottstown.

NORTHAMPTON COUNTY

Alfred A. McCabe, Easton.
Mrs. Miriam I. Whiting, Easton.
Clinton S. Lerch, Wilson.
Paul C. Seyfried, Nazareth.
A. S. Kichline, Hellertown.
Chas. H. Young, Bethlehem.
Mrs. Beulah Huff, Hellertown.
Wilbert C. Best, Bethlehem.
Miss Margaret Owen, Easton.
Miss Elsie I. Smith, Bethlehem.
Miss Mildred A. BenVenuti, Northampton.
A. C. Roray, Bethlehem.
Herbert Freeman, Bangor.
Miss Iva E. Krause, Bethlehem.
Frank L. Maurer, Easton.
A. M. Snyder, Bethlehem.
R. C. Steiner, Bethlehem.
Charles L. Voss, Easton.
Robert G. Rapp, Palmer Twp.
Miss Elizabeth J. Marrett, Easton.

NORTHUMBERLAND COUNTY

Emeriggio John Fincato, Mount Carmel.
Mrs. Katie W. Crissinger, Washingtown Twp.
L. J. Dildine, Turbotville.
Miss Mona A. Latsha, Jackson Twp.
T. B. Martin, Shamokin.
Miss Florine M. Rhoades, Shamokin.
Miss Maude E. Rubright, Mount Carmel.
John J. Barni, Shamokin.
Miss Anna Surak, Shamokin.
George W. Haupt, Sunbury.
Miss Marion A. Cook, Shamokin.
Joseph N. Zaleskie, Mount Carmel.
Mrs. Lillian S. Russell, Sunbury.

PERRY COUNTY

Mrs. Hazel A. Morrow, Centre Twp.

PHILADELPHIA COUNTY

Thomas Descano.
John A. Koltes.
John W. Armtsrong, Jr.
G. B. Rementer.
Wilmer W. Clayton.
Miss Marjorie E. Lucas.
Stephen Nocella.
Miss Ada Pearcey.

William L. Keeley.
Miss Helen B. Wick.
Wm. L. Mattern.
Miss Catharine C. Feerick.
Allen M. Rosenblum.
Charles G. Shubin.
James J. Gallagher.
Miss Catherine R. Murphy.
Miss Dolores Conover Klein.
Mrs. Elsie Miller.
F. Russell Conley.
Edmund D'Ambrosio.
Charles D. Moss.
Albert O. Petersen.
Miss Mary F. Cicchitti.
Nathan Stup.
William A. Thomas.
Miss Marie Trevi.
Walter B. Richards.
Miss Anastasia M. White.
Martin Zitomer.
Edwin B. Lyman.
Thomas R. MacFarland, Jr.
Mrs. Sarah F. Moore.
Miss Anna Roemer.
John J. Turchi.
Thos. A. Turkington.
Mrs. Dorothy Lewis.
Miss Cecile Reidenberg.
Milton Casper.
Mrs. Anne Gallagher.
Bernard S. Robinson.
Morton Robert Rosen.
Mrs. Elizabeth S. Garrison.
William H. Backhausen.
Miss Kathryn E. Burgess.
Linford B. Cassel, Jr.
Kenneth S. Clark.
Miss Ida DiBerardino.
Miss Margaret Esola.
Louis Feldman.
John P. Fletcher.
Joseph J. Gaffney.
Miss Frances E. H. Graham.
John W. Hartman.
Louis H. Henkels.
J. R. Hindle.
Miss Lillian M. Ingraham.
Miss Nellie S. Leeds.
James E. Mason.
Miss Dorothy C. Mellon.
Wm. J. Nellis.
Leon F. O'Neill.
Bernard Polen.
Miss Else W. Rennert.
Miss Mary I. Rittenhouse.
Miss Florence Salmore.
C. P. Smith.
David Tonkin.
Robert Vincent.
Wm. J. White.
Charles H. Woolsey.
Jules Hertz.
Mrs. Irene Payne.
Robert D. Armstrong.
Joseph A. Paxon.
Warren H. Koch.
Robert M. Wilson.
Miss Ida Damerau.
Miss Grace F. Blanch.
Garrett C. McCarter.
A. H. Beary.
Miss Mary T. Lavin.
Miss Anna H. Scherz.
Louis G. Waring.
Paul E. Beyer.
Harry Fogel.
Edwin E. Smith.
Frank A. Cooper.
Ashford G. Liles.
Miss Helen C. Weeks.
Miss D. M. Reis.
D. B. Gillman.
Thomas J. McOscar.
Miss Marie A. O'Hara.
Herman H. Dunn.
Miss Lucy M. Gagliano.
George R. Koenig.
Murray L. Alterman.
Lester S. Gibbs.
Stanley Rojewski.
Robert F. Garrison.
Clarence E. Linsley.
Mrs. Mary Paul.
John Shaw.
William J. Toy.
Matt A. Lynch.
Earl W. Lebo.
Miss Marguerite D. Lyons.
Miss Celia Balaity.
Nathan Rigberg.
Miss Reba G. Lichtenstein.
William E. Morse.
Harry O. Riepen.
Jackson Wheatley.
Miss Lillian N. Beby.
Miss Nora D. Benson.
Harry P. Buckley.
John B. Morgan.
Daniel A. Murphy.
Ross E. Harding.
George H. Metz.
Miss Ruth L. Wright.
C. Frank Ayer.
Jacob Sommerstein.
Anthony T. Vincent.
Miss Eleanor LaBattaglia.
Arthur Robinson.
Miss Mary E. Hines.
Mrs. Reba H. Nagle.
Frank J. Richards.
James B. Rock.
P. Chas. DeRita.
Leopold Segal.
Joseph F. Shaw.
Mrs. Florence Haldeman.
Miss Dorothy M. Gross.
Mrs. Signa G. Martin.
Horace Morrell.
Miss Della Farber.
Miss Clara M. Winch.
Mrs. Edna M. Reid.
August P. Schulz.
Miss Elsie Tschopp.
H. Trisdom Duke.
Miss Lavinia C. Jones.
Miss Elizabeth R. A. Maneely.
Miss N. Jane Ramsburg.
Mrs. Sarah Stern.
Joseph J. Bacher.
James F. Brown.
Harold Goodman.
Miss Denett Henkels.
Miss Anna Levin.
John J. Teeling.
Raymond H. Aucott.
H. Richard Bennewitt.
R. A. Gray.
Allen L. Cooper.
Louis T. Greenblatt.
Miss Lucy V. Tyl.
Herman M. Bloom.
Mrs. Anna Freifelder.
Stanley M. Getz.
Miss Sara M. Hayman.
George J. Pracht.
C. N. Scheetz.
Miss Henrietta E. Burger.
Howard T. Lodge, Jr.
Miss Eliazbeth B. Casey.
Mrs. Helen G. Krischker.
Howard McCready,

Geo. H. McGrath.
J. W. Reese.
Filer M. Searight.
Miss Marie D. Teti.
John F. Woodman.
Walter B. Carter.
James E. Egan.
Harry A. Lutz.
Miss Margaret M. Manning.
James G. Popp.
Miss Jeanne Salms.
Mrs. Mary S. Conrad.
Thomas Duncan.
John T. Schmidt.
Roy V. Williams.
Mrs. Lucy C. Greifzu.
Samuel Salkowe.
B. P. Collins.
J. J. Convery.
Miss Bertha Greenberg.
W. LeRoy Groom.
Miss Dorothea E. Hannigan.
Mrs. Daisy J. Hill.
Jules Hopman.
Macauley John.
Charles S. Pollock.
F. B. Priestley.
Miss Thelma M. Whalen.
Miss Catherine Irvin.
Harold J. Elkman.
Miss Margaret M. Lafferty.
Miss Gladys R. Breuninger.
Miss Ada L. Mann.
Miss Laura C. Cotter.
Charles L. Suermann, Jr.
Frederick Alfred Riegel.

PIKE COUNTY

Charles A. Foster, Milford.
Robert Werner, Delaware Twp.

POTTER COUNTY

W. F. Benson, Galeton.
Clark A. Crowell, Coudersport.

SCHUYLKILL COUNTY

Miss Mary L. Young, Port Carbon.
John F. McCauley, Shenandoah.
Miss Margaret M. Pepper, Pottsville.
Miss Helen Miernicki, Shenandoah.
Russell J. Moyer, Orwigsburg.
Mrs. Lillian A. Schuyler, Pottsville.
Miss Dora D Thompson, Tower City.
Roy J. Zimmerman, Pine Grove.
Edward Wasileski, Gilberton.
LeRoy C. Shollenberger, Pottsville.
Miss Margaret K. Heiken, Pottsville.
Edward B. Bunsa, McAdoo.
Charles R. Kaufman, Gordon.
John Saloka, St. Clair.
Mrs. Helene R. Krusnoski, Minersville.
H. C. Bolan, Pottsville.
Mrs. Bridget A. McCarthy, St. Clair.
Walter Stauffer, North Union Twp.
Marvin W. Shellhamer, Tamaqua.
Miss Kathleen N. Dewald, Cressona.

SNYDER COUNTY

Lewis E. Pawling, Selinsgrove.

SOMERSET COUNTY

W. Walter Baldwin, Hooversville.
R. A. Kidner, Salisbury.
Miss Bertha R. Stein, Meyersdale.

SUSQUEHANNA COUNTY

Mark C. James, Milford.

TIOGA COUNTY

Robert F. Thompson, Wellsboro.
William J. Callahan, Wellsboro.

UNION COUNTY

Miss Freeda M. Keiser, Lewisburg.

VENANGO COUNTY

Walter D. Frederick, Oil City.
Miss Genevieve Snyder, Oil City.
Miss Frances H. Blissell, Oil City.
Daniel J. Skelly, Oil City.
Miss Beulah V. Saye, Franklin.
James C. Ford, Franklin.
J. V. Chittick, Oil City.
Miss Beryl T. Gray, Franklin.

WARREN COUNTY

Leroy J. Stoddard, Warren.
Mrs. Myrtle Mader, Warren.
John G. Wasil, Sheffield Twp.
Mrs. Myrna B. Hoagvall, Warren.
Ray S. Thompson, Warren.

WASHINGTON COUNTY

Mrs. Mary A. Hoehl, Charleroi.
Louis F. Valentour, McDonald.
Mrs. Margie Rossini, Charleroi.
O. J. George, East Bethlehem Twp.
John B. Smith, Charleroi.
C. O. Ashbaugh, Washington.
Mrs. Gertrude K. McCarrell, Washington.
Miss June C. Wingett, Washington.
Mrs. Virginia J. Smith, West Brownsville.
J. W. Lee, II, Canonsburg.

WAYNE COUNTY

T. Y. Boyd, Honesdale.
Mrs. Augusta S. Killam, Lake Twp.
Miss Della F. Nolan, Honesdale.

WESTMORELAND COUNTY

Miss Elizabeth H. Miller, Greensburg.
Louis W. Remaley, Export.
John L. Steuart, Greensburg.
J. Paul Stanley, Vandergrift.
Miss Rhoda R. Hirsch, South Greensburg.
H. R. Hostetler, Latrobe.
Harry W. Crum, New Kensington.
Mrs. Gladys V. Fitzgerald, Vandergrift.
John G. McCune, West Newton.
Paul J. Altman, Greensburg.
Miss W. M. Kerr, New Kensington.
J. W. Martin, Youngwood.
J. W. Burroughs, Trafford.
Miss Eliza Anne Peterson, Ligonier.
L. Alexander Sculco, New Kensington.
Miss Hilda C. Dahlem, Greensburg.
Miss Emily P. McGinnis, Latrobe.
Elliott L. Hibbs, Monessen.
Mrs. Marie B. Keck, Latrobe.
John N. Stofan, Monessen.
R. A. Scheffel, Greensburg.
N. Ward Stitt, West Leechburg.

WYOMING COUNTY

Miss Katharine Reynolds, Nicholson.
Miss Alice Hitchcock, Tunkhannock.
Leon Kromelbein, Tunkhannock.

YORK COUNTY

Richard O. Moul, York.
Alfred F. Williams, Wrightsville.
J. R. Shryock, West York.

Norman E. Weigard, Dillsburg.
Mrs. Lida Markle, Hanover.
M. M. Grove, York.
Nelson R. Cousler, York.
Miss Mary E. Ruth, York.
Harry C. Poff, York.
H. Fred Fickes, York.

ARTHUR H. JAMES.

BOARDS AND COMMISSIONS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

BRIGADIER GENERALS

John Aiken, Washington, from June 12, 1940, until annulled.

William A. March, Norristown, from December 6, 1940, until annulled.

Eric Fisher Wood, Pittsburgh, from December 20, 1940, until annulled.

SECRETARY OF MINES

Richard Maize, Uniontown, from December 3, 1940 until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

COMMISSIONER OF THE PENNSYLVANIA MOTOR POLICE

Lynn G. Adams, Harrisburg, from May 17, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

B. Frank Morgal, Harrisburg, from May 29, 1940, for the residue of the term ending April 1, 1947, and until his successor shall be duly appointed and shall be qualified.

MEMBERS OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

William S. Rial, Greensburg, from June 1, 1940, until November 29, 1945, and until his successor shall have been appointed and qualified.

Frederick T. Gelder, Forest City, from December 9, 1940, until November 29, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE MILK CONTROL COMMISSION

John M. McKee, Crafton, from May 17, 1940, until May 1, 1945, and until his successor shall have been appointed and qualified.

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF PHILADELPHIA

Theodore D. Starr, Philadelphia, from May 24, 1940, until the first Monday of January, 1941, and until his successor is qualified.

(Mrs.) Sara S. McNeil, Philadelphia, from May 24, 1940, until the first Monday of January, 1941, and until her successor is qualified.

Charles Amodei, Philadelphia, from May 24, 1940, until the first Monday of January, 1941, and until his successor is qualified.

Harry V. Dougherty, Philadelphia, from August 8, 1940, until the first Monday of January, 1941, and until his successor is qualified.

MEMBERS OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF SCRANTON

Ellsworth Kelly, Scranton, from May 17, 1940, until January 3, 1942, and until his successor is qualified.

(Mrs.) Emily Williams, Scranton, from May 17, 1940, until January 3, 1942, and until her successor is qualified.

J. Gerald Collins, Scranton, from May 17, 1940, until January 3, 1942, and until his successor is qualified.

Peter J. Reif, Scranton, from May 17, 1940, until January 3, 1942, and until his successor is qualified.

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

J. Myron Honigman, Philadelphia, from August 15, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

UNEMPLOYMENT COMPENSATION REFEREES

Michael J. Stack, Philadelphia, from May 17, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

Charles C. McGovern, Pittsburgh, from November 21, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

Michael J. Muldowney, Pittsburgh, from November 21, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

WORKMEN'S COMPENSATION REFEREE

Gladstone A. Carmalt, Brookville, from May 17, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Robert M. Vail, Kingston, from December 16, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

John Barrett Pottsville, from September 17, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BANKING BOARD

Claude E. Bennett, Wellsboro, from October 2, 1940, until September 1, 1943, and until his successor is duly appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

M. Jackson Crispin, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Frank D. Croop, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Fred W. Diehl, Danville, from October 21, 1940, for the term of four years, and until his successor is qualified.

R. S. Hemingway, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

W. Clair Hidlay, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

Milton K. Yorks, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Evan G. Evans, Edgmont, Lansford, from July 25, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Walter P. Johns, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE DELAWARE RIVER JOINT COMMISSION

Thomas B. Smith, Glenside, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

J. Willison Smith, Philadelphia, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

Richard Weglein, Philadelphia, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

William H. Folwell, Merion, from May 17, 1940, for the term of five years, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN STATE PENITENTIARY

Herbert M. Goddard, Philadelphia, from May 17, 1940, for the term of four years, and until his successor is qualified.

Louis N. Robinson, Swarthmore, from May 17, 1940, for the term of four years, and until his successor is qualified.

Matthew A. Roth, Philadelphia, from May 17, 1940, for the term of four years, and until his successor is qualified.

David E. Watson, Philadelphia, from May 17, 1940, for the term of four years, and until his successor is qualified.

W. Atlee Burpee, Jr., Philadelphia, from May 17, 1940, for the term of four years, and until his successor is qualified.

Vincent deP. Henderson, Philadelphia, from August 8, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

Merle M. Davis, Erie, from November 14, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE EMPLOYMENT BOARD

Robert Hall Craig, Paxtang, from August 15, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Walter Bartholomay, Carbondale, from May 17, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF FISH COMMISSIONERS

Edgar W. Nicholson, Philadelphia, from December 6, 1940, for the term of six years, and until his successor is qualified.

John L. Neiger, Scranton, from December 6, 1940, for the term of six years, and until his successor is qualified.

Joseph Critchfield, Ursina, from December 6, 1940, for the term of six years, and until his successor is qualified.

Clifford J. Welsh, Erie, from December 6, 1940, for the term of six years, and until his successor is qualified.

MEMBERS OF THE PENNSYLVANIA GAME COMMISSION

George Irwin Phillips, Alexandria, from December 6, 1940, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

O. Ben Gipple, Harrisburg, from December 6, 1940, until the third Tuesday of January, 1941, and until his successor shall have been appointed and qualified.

John H. Price, Scranton, from December 6, 1940, until the third Tuesday of January, 1947, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

Henry Walser, Hazleton, from August 7, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Herman A. Fister, Kutztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Alvin F. Kemp, Mertztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Hanns Gramm, West Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

Charles A. Bachman, Emaus, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert Grey Bushong, Sinking Spring, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert S. Birch, Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

C. Fred Beck, Cressona, from July 16, 1940, for the term of four years, and until his successor is qualified.

Joseph Kane, Allentown, from July 16, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Josephine A. Siegfried, Allentown, from July 16, 1940, for the term of four years, and until her successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

C. Vincent Michener, Allenwood, from November 27, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

William Becker, Mahanoy City, from September 17, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

William R. Williams, Wilkes-Barre, from December 12, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE STATE BOARD OF EXAMINERS FOR THE REGISTRATION OF NURSES

(Miss) Margaret R. Gilliland, Clearfield, from November 22, 1940, for the term of six years, and until her successor is appointed and qualified.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Jerry F. Neill, Philadelphia, from September 4, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Wilmer Krusen, Philadelphia, from December 17, 1940, for the term of four years, and until his successor is qualified.

Earl D. Bond, Philadelphia, from December 17, 1940, for the term of four years, and until his successor is qualified.

George L. Alston, Swarthmore, from December 17, 1940, for the term of four years, and until his successor is qualified.

Meade L. Barr, Haverford, from December 17, 1940, for the term of four years, and until his successor is qualified.

Louis C. Spring, Bristol, from December 17, 1940, for the term of four years, and until his successor is qualified.

George A. Williams, Philadelphia, from December 17, 1940, for the term of four years, and until his successor is qualified.

MEMBER OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

Edward A. Phillips, Milton, from May 17, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Herbert Cummings, Sunbury, from August 8, 1940, for the term of four years, and until his successor is qualified.

George Shade, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

Charles W. Frye, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

John Higgins, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

Clayton Steshinski, Mt. Carmel, from August 8, 1940, for the term of four years, and until his successor is qualified.

Wm. Penn Kemble, Mt. Carmel, from August 8, 1940, for the term of four years, and until his successor is qualified.

Paul Miller, Sunbury, from August 8, 1940, for the term of four years, and until his successor is qualified.

Charles Petrovich, Kulpmont, from August 8, 1940, for the term of four years, and until his successor is qualified.

H. Wilson Lark, Shamokin, from August 12, 1940, for the term of four years, and until his successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE TEACHERS COLLEGE

W. Lee Gilmore, Pittsburgh, from June 3, 1940, for the term of four years, and until his successor is qualified.

Clyde C. Green, New Castle, from June 3, 1940, for the term of four years, and until his successor is qualified.

John L. Wise, Butler, from June 3, 1940, for the term of four years, and until his successor is qualified.

Jack M. McDonald, Slippery Rock, from June 3, 1940, for the term of four years, and until his successor is qualified.

Byron H. Canon, Pittsburgh, from June 3, 1940, for the term of four years, and until his successor is qualified.

Stacy T. Dean, Greenville, from June 3, 1940, for the term of four years, and until his successor is qualified.

Thomas W. Dickey, New Castle, from June 3, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Marion Foster Smith, Butler, from June 3, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) E. Grace McCauley, Beaver, from June 3, 1940, for the term of four years, and until her successor is qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

Roger W. Rowland, New Castle, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

Edgar C. Weichel, Scranton, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

George B. Wolf, Williamsport, from July 15, 1940, for the term of four years, and until his successor is qualified.

J. E. Bogar, Millersburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

Paul J. Abraham, Greensburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Florine Koegler, Pittsburgh, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Margaret Hays Lamade, Williamsport, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Lucille Ward, Bellefonte, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Mabel F. Schooley, Watsontown, from July 15, 1940, for the term of four years, and until her successor is qualified.

MEMBER OF THE STATE VETERANS COMMISSION

John U. Shroyer, Shamokin, from August 8, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

John H. Harris, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

Frank L. Duggan, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John A. Lathwood, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John L. Glenn, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

P. J. McDonough, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

W. P. Sieg, Bellefonte, from July 25, 1940, for the term of four years, and until his successor is qualified.

L. Frank Mayes, Lemont, from July 25, 1940, for the term of four years, and until his successor is qualified.

William T. Root, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

Edwin C. May, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

PUBLIC ASSISTANCE BOARDS

Also the following persons to be Members of the County Boards of Assistance, for the terms set opposite their names:

ALLEGHENY COUNTY

(Mrs.) Florence D. Camp, Natrona Heights, from October 15, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

ARMSTRONG COUNTY

Earl D. Artman, Ford City, from September 23, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

Harvey D. Shaffer, Kittanning, from September 23, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

George L. Ralston, Freeport, from September 23, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

Harvey H. Hanna, South Bend, from September 23, 1940, until December 31, 1942.

Ralph Bittinger, Ford City, from September 30, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

BEAVER COUNTY

Richard Holt West, Beaver, from June 10, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BEDFORD COUNTY

Ranson Beegle, Bedford, from May 17, 1940, until December 31, 1942.

J. A. S. Beegle, Bedford, from May 17, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

George S. Gorsuch, Yellow Creek, from May 17, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BERKS COUNTY

Matthew J. Boland, Reading, from October 10, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BRADFORD COUNTY

H. M. Turner, Towanda, from August 23, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

BUTLER COUNTY

Albert H. Meeder, Zelienople, from October 14, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

John Thoma, Butler, from October 14, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

CAMERON COUNTY

(Mrs.) Kathryn Daley, Driftwood, from September 16, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

CENTRE COUNTY

William C. Thompson, Bellefonte, from June 10, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

CLEARFIELD COUNTY

T. R. McCracken, Mahaffey, from September 25, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

(Mrs.) Mary E. Boag, Clearfield, from November 8, 1940, until December 31, 1941, and until her successor is duly appointed and qualified.

J. L. Cornely, Morrisdale, from January 1, 1941, until December 31, 1943.

John Helman, Coalport, from January 1, 1941, until December 31, 1943.

(Mrs.) Della Neff Patchin, Burnside, from January 1, 1941, until December 31, 1943.

COLUMBIA COUNTY

J. W. Biddle, Millville, from September 25, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

DELAWARE COUNTY

(Miss) Theresa A. Kelley, Chester, from September 4, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

FAYETTE COUNTY

John Farrell, Uniontown, from May 17, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

Charels M. Shank, Masontown, from May 17, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

(Mrs.) Louise L. Whipp, Point Marion, from May 17, 1940, until December 31, 1942.

Eli H. Hatfield, Brownsville, from May 17, 1940, until December 31, 1942.

Charles M. Stone, Connellsville, from May 17, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

(Mrs.) Maude S. Reynolds, Uniontown, from May 17, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

(Mrs.) Mabel Luman, Uniontown, from May 17, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

FOREST COUNTY

F. F. Spencer, Truemans, from May 20, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Albert S. Payne, Marienville, from September 23, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

(Mrs.) Louise E. Phillips, Endeavor, from September 23, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

FULTON COUNTY

Harvey E. Comerer, Thompson Township, P. O. Hancock, Md., from August 9, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

John W. Kelso, McConnellsburg, from September 26, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

GREENE COUNTY

W. Robert Thompson, Waynesburg, from August 13, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

HUNTINGDON COUNTY

M. M. Geissinger, Huntingdon, from September 27, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

(Mrs.) Elizabeth S. Phillips, Huntingdon, from September 27, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

Thomas O. Swivel, Huntingdon, from September 27, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

INDIANA COUNTY

Harold Nesbitt, Clymer, from September 20, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

LAWRENCE COUNTY

Ivor Richards, New Castle, from August 12, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

Sam Taylor, New Castle, from August 12, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

Lloyd Strayer, New Castle, from August 12, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

(Mrs.) Rose Fazzone, New Castle, from August 12, 1940, until December 31, 1941, and until her successor is duly appointed and qualified.

Ray B. Johnston, Ellwood City, from August 12, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Fred Vaughn, New Castle, from August 12, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Scott S. Brest, New Castle, from August 12, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Lloyd W. Boyer, Lebanon, from September 4, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

McKEAN COUNTY

(Mrs.) Mildred E. Dieter, Bradford, from July 9, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

MERCER COUNTY

Myron Murstein, Sharon, from January 1, 1941, until December 31, 1943.

PHILADELPHIA COUNTY

D. Moreau Barringer, Jr., Philadelphia, from October 11, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Gordon A. Hardwick, Philadelphia, from October 11, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

SCHUYLKILL COUNTY

Andrew H. Riddle, Vulcan, from November 22, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

SOMERSET COUNTY

William F. Hammer, Conemaugh Township, P. O. Johnstown, from September 4, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

TIOGA COUNTY

M. A. Welch, Mansfield, from August 8, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

(Miss) Frances Armstrong, Wellsboro, from August 8, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

(Mrs.) Hazel M. Parsells, Cowanesque, from August 27, 1940, until December 31, 1941, and until her successor is duly appointed and qualified.

UNION COUNTY

(Miss) Katherine Shriner, Lewisburg, from January 1, 1941, until December 31, 1943.

VENANGO COUNTY

W. Edward Walz, Oil City, from May 27, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

WYOMING COUNTY

Basil Nichols, Falls, from June 3, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

MOTION FOR RECESS

Mr. GELTZ. Mr. President, I understand that the House meets at ten o'clock tonight. In order that they may have time to complete their work and concur in necessary resolutions, I now move that we recess until ten o'clock tonight.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. DENT. Mr. President, I just want to call attention to the fact that is exactly what I said would happen a few minutes ago. If you have some other reason, Mr. President, for meeting at four o'clock in the afternoon let us know that, because I do not think the reason given is sufficient.

We are meeting at ten o'clock tonight, exactly as I said before—that we were to recess until the House convened and then this body would come here and probably sit up all night anyway, waiting for the House to finish its work. If we must have committee meetings, Mr. President, let us have them in the afternoon.

Mr. GELTZ. Mr. President, this situation even with the change in time is an unusual one and it would not have been necessary except for the adjournment that is proposed for next week, when some of our colleagues desire to go to Washington for the inaugural.

Mr. President, this action ordinarily could have taken place on Tuesday. In the future when we will be here Tuesdays and Wednesdays there will be no necessity to come back like this. This is just an unusual situation.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 10 o'clock, p. m.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, January 13, 1941.

Resolved, (if the House of Representatives concur) That when the Senate adjourn this week it reconvene on Monday, January 27, 1941, at 4 p. m. o'clock; and when the House of Representatives adjourn this week it reconvene on Monday, January 27, 1941, at 9 p. m. o'clock.

BILL INTRODUCED

Mr. McCREESH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH read in place and presented to the Chair Senate Bill No. 34, entitled:

An Act to amend section twelve of the act approved the eighth day of June, one thousand nine hundred and eleven (P. L. 705), entitled "An act creating the office of Fire Marshal, to be attached to the Department of Public Safety in cities of the first class; prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," by imposing additional duties on the Fire Marshal.

Which was committed to the Committee on Municipal Government.

RESOLUTION MEMORIALIZING CONGRESS TO APPROVE FEDERAL MINE INSPECTION BILL

Mr. DENT. Mr. President, with permission of the Senate I would like to ask unanimous consent to present a resolution at this time memorializing the Congress, asking favorable action upon the Federal Mine Inspection Bill.

I do not ask immediate consideration of this resolution, Mr. President, but I would request that it be referred to an appropriate committee.

Mr. DENT offered the following resolution which was twice read, considered, and was referred to Committee on Federal Relations:

In the Senate, January 13, 1941.

Whereas, In the mining industry many thousands of lives have been needlessly lost because of inadequate safety controls and these deaths might have been prevented by the passage of a law providing for the federal inspection of mines; and

Whereas, A federal mine inspection bill has been passed by the Senate of the United States but blocked in the House Committee of Mines and Mining; and

Whereas, During the time this measure has been blocked there have been some 1,530 miners killed in mine disasters, leaving behind them their widows and orphans; and

Whereas, In the Commonwealth of Pennsylvania during the time this measure has been blocked a number of mine disasters have occurred which are directly attributable to lack of adequate mine inspection; now therefore be it

Resolved, That the Senate of the State of Pennsylvania hereby memorialize the Congress of the United States to approve the Federal Mine Inspection bill; be it also

Resolved, That one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Vice-President, Henry A. Wallace, President of the United States Senate.

Speaker Rayburn, House of Representatives.

Senator Joseph Guffey.

Senator James P. Davis.

All members of the House delegation from Pennsylvania.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, January 27, 1941 at 4:00 o'clock p. m.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:11 o'clock, p. m. until Monday, January 27, 1941 at 4:00 o'clock, p. m.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 13, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Thomas George Baxter offered the following prayer:

Almighty God, Thou Who art a Spirit, infinite, eternal, and unchangeable in Thy wisdom, power, justice, mercy, goodness, and truth, breathe on us that we may partake of Thy nature, that out of Thy holy and righteous personality each of us may be endowed with good thought, wise words, courageous acts, and brave deeds.

May petty partisanship give place to genuine patriotism, may religious bigotry and sanctimonious sectarian pride make way for a world wide brotherhood.

Enlarge the range of our understanding, and give to us a deep concern for the things which are related to the welfare of our state and nation. May Thy will be wrought in human laws, human institutions, and especially in human lives.

Do Thou direct our President with great favor and wisdom, and our Congress with a knowledge of things divine that our fair land and our Christian order may not be thrown back into the savagery and barbarism of the dark ages of heathenism.

O Lord, abide with and unfold to the Governor of this Commonwealth Thy will and give him grace to be steadfast as a righteous ruler. Do Thou direct and bless the members of this House, that they may honor their constituencies which have so signally honored them.

O Lord, Thou Prince of Peace, grant to us a national peace, based on Thy Holy Revelation to us. To this end help us to know Thy word in its entirety. To know that the same inspired word which commands Thy people to beat their swords into plowshares also commands them to beat their plowshares into swords, and the same word of God declares there is a time to heal and a time to kill; a time to love and a time to hate; a time for war and a time for peace. God forbid that our love of peace shall ever make us spineless subjectees of a God-hating proletarian idealism. Save us, O God, from the easy chair of the heresy "of peace at any price" that we may stand for God and country as we have it in American Democracy. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, January 7, 1941.

The Clerk proceeded to read the Journal when, on motion of Mr. O'MULLEN the further reading was dispensed with and the Journal approved.

REPORT OF SAVING FUND SOCIETY OF GERMANTOWN

The SPEAKER laid before the House the Eighty-sixth Annual Statement of the Saving Fund Society of Germantown and Its Vicinity which was read by the Clerk.

(For Report see Appendix).

RESIGNATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

House of Representatives,
Harrisburg, Pa., August 6, 1940.

Hon. Ellwood J. Turner,
602 Crozer Bldg.
Chester, Pa.

My dear Mr. Turner:

I do hereby tender my resignation as a Member of the General Assembly of the Commonwealth of Pennsylvania from the Second Legislative District of Fayette County, Pennsylvania, effective immediately.

Please acknowledge receipt of this resignation.

With kindest personal regards, I am

Very truly yours,

JLR/c

(Signed) JOHN L. RIDER.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 13, 1941.

Resolved, (if the House of Representatives concur) That when the Senate adjourn this week it reconvene on Monday, January 27, 1941, at 4 p. m. o'clock; and when the House of Representatives adjourn this week it reconvene on Monday, January 27, 1941, at 9 p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Corrigan for WOLDOW on account of illness.

Stockham for HUNTLEY on account of illness.

Woodside for HEWITT.

Scanlon for McCLANAGHAN and MONKS for the remainder of the week on account of illness.

Sarge for STAMBAUGH on account of illness.

Achterman for BRETH for the remainder of the week on account of illness.

RESOLUTION

HOUSE RULE 27 AMENDED

Mr. Readinger offered a resolution and asked and obtained unanimous consent for its reading and immediate consideration:

The Clerk read the resolution as follows:

In the House of Representatives, January 13, 1941

Resolved, That House Rule 27 be amended by striking out:

Strike out [Labor to consist of 20 Members] and insert: Labor to consist of 40 Members.

Strike out [Professional Licensure to consist of 20 Members] and insert: Professional Licensure to consist of 30 Members.

On the question,

Will the House adopt the resolution?

One hundred five members or more than a majority having voted in the affirmative, the resolution was adopted.

REQUEST FOR USE OF HOUSE

Mr. ACHTERMAN. Mr. Speaker, I ask the consent of the House to grant the use of the House to the Pennsylvania State School Directors' Association on Friday afternoon, February 7th, at 3:30 P. M.

The SPEAKER. Will the House give its unanimous consent

Mr. TURNER. I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, will the gentleman from Monroe withdraw his request for a moment.

Mr. ACHTERMAN. Certainly, Mr. Speaker.

RESOLUTION

HOUSE EMPLOYEES

Mr. LOVETT offered a resolution and asked and obtained unanimous consent for its reading and immediate consideration.

The Clerk read the resolution as follows:

In the House of Representatives,
Monday, January 13, 1941.

Resolved, That the following employees be appointed in the House of Representatives.

ASSISTANT CLERK

Anna M. Brancato, 1417 Porter Street, Philadelphia, Pa.

JOURNAL CLERK

Russell Marino, 585 Jefferson Avenue, Washington, Pa.

ASSISTANT JOURNAL CLERK

Stanley E. Zikoski, 3300 Birney Avenue, Scranton, Pa.

READING CLERK

Bernard F. Schneider, 179 St. Joseph Street, Mt. Oliver, Pittsburgh, Pa.

ASSISTANT READING CLERK

Anthony F. Varine, 623 Wiley Avenue, Jeannette, Pa.

DESK CLERKS

Rocco J. Costanzo, 935 South Ninth Street, Philadelphia, Pa.

Casper E. Burns, Ranshaw, Pa.

MESSAGE CLERK

Francis J. Lapi, 851 N. 8th Street, Reading, Pa.

TRANSCRIBING CLERKS

Anthony J. Sadowski, 6100 Wheeler Street, Philadelphia, Pa.
James F. Feely, 2124 N. 28th Street, Philadelphia, Pa.
William Glass, 3829 Cambridge Street, Philadelphia, Pa.
James O. Welsh, 3942 Winshire Street, N. S., Pittsburgh, Pa.
John A. Schiffhauer, 7078 Campain Street, Pittsburgh, Pa.
Lawrence R. Hugo, Jr., 2001 Bailie Avenue, McKeesport, Pa.
Michael Polkabla, Fairbank, Pa.
Clair E. McGinnis, 12 E. North Avenue, Pittsburgh, Pa.
James Mulreany, 75 First Street, Larksville, Pa.

CLERKS TO COMMITTEE

Charles Volpe, 1926 S. 13th Street, Philadelphia, Pa.
Martha A. Mancine, 3215 Memphis Street, Philadelphia, Pa.
Emanuel S. Wolfson, 1713 N. 31st Street, Philadelphia, Pa.
Anthony A. Camardese, 314 W. Cambridge Street, Philadelphia, Pa.
John P. Mulreanil, 2339 N. 19th Street, Philadelphia, Pa.
Thomas G. Gordon, 5120 Whitaker Avenue, Philadelphia, Pa.
John Paul Killeen, 209 Denniston Avenue, Pittsburgh, Pa.
Florence M. Drenning, 1814 Montier St., Wilkinsburg, Pa.
Ephraim Kidd, 222 Welsh Avenue, Wilmerding, Pa.
Bernard Barry 173 Carnegie Avenue, Clairton, Pa.
Clarence B. Clark, 1411 Caldwell Street, Pittsburgh, Pa.
Evelyn M. Miller, 437 Baltimore St., Hanover, Pa.
Patrick J. McShane, 314 Ridgeway Avenue, Greensburg, Pa.
Helen M. Conarton, 128 S. Main Street, Carbondale, Pa.
Marie Casazza, 240 N. 4th Street, Allentown, Pa.
John Rachunis, 67½ Maple Street, Glen Lyon, Pa.

CHAPLAIN

Donald McFall, 3 North Third Street, Steelton, Pa.

POSTMASTER

Robert F. Smith, Third and Center Streets, Smithton, Pa.

SERGEANT-AT-ARMS

William Carson, 1330 S. Hollywood St., Philadelphia, Pa.

CHIEF ASST. SERGT-AT-ARMS

Marshall Lynch, Crystal Springs, Pa.

ASST. SERGEANTS-AT-ARMS

Edgar H. Bonsall, 411 N. 53d Street, Philadelphia, Pa.
Robert J. DiMunzo, 3822 North Van Pelt Street, Philadelphia, Pa.
Morris Martino, 1920 N. Third Street, Philadelphia, Pa.
James E. Rowan, 3352 E. Street, Philadelphia, Pa.
Joseph A. Murphy, 632 N. 16th Street, Philadelphia, Pa.
George H. Selzer, 1528 Ridge Avenue, Coraopolis, Pa.
Harry F. Logsdon, 219 E. Elizabeth Street, Pittsburgh, Pa.
W. L. Rothermund, 621 Elm Street, Bridgeville, Pa.
Clem Shea, 437 George Street, Braddock, Pa.
Stanley M. Wisniewski, 110 Hill Street, Everson, Pa.
Michael P. Kearney, Dunbar, Pa.
Michael R. Cochi, 1 Main Street, Twin Rocks, Pa.
Joseph H. Parrish, 820 Third Street, Cresson, Pa.
Francis J. Munley, 163 Pine Street, Archbald, Pa.
John A. King, 334 Warren Street, Scranton, Pa.
John McHale, 153 Chapel Street, Pittston, Pa.

ASSISTANT POSTMASTER

William H. Allison, 527 Highland Avenue, Lewistown, Pa.

ASST. MESSENGERS-POST OFFICE

Walker K. Jackson, 1733 Christian Street, Philadelphia, Pa.
Michael Zagorski, 40 S. 11th Street, Pittsburgh, Pa.
Maurice L. Griffith, 33 Perry Street, Pittsburgh, Pa.

PASTERS AND FOLDERS

Isidore DiGregorio, 1820 S. 22d Street, Philadelphia, Pa.
Daniel A. Logue, 5413 Horrocks Street, Philadelphia, Pa.
Claude Crumel, 1717 N. 22d Street, Philadelphia, Pa.
William J. Schaffer, 3471 Denny Street, Pittsburgh, Pa.
Kay L. Jones, 3124 Bergman Street, Pittsburgh, Pa.
Francis P. Bender, 417 Cleveland St., Lilly, Pa.
George A. Connery, 1933 Lafayette St., Scranton, Pa.
Herman S. Van Campen, 10 Main Street, Shavertown, Pa.

SUPERINTENDENT FOLDING ROOM

Charles Focht, 1935 Fairview Avenue, Reading, Pa.

DAY WATCHMAN

Patrick J. Smith, 231 North Second St., Harrisburg, Pa.

NIGHT WATCHMAN

Thomas Flannery, 357 McLean St., Wilkes-Barre, Pa.

PAGES

Daniel J. Bynon, 31 E. Ludlow St., Summit Hill, Pa.
Paul J. Flyzik, 338 W. Snyder Avenue, Lansford, Pa.
Benjamin Foltz, 612 P. Street, Harrisburg, Pa.
Robert S. Bressler, 78 Reservoir Street, Harrisburg, Pa.
Earnest Picolo, 1531 N. Third St., Harrisburg, Pa.
Fred M. Cassatt, 2139 Derry Street, Harrisburg, Pa.
David R. Rhoads, 428 Bosler Ave., Lemoyne, Pa.
Richard W. Thompson, Sr., 315 W. Penn St., Carlisle, Pa.
William L. Walker, 213 W. North St., Carlisle, Pa.
George W. Auker, 116 S. 31st St., Camp Hill, Pa.
Jerome F. Schober, 473 Rockland Street, Lancaster, Pa.
Paul E. Carter, 430 North Street, Lancaster, Pa.
Maynard Danner, 1103½ Capital Street, Harrisburg, Pa.
William T. Buck, 1407 Currant St., Harrisburg, Pa.
Robert L. DeGroot, 706 Green Street, Harrisburg, Pa.
John R. Allen, 1635 Wallace Street, Harrisburg, Pa.
Henry W. Russell, 1301 N. Third Street, Harrisburg, Pa.
Brian H. Kintzer, 905 N. 16th Street, Harrisburg, Pa.
John S. Musser, 2323 Penn Street, Harrisburg, Pa.
Henry D. Turrell, 1909 N. Front St., Harrisburg, Pa.

CHIEF PAGE

Joseph B. Dougherty, 533 Fourth Ave., Scranton, Pa.

CUSTODIAN—HOUSE

Erwin O. Joung, 4005 Jonestown Road, Colonial Park. Harrisburg, Pa.

CUSTODIAN WASH ROOM

Jacob Undowitz, 401 S. 11th Street, Philadelphia, Pa.

MESSENGER—POST OFFICE

James W. Murphy, 334 Miller Street, Latrobe, Pa.

CUSTODIAN—BASEMENT

William E. Roeder, 262 Walnut Street, York, Pa.

CUSTODIANS—COMMITTEE ROOM

Bernard J. Henciak, 2620 Stromberg St., Pittsburgh, Pa.
Charles J. Jim, 206 Gertrude Street, Latrobe, Pa.

SPEAKER'S CLERK

Leo L. Caeser, 2216 Race Street, Philadelphia, Pa.

PAGE TO SPEAKER

Robert S. Beppler, 112 Ruby Street, Lancaster, Pa.

On the question,
Will the House adopt the resolution?
It was adopted.

OATH ADMINISTERED TO EMPLOYEES

The SPEAKER. The oath of office will now be administered to the employees appointed. The employees whose names have been read will present themselves at the Bar of the House.

The oath of office was then administered by the Speaker to the employees who presented themselves at the Bar of the House.

The SPEAKER. The employees will assemble in the House Caucus Room for further instructions by the Chief Clerk.

USE OF HALL OF HOUSE GRANTED

Mr. ACHTERMAN. Mr. Speaker, I ask the consent of the House to grant the use of the House to the Pennsylvania State School Directors' Association for Friday afternoon, February 7th, at 3:30 p. m.

The SPEAKER. Will the House give its unanimous consent? Is there objection? The Chair hears none and consent is granted.

PERMISSION TO ADDRESS HOUSE

Mr. GATES asked and obtained permission to address the House.

Mr. Speaker, I understand it is the wish of those in control of this House to adjourn after tonight's session until January 27, and I arise to oppose said adjournment until we have carried out a pledge made by both major parties. I know His Excellency Governor James made the statement that he would do everything in his power to see that every deserving person in this State would receive food, clothing and shelter, and I believe he was sincere when he made this statement. However, gentlemen, unless something is done on or before January 27, twelve thousand deserving women, now working on sewing projects, will be unjustly thrown out of employment, many of them widows without any other means of support. Many of them mothers who gave their sons in the last world crisis that we might live.

I, of course, am aware of the committee appointed pursuant to a resolution adopted by this House last week to make an investigation as to who was correct regarding W. P. A. grants, our Governor or Col. Matthews, but my friends I am not concerned just now as to who is right or who is wrong. I am and I know you are, concerned about these unfortunate women of our State. Our Federal Government contemplates spending twenty-five billion dollars for defense, and rightly so, but yet some one will quibble about a few paltry dollars when the welfare of twelve thousand women is at stake.

I call upon you Mr. Speaker to keep this House in session until we have solved this humanitarian problem.

PERMISSION TO ADDRESS HOUSE

Mr. SHAW asked and obtained permission to address the House.

Mr. Speaker, in reply to the statement of the gentle-

man from Armstrong, Mr. Gates, I wish to assure this House that the committee appointed on Tuesday morning has been working almost day and night in an effort to solve this problem. We feel very definitely that considerable progress has been made. We are not able to submit a report at this time, but we have every confidence that we will be able to bring the two sides together in an amicable agreement.

INTERROGATION

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Shaw.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SHAW. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to know from the gentleman from Allegheny whether, in his opinion, a settlement will be made on or before January 27th, when these women will be thrown out of employment.

Mr. SHAW. Mr. Speaker, in reply to the interrogation, I wil repeat what I said in my statement a minute ago. that I have every confidence that we shall reach an amicable arrangement that will permit the sewing project to be continued.

CONDOLENCE RESOLUTION

Mr. RUSH offered the following privileged resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, January 13, 1941.

Colonel James A. G. Campbell prominent civic leader in the City of Chester and Delaware County for many years, has passed away at the age of 82 years. He was born in Chester, February 19, 1858, and was educated in the public schools of that city. At the age of 16 he began his public career as bookkeeper, and hereafter became President and Chairman of the Board of Directors of the Delaware Trust Company.

Colonel Campbell was active in the Chester Hospital Board of Managers, Chester Rotary, the American Red Cross, Associated Charities, Welfare Federation, Boy Scouts, the J. Lewis Crozer Library, Spanish American War Veterans and Disabled Veterans Association for which a camp was named in his honor.

Colonel Campbell possessed a quality of leadership equalled by but few men in the events of the Commonwealth.

Resolved, That the Members of the House express their sincere sympathy to the members of the family of Colonel James A. G. Campbell in their bereavement, and that a copy of this resolution be transmitted to: Mrs. Elizabeth Mowry Campbell, his widow, Mrs. Margaret C. Sweney, his daughter, wife of assistant district attorney Sweney, James A. G. Campbell, Jr., his son, and Miss Fannie Campbell, his sister, by the Chief Clerk of this House.

COMMITTEE ON RULES

The SPEAKER. The Chair at this time appoints the following Committee on Rules: Messrs. Achterman, Chairman, Gerard, Readinger, Lovett and Melchiorre.

RESOLUTION

STANDING COMMITTEES

Mr. READINGER offered a resolution and asked and obtained unanimous consent for its reading and immediate consideration.

The Clerk read the resolution as follows:

In the House of Representatives, January 13, 1941.

Resolved, That the following members be, and they are hereby elected members of the Standing Committees of the House of Representatives as follows:

ELMER KILROY, Speaker.
ALBERT S. READINGER, Chairman.

AERONAUTICS

Russell E. Reese, Chairman
Wolf, Vice-Chairman

Burns	Monks
Thompson, Edwin F.	Vogt
Breth	Gates
Petrosky	Lichtenwalter
Keenan	McClester
Prosen	McMillen
Modell	Riley
Jefferson	Greenwood
O'Mullen	Haines
Duffy	Voorhees
Marks	Kilroy, Ex-Officio

AGRICULTURE

Moul, Chairman
Burris, Vice-Chairman

Balthaser	Brunner, Paul A.
Haberlen	McFall
Nagel	Hamilton
Cochran	Flynn
Komorofski	Dix
Baugher	Ely
Stine	Foor
McIntosh	Gyger
Pettit	Lichtenwalter
Vincent	Reagan
Polen	Snyder
Croop	Van Allsburg
Elliott	Wood, Norman
French	McMillen
Harris	Kilroy, Ex-Officio

APPROPRIATIONS

Achterman, Chairman
Boney, Vice-Chairman

Melchiorre	Brown
O'Brien	Harkins
Boies	Holland
Gerard	Mihm
Lovett	Gillette
Chervenak	Lyons
Readinger	McKinney
McDermott	Muir
Stank	Snyder
Welsh, Matthew J.	Stockham
Cohen, Reuben A.	Turner
O'Neil	Van Allsburg
Malloy	Wood, Norman
Falkenstein	Woodside
Finnerty	Kilroy, Ex-Officio
Baker	

BANKING

Skale, Chairman
Jones, Presley N., Vice-Chairman

Finnerty	Reynolds
Bradley	McGrath
Voldow	Rooney
McClanaghan, Francis	McLane
Breth	Cordier
Herman	Gates
Dolon	Leisey
Prosen	McClester
Rose, Samuel	Muir
Harris	Turner
Young	Winner
Modell	Woodside
Shepard	Yeakel
Nunemacher	Weingartner
Tarr	Kilroy, Ex-Officio
Hersch	

BOROUGHS

Harmuth, Chairman
Gryskewicz, Vice-Chairman

Balthaser	Komorofski
Moran	Woodring
Nunemacher	Brunner, Paul A.
Heatherington	Chervenak
Stine	Brunner, Charles H.
Hering	Cook
Wolf	Eckels
Nagel	Fisher
Breth	Fleming
Cohen, Marshall	Royer
Early	Sollenberger
McFall	Stockham
Gerard	Helm
Harkins	Elder
Moul	Kilroy, Ex-Officio
McLane	

BUILDING AND LOAN ASSOCIATION

Mooney, Chairman

Mihm	Leonard
Baker	Boorse
Bradley	Cooper
McClanaghan	Voorhees
Chudoff	Wood, Lloyd
Burns	Yeakel
Rooney	Huntley
Herman	Serg
Finestone	Lee, Thomas
Cohen, Marshall	Kilroy, Ex-Officio
Kolankiewicz	

CITIES—FIRST CLASS

Finnerty, Chairman

Rosenfeld	Heatherington
Corrigan	Schwab
Allmond	Fletcher
DiGenova	Lee, Edw.
O'Ortona	Lee, Thomas
Chudoff	O'Dare
Dolan	Voorhees
French	Boorse
Leonard	Rank
McLanahan, R. J.	Brunner, Chas. H.
Mooney	Kilroy, Ex-Officio
Polaski	

CITIES—SECOND CLASS

Mihm, Chairman
Bentley, Vice-Chairman

Powers	Tate
Brown	Cooper
Keenan	Cordier
Mooney	Fleming
Sarraf	Gates
Shaw	Knoble
Kenehan	Leydic
Regan	Rhea
Reynolds	McDowell
Leonard	Kilroy, Ex-Officio
Verona	

CITIES—THIRD CLASS

McDermott, Chairman
Yester, Vice-Chairman

Readinger	Nunemacher
Bois	Auker
Schwab	Dalrymple
Marks	Kline
Bentzel	Lyons
Cohen, Marshall	McClester
Polaski	Rose, Walter E. Jr.
Rausch	Taylor
Jones, Presley N.	Gross
Longo	Kilroy, Ex-Officio
Maxwell	

CONGRESSIONAL AND JUDICIAL APPORTIONMENT

O'Connor, Chairman
Shaffer, Vice-Chairman

Petrosky	Reagan
Modell	McGrath
Cullen	Bentley
Chudoff	Yester
Young	Bretherick
Duffey	Rose, Walter E.
Tate	Voorhees
Keenan	Watkins
French	Reese, David P. Jr.
Fleming	Kilroy, Ex-Officio
McKinney	

CONSTITUTIONAL AMENDMENTS

Powers, Chairman
Kolankiewicz, Vice-Chairman

Brown	McFall
Vincent	Boorse
Verona	Bower
Tate	Bretherick
Chervenak	Eckels
D'Ortona	Gross
Voldow	McClester
Harkins	Sarge
O'Mullen	Wood, Lloyd
Chudoff	Kilroy, Ex-Officio
Croop	

CORPORATIONS AND INDUSTRY

Holland, Chairman
Owens, Vice-Chairman

Gerard	Shepard
McDermott	Young
Baker	Readinger
Rush	Gryskewicz
Yester	Breth
Verona	Cadwalader
Rose, Samuel	James
Lesko	Leisey
Dolon	Leydic
Duffy	Rank
Burris	Riley
Early	Yeakel
McGrath	Lyons
Modell	Kilroy, Ex-Officio
Polen	

COUNTIES

Chervenak, Chairman
Keenan, Vice-Chairman

Powers	Lesko
Balthaser	Longo
Haberlen	McFall
Weiss	McLanahan
Burris	Cadwalader
Shaw	Dalrymple
Stine	Ely
Shaffer	Fiss
Vincent	Foor
French	Habbyshaw
Nunemacher	Hare
Goodwin	Rose, Walter E. Jr.
Heatherington	Wilkinson
Wolf	Wood, Norman
Early	Kilroy, Ex-Officio
Hamilton	

DAIRY INDUSTRIES

Haberlen, Chairman
Baugher, Vice-Chairman

Balthaser	Cochran
Burris	Wood, Norman
Pettit	Eckels
Vincent	Ely
Croop	Foor
Rose, Samuel	Greenwood
Lesko	Gyger
Brunner, Paul A.	Rhea
Burns	Snyder
Early	Kilroy, Ex-Officio
Woodring	

EDUCATION

Harkins, Chairman
Welsh, Ellwood, Vice-Chairman
Melchiorre
O'Brien
Chervenak
Welsh, Matthew
O'Connor
Haberlen
Hirsch
Moul
Holland
Nagel
Weiss
Boney
McLane
Tarr
Wolf
Scanlon
Bentzel
Hering
McGrath
Rausch
DiGenova
McIntosh
Polen
Jefferson
Petrosky
Burns
Gillan
Haines
Helm
Lee, Edw.
Leydic
McClester
Riley
Serrill
Sollenberger
Taylor
Trout
Van Allsburg
Watkins
Wilkinson
Kilroy, Ex-Officio

ELECTIONS

Allmond, Chairman
Gallagher, Vice-Chairman
Longo
Scanlon
Mooney
Marks
Goodwin
Shaffer
O'Mullen
Elliott
Polaski
Young
Woodring
Flynn
Cook
Dalrymple
Krise
Voorhees
Winner
Gillette
Weingartner
McSurdy
Kilroy, Ex-Officio

FEDERAL RELATIONS

Thompson, Edw., Chairman
Vincent, Vice-Chairman
Schwab
Tarr
Allmond
Rooney
Young
Longo
Early
McLanahan
Rose, Samuel
Bentzel
Bentley
Woodring
Helm
Stockham
Huntly
McSurdy
O'Dare
Serrill
Sollenberger
Bower
Kilroy, Ex-Officio

FISHERIES

Hirsch, Chairman
Nunemacher, Vice-Chairman
Cochran
Gryskewicz
Baugher
Welsh, Ellwood
Rausch
Yester
Vogt
Breth
Croop
Elliott
Komorofski
McLanahan
Polaski
Malloy
Owens
McIntosh
Dolon
French
Bradley
Boney
Dix
Elder
Fiss
Greenwood
Haines
Hewitt
McSurdy
Simons
Hare
Gross
Kilroy, Ex-Officio

FORESTRY

Balthaser, Chairman
Harris, Vice-Chairman
Powers
Cochran
Gallagher
Vogt
Owens
Welsh, Ellwood
Vincent
Breth
Gryskewicz
Brunner, Paul A.
Cullen
Flynn
McLanahan
Polen
Wright
Baugher
Stine
Polaski
Bower
Hall
Hewitt
Huntley
McMillen
Serrill
Stambaugh
Gyger
Sorg
Thompson
Kilroy, Ex-Officio

GAME

Tarr, Chairman
Breth, Vice-Chairman
Hirsch
Vogt
Harmuth
Williams
Komorofski
Nunemacher
Heatherington
Baughter
Rush
Maxwell
Croop
Harris
Wright
Yester
McFall
Voldow
Bentzel
Regan
O'Mullen
Burris
Fisher
Gillan
Hall
Imbrie
Jones, George E.
Reagan
Riley
Stambaugh
Yeakel
Serrill
Kilroy, Ex-Officio

HIGHWAYS

Stank, Chairman
Pettit, Vice-Chairman
Welsh, Matthew
Balthaser
Hirsch
Moul
Harmuth
Boney
Kenehan
Gryskewicz
Marks
Brunner, Paul A.
Thompson, Edw. F.
Allmond
Heatherington
Bentzel
Rush
Herman
French
Harris
Jones, Presley N.
Maxwell
Cook
Fiss
Gillette
James
Lee, Edw. A.
Stambaugh
Trout
Watkins
Wood, Lloyd H.
Muir
Kilroy, Ex-Officio

INSURANCE

Baker, Chairman
Regan, Vice-Chairman
O'Brien
Melchiorre
O'Neill
Gerard
Moul
Munley
Burris
Cohen, Reuben
Skale
Finestone
McClanaghan
Leonard
Hamilton
Tate
Bower
Eckels
Kline
Knoble
Rank
Sarge
Taylor
Wagner
Kilroy, Ex-Officio

JUDICIARY GENERAL

Brown, Chairman
Rosenfeld, Vice-Chairman
Readinger
Mihm
O'Connor
Weiss
Marks
Skale
Rosenfeld
Rose, Samuel
Chudoff
Herman
Tate
Auker
Bretherick
Cooper

Stine
Bentley
Voldow
McIntosh
Shaffer
Finestone
Cohen, Marshall
McClanaghan
Prosen
Eckels
McDowell
McKinney
Rose, Walter
Weingartner
Wood, Lloyd H.
Woodside
Kilroy, Ex-Officio

JUDICIARY SPECIAL

Reuben Cohen, Chairman
McIntosh, Vice Chairman
Allmond
Voldow
Prosen
Modell
Levy
Brunner, Paul
Finestone
Longo
Readinger
McLanahan
Reynolds
Rose, Walter
Shaffer
Woodring
Young
Munley
Cohen, Marshall
Bentley
Jones, Presley N.
Brunner, Chas. H.
Haines
Jones
Leydic
Lichtenwalter
McSurdy
Reagan
Sarge
Simons
Sorg
Kilroy, Ex-Officio

LABOR

Lovett, Chairman
Rush, Vice-Chairman
Chervenak
Stank
Falkenstein
Bradley
Moran
Keenan
Holland
Nagel
Williams
McLane
Kenehan
Gallagher
Komorofski
Corrigan
Owens
Heatherington
Bentzel
Regan
D'Ortona
Leonard
Pettit
Polaski
McDermott
Hersch
Dalrymple
Elder
Fleming
Fletcher
Hall
Imbrie
James
Knoble
Lyons
Rhea
Kilroy, Ex-Officio

LAW AND ORDER

Melchiorre, Chairman
McLane, Vice-Chairman
O'Brien
Welsh, Matthew
Falkenstein
Malloy
Boies
Keenan
Corrigan
DiGenova
Cullen
Shepard
Mooney
Verona
Hare
Simons
Muir
Snyder
Dennison
Greenwood
Boorse
O'Dare
Kilroy, Ex-Officio

LEGISLATIVE APPORTIONMENT

Shepard, Chairman
Reynolds, Vice-Chairman
Lovett
Weiss
Cochran
Shaw
Wolf
Goodwin
Rooney
Maxwell
Finestone
Monks
Gryskewicz
Prosen
Cordier
Fiss
Jones
Lee, Edwin
Lichtenwalter
Rhea
Wood, Lloyd N.
Wood, Norman
Kilroy, Ex-Officio

LIQUOR CONTROL

O'Brien, Chairman
Malloy, Vice-Chairman
Melchiorre
McDermott
Gerard
Lovett
Stank
O'Neill
Scanlon
Finnerty
Boies
Powers
Baker
Brown
Moul
Reese, Russell
Munley
Skale
Corrigan
Ackerman
Levy
Falkenstein
Cook
Fisher
Habbyshaw
Imbrie
Jones
Kline
Krise
Lyons
Royer
Reese
Kilroy, Ex-Officio

MILITARY AFFAIRS

Matthew, Welsh, Chairman
Monks, Vice-Chairman
O'Neill
Malloy
Baugher
Hamilton
DiGenova
Jefferson
McClanaghan
Kolankiewicz
Schwab
Hersch
Levy
Woodring
Boise
Kenehan
Holland
Nagel
Mihm
Rush
Stank
Vincent
Boorse
Cordier
Dix
Gillan
Helm
Royer
Sarge
Taylor
Thompson
Cadwalader
Kilroy, Ex-Officio

MINES AND MINING

O'Neill, Chairman
Williams, Vice-Chairman
Stank
Welsh, Matthew J.
Bradley
Reese, Russell
McLane
Kenehan
Munley
Tarr
Gryskewicz
Gallagher
Komorofski
Owens
McGrath
Wright
Lesko
Petrosky
Burns
Monks
Flynn
O'Connor
Dennison
Hewitt
Imbrie
Knoble
McDowell
Reese, David P.
Thompson, Ronald L.
Wagner
Hare
Leisey
Kilroy, Ex-Officio

MOTOR VEHICLES

Carrigan, Chairman
Vogt, Vice-Chairman
Mihm
Cochran
Boney
Williams
Welsh, Ellwood
Rausch
D'Ortona
O'Mullen
Wright
Croop
Duffy
Munley
Dennison
Gillette
Habbyshaw
Lichtenwalter
Royer
Stockham
Trout
Turner
Kilroy, Ex-Officio

MUNICIPAL CORPORATIONS

Weiss, Chairman
Munley, Vice-Chairman
O'Connor
Moran
Longo
Auker

Welsh, Ellwood
Goodwin
Bentley
Jones, Presley N.
Monks
Jefferson
Bentzel
Cohen, Marshall
Cullen
Fletcher
Muir
Watkins
Wilkinson
Cordier
Taylor
Cadwalader
Kilroy, Ex-Officio

PRINTING

Bradley, Chairman
Komorofski, Vice-Chairman
Finestone
O'Mullen
Kolankiewicz
Hersch
Brunner, Paul A.
Rausch
Pettit
Cullen
Flynn
Herman
Jones, Presley N.
McIntosh
Dix
Hewitt
James
McMillen
Auker
Fisher
Lee, Edwin A.
Rose, Walter E., Jr.
Kilroy, Ex-Officio

PROFESSIONAL LICENSURE

Scanlon, Chairman
Schwab, Vice-Chairman
Falkenstein
O'Neill
Malloy
Finnerty
Boies
Nagel
Kenehan
Munley
Thompson, Edw. F.
Welsh, Elwood
Levy
Yester
Regan
Maxwell
Wright
Elliott
Kolankiewicz
Reese, Russell
Sarraf
Wolf
Imbrie
Lee, Thomas
O'Dare
Wilkinson
Winner
Habbyshaw
Krise
Kilroy, Ex-Officio

PUBLIC HEALTH AND SANITATION

Sarraf, Chairman
Hering, Vice-Chairman
Boney
Shepard
Maxwell
D'Ortona
Verona
Dolon
Elliott
Kolankiewicz
Jefferson
Duffy
Regan
Reese, Russell
Brunner, Charles H. Jr.
Dalrymple
Ely
Gillan
Gross
Serrill
O'Dare
Knoble
Kilroy, Ex-Officio

PUBLIC UTILITIES

Falkenstein, Chairman
Kenehan, Vice-Chairman
O'Brien
Melchiorre
Lovett
Gerard
Scanlon
O'Neill
Moran
Harkins
Holland
Moul
Schwab
Marks
Corrigan
Cohen, Reuben
Thompson, Edw. F.
Achterman
Rosenfeld
Rush
Dolon
O'Mullen
McDermott
Fletcher
Hewitt
Lee, Thomas
Stockham
Watkins
Winner
Woodside
Riley
Wilkinson
Rover
Kilroy, Ex-Officio

RAILROAD AND RAILWAYS

Moran, Chairman
Rooney, Vice-Chairman
Harmuth
Burris
Gallagher
Thompson, Edw. F.
Rausch
Monks
Polen
Hersch
McClanaghan
Jefferson
Early
Cohen, Reuben
Cadwalader
Cooper
Leisey
Leydic
Reese, David P.
Simons
Dennison
Kline
Kilroy, Ex-Officio

STATE GOVERNMENT

Readinger, Chairman
McFall, Vice-Chairman
Malloy
Brown
Skale
Achterman
Stine
Bentley
Yester
Reynolds
Shaffer
Vogt
Polaski
Hersch
Cullen
Allmond
Goodwin
Prosen
Wright
Lesko
Weiss
McDermott
Bretherick
Habbyshaw
Kline
McKinney
Sarge
Sollenberger
Stambaugh
Turner
Wagner
Simons
Kilroy, Ex-Officio

TOWNSHIPS

Nagel, Chairman
Goodwin, Vice-Chairman
Haberlen
Owens
Heatherington
McGrath
Pettit
Vogt
French
Lesko
O'Connor
Williams
Gallagher
Baugher
Hamilton
Stine
Elliott
Flynn
Marks
Tarr
Lovett
Cook
Gates
Leisey
Weingartner
Thompson
Gyger
McDowell
Reagan
Hall
James
Kilroy, Ex-Officio

WAYS AND MEANS

Gerard, Chairman
Burns, Vice-Chairman
Boies
O'Connor
Powers
Haberlen
Hirsch
Harkins
Holland
Sarraf
Shaw
Schwab
Boney
McLane
Skale
Rosenfeld
Achterman
Mihm
Rooney
Hering
Voldow
Levy
Brether
Cooper
Fiss
Gates
Hall
Huntley
Krise
Trout
Winner
Yeakel
Kilroy, Ex-Officio

WELFARE

Shaw, Chairman
Readinger
Lovett
Scanlon
Finnerty
Mooney
Hamilton
Jones, Presley N.
Duffy
Chudoff
Verona

Harmuth	Bower
Weiss	Brunner, Charles H., Jr.
Sarraf	Dix
Regan	Fisher
Shepard	Fleming
Achterman	Haines
Rosenfeld	Jones, George E.
Hering	Rank
Levy	Van Alsburg
DiGenova	Woodside
D'Ortona	Kilroy, Ex-Officio
Polen	

WORKMEN'S COMPENSATION

Levy, Chairman	
Herman, Vice-Chairman	
Chevernak	Cohen, Marshall
Stank	Leonard
Baker	Petrosky
Bradley	Kenehan
Moran	Auker
Hirsch	Elder
Harkins	Foor
Reese, Russell	Krise
Harmuth	Reese, David P.
Sarraf	Snyder
Williams	Wagner
Tarr	Huntley
Gallagher	Sorg
Tate	Leisey
Hering	Kilroy, Ex-Officio
Rush	

INTER-STATE COOPERATION

Boies, Chairman	
Kilroy	Lovett
Achterman	Turner

On the question,

Will the House adopt the resolution?

Mr. ACHTERMAN. Mr. Speaker, in connection with the report of the Committee on Committees, I wish to make this announcement that the prepared copies for the use of the members are not completed at the moment, but they will be placed in the boxes in the post office. Likewise copies will be sent to the press.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The members are now privileged to introduce bills by sending them to the Clerk's desk at the Speaker's left, signed and dated as of today. Three blue backed copies must be sent to the desk. The copy not bound is for your personal files.

If there is no objection the Chair will refer after adjournment the bills introduced this evening to the various Committees so that they can be printed and made available to the Committees.

Personal identification cards for each member are now in the Speaker's office.

The members of the Committee on Inter-State Cooperation are requested to meet in the Speaker's office immediately after adjournment.

BILLS INTRODUCED AND REFERRED

By Mr. O'NEILL. HOUSE BILL No. 1.

An Act to further amend paragraphs six and nineteen, and to eliminate paragraph seven, of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, "fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

Referred to the Committee on Education.

By Mr. MORAN. HOUSE BILL No. 2.

An Act authorizing cities, boroughs, towns and townships to construct, acquire, own, operate, control, sell and lease facilities for the production, generation, transmission, distribution or furnishing of natural or artificial gas, electricity, steam or water, or the collection, disposition or treatment of sewage and to furnish or render such services to the public within or beyond their corporate limits, or both; conferring the power of eminent domain, conferring certain powers and imposing certain duties on such municipalities, and the controller or auditors thereof, providing for and authorizing the incorporation and election of a board of directors to operate and manage such works and defining its powers and duties, conferring certain powers and imposing certain duties on the Pennsylvania Public Utility Commission, and prescribing penalties.

Referred to the Committee on Public Utilities.

By Mr. COOPER. HOUSE BILL No. 3.

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred and sixty-eight (P. L. 73), entitled "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," extending the same to discharges of honorably discharged members of the Civilian Conservation Corps; and increasing the fee payable by the county therefor.

Referred to the Committee on Counties.

By Mr. COOPER. HOUSE BILL No. 4.

An Act to add section one hundred twelve to the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations" by requiring the recording of all certificates of incorporation and copies of articles attached thereto, heretofore or hereafter issued under the provisions of said act; and prescribing penalties; to be collected by the Department of Justice.

Referred to the Committee on Corporation and Industry.

By Mr. FLEMING. HOUSE BILL No. 5.

An Act authorizing all counties, cities, boroughs, incorporated towns, townships and institution districts, to place their respective officers and employes in the State Employes' Retirement Association; prescribing the procedure to be followed; and authorizing a special tax to pay the expenses incident thereto; placing certain duties upon the State Treasurer, and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems; and providing in certain cases for the discontinuance of existing ones.

Referred to the Committee on State Government.

By Mr. COOPER. HOUSE BILL No. 6.

An Act to amend the act, approved the twenty-first day of April, one thousand nine hundred and thirty-seven (P. L. 331), entitled "An act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals," providing for the issuance of such medals free of charge, and for the reimbursement of the cost thereof heretofore paid.

Referred to the Committee on Military Affairs.

By Mr. NOBLE. HOUSE BILL No. 7.

An Act to amend section three of the act, approved the sixth day of April, one thousand nine hundred and eleven (P. L. 51), entitled "An act providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale, or exposing for sale, or having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation thereof," as amended, further regulating the adulteration of sausages by eliminating milk powder as an adulterant.

Referred to the Committee on Public Health and Sanitation.

By Mr. COOPER. HOUSE BILL No. 8.

An Act to amend the title and sections one and two of the act approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 106), entitled "An act prohibiting the discharge from public positions of Union soldiers without a reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union soldiers except for good reasons," by extending the provisions to all honorably discharged persons who served or shall hereafter serve in the military or naval service during any war in which the United States was engaged or may hereafter engage; and fixing penalties.

Referred to the Committee on Military Affairs.

By Messrs. FOOR and STAMBAUGH. HOUSE BILL No. 9.

An Act to amend section four as amended, and section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by exempting from such tax liquid fuels used for the operation of stationary engines and the operation of tractors and machinery used other than on the highways, and providing refunds of taxes paid on such liquid fuel.

Referred to the Committee on Ways and Means.

By Mr. KNOBLE. HOUSE BILL No. 10.

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," by further enlarging her capacity to acquire, enjoy, and dispose of her property.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 11.

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

Referred to the Committee on Judiciary General.

By Mr. MARKS. HOUSE BILL No. 12.

An Act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

Referred to the Committee on Counties.

By Messrs. GATES and HELM. HOUSE BILL No. 13.

To repeal the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procudure."

Referred to the Committee on Welfare.

By Mr. FLEMING. HOUSE BILL No. 14.

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at Irwin in Westmoreland County, the western terminus of the turnpike heretefore constructed by said commission, to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers

granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State Highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

By Messrs. GATES and HELM. HOUSE BILL No. 15.

A Joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section twenty.

Referred to the Committee on Constitutional Amendments.

By Messrs. GATES and HELM. HOUSE BILL No. 16.

An Act to amend section four hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing certain qualifications required of those seeking compensation.

Referred to the Committee on Labor.

By Mr. FLEMING HOUSE BILL No. 17.

An Act to add subsection (d) to section 402, to amend section 607, to further amend section 610, subsection (a) of section 611, section 615, subsection (d) of section 1002, and to add subsection (c) to section 1203 and subsection (a.1) to section 1206 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof. upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; and evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalities; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," further regulating the registration of motor vehicles, the renewal and suspension of operators' licenses, and the issuance of duplicate license cards in certain cases where the applicant has violated the provisions of this act or local ordinances adopted under the authority of this act; changing the powers of peace officers in certain cases, and imposing duties on magistrates.

Referred to the Committee on Motor Vehicles.

By Mr. MARKS. HOUSE BILL No. 18.

An Act to further amend clause two of section one, and section four, six, seven, eight and fourteen of the act, approved the second day of June, one thousand nine hundred and thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encourageing the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," by making the provisions of the act applicable to children under sixteen years of age.

Referred to the Committee on Judiciary General.

By Messrs. FLEMING and SARRAF. HOUSE BILL No. 19.

An Act to amend section two, and clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L . 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooporate with, and to accept and disburse moneys received from, the United States Government for asistance to such persons; providing for the liquidation of the State Emmergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's assistance, and the State Emmergency Relief Board," as amended, eliminating from said act the provisions requiring milk to be furnished as a necessary part of assistance.

Referred to the Committee on Welfare.

By Mr. FLEMING. HOUSE BILL No. 20.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance: providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and to other persons requiring relief; providing for the administration of this act by the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emmergency Relief Board, Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's asistance, pensions for the blind, old age assistance, and the State Emmergency Relief Board." providing that the eligibility of an applicant for assistance shall not be affected by the finanical ability or condition of a relative by marriage, nor shall such relative be liable for asistance received.

Referred to the Committee on Welfare.

By Mr. FLEMING. HOUSE BILL No. 21.

An Act relating to and regulating the transportation of inflammable ilquids by commerical motor vehicles; requiring the owners of vehicles so employed to file a bond and the operators thereof to obtain a special permit; and

prescribing the powers and duties of the Department of Revenue in regard thereto; and providing penalties.

Referred to Committee on Motor Vehicles.

By Mr. BRETHERICK. HOUSE BILL No. 22.

An Act for promoting public health by requiring public toilets and urinals to be so constructed that the same shall be either self-flushing or shall be flushed by foot instead of by hand.

Referred to the Committee on Public Health and Sanitation.

By Mr. BRETHERICK. HOUSE BILL No. 23.

An Act to amend section one thousand and one of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, allowing and fixing compensation of councilmen.

Referred to the Committee on Boroughs.

By Mr. BRETHERICK. HOUSE BILL No. 24.

An Act to amend sections one and two, and to further amend section three of the act, aproved the eighth day of June, one thousand eight hundred and ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases, "authorizing a married woman to mortgage or convey her real property to the same extent as a married man; to make contracts as if unmarried and to become surety on any bond, bail or recognizance.

Referred to the Cimmittee on Judiciary General.

By Mr. BRETHERICK. HOUSE BILL No. 25.

An Act prohibiting any political subdivision from imposing any wage, income or occupation tax upon non-residents.

Referred to the Committe on Cities-First Class.

By Mr. DALRYMPLE. HOUSE BILL No.26.

An Act to further amend the act, aproved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles tractors, street cars, trackless trolley cars, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subjest matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by permitting the use of red electric signal lights under certain conditions on motor vehicles of volunteer firemen; placing certain duties on fire and assistant fire chiefs; further regulating the operation of motor vehicles on the highways and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 27.

An Act to amend subsection (a) of section one of the act, approved the twentieth day of June, one thousand nine hundred thirty-nine (P. L. 508), entitled "An act defining the rights, powers and duties of collectors of county taxes, except in counties of the second class and counties having local or special laws relating thereto, and of collectors of city, in cities of the third class, borough, town, township, school district and institution district taxes; providing for the collection of such taxes by suit, distraint and lien and sale of the chattels of taxables and of tenants on the real estate affected, and from employers of deliquent taxables; authorizing the appointment of deputies by the tax collectors; defining certain defaults of tax collectors as embezzlements and imposing penalties," by prohibiting the right to collect delinquent percapita, poll and occupation taxes by distress and sale of the goods and chattels of the delinquent taxable.

Referred to the Committee on Ways and Means.

By Mr. ECKELS HOUSE BILL No. 28.

An Act providing for the regulation of certain motor vehicle races by the Pennsylvania Motor Police.

Referred to the Committee on Motor Vehicles.

By Mr. ECKELS. HOUSE BILL No. 29.

An act to further amend section six hundred and six, and subsection (a) of section eight hundred and twenty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates; aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by removing certain exemptions in favor of owners and operators of motorcycles.

Referred to the Committee on Motor Vehicles.

By Mr. BRETHERICK. HOUSE BILL No.30

An act to add section seven hundred thirty-four to the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," providing for the punishment of male persons assaulting female persons by fist or weapon.

Referred to the Committee on Judiciary Special.

By Mr. ROSENFELD. HOUSE BILL No. 31.

An Act requiring cities of the first class to allow members of the police departments, twenty-four consecutive hours of rest each week, and fourteen days' vacation each year, except in emergency cases.

Referred to the Committee on Cities-First Class.

By Mr. ROSENFELD. HOUSE BILL No. 32.

An Act to amend paragraph one of subsection (e) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees, herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases, and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by further defining exemption granted minor child or children.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 33.

An Act to further amend subsection (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by establishing minimum amounts to be granted to certain recipients of public assistance.

Referred to the Committee on Welfare.

By Mr. ROSENFELD. HOUSE BILL No. 34.

An Act prohibiting the levying of a district sales tax by political subdivisions of this Commonwealth.

Referred to the Committee on Cities-First Class.

By Mr. ROSENFELD. HOUSE BILL No. 35.

An Act prohibiting the taxation of income, salaries and wages by political subdivisions of this Commonwealth.

Referred to the Committee on Cities--First Class.

By Mr. ROSENFELD. HOUSE BILL No. 36.

An Act providing for the insuring of the lives of officers and members of fire and police departments in cities of the first class; vesting certain powers and duties in the Department of Property and Supplies; and providing a penalty.

Referred to the Committee on Cities--First Class.

By Messrs. MIHM and WILKINSON.
HOUSE BILL No. 37.

An Act to further amend section two, and clause (b) of section four, of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by eliminating the requirement that milk orders shall be included in cases where relief is given.

Referred to the Committee on Welfare.

By Mr. CHUDOFF. HOUSE BILL No. 38.

An Act to amend section four hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidden importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," as amended, by permitting sales of liquor by hotel and restaurant licensees for consumption off the premises within certain limitations.

Referred to the Committee on Liquor Control.

By Mr. CHARLES H. BRUNNER. HOUSE BILL NO. 39

An Act to amend section one thousand two hundred and fifteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department

of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing funds," by reducing the period of time allowed certain individuals to report cars struck by bullets; and providing a penalty.

Referred to the Committee on Motor Vehicles.

By Mr. CHARLES H. BRUNNER. HOUSE BILL NO. 40.

An act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of Public Safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolly omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties on the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, Justices of the Peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by permitting the use of red signal lights and sound devices on certain additional vehicles; changing the provisions concerning rights of way and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. ELY. HOUSE BILL NO. 41.

An act to amend section twelve of the act, approved the twelfth day of May, one thousand nine hundred and twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," changing the requirements for the execution of a statement of cancellation of a conditional sales contract.

Referred to the Committee on Judiciary General.

By Mr. HOLLAND. HOUSE BILL NO. 42.

An Act requiring the Department of Revenue to collect or enforce payment of hospital charges in cases of injuries resulting from motor vehicle accidents; requiring the Commonwealth to pay such charges out of the Motor License Fund in certain cases; appropriating the money therefor; and providing for subrogations.

Referred to the Committee on Appropriations.

By Mr. LICHTENWALTER. HOUSE BILL NO. 43.

An Act to further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," providing that no licensee shall be cited to appear before the board or its examiners, nor have his license suspended or revoked, for any alleged violation of law or regulation for which prosecution has been brought and no conviction found.

Referred to the Committee on Liquor Control.

By Mr. LICHTENWALTER. HOUSE BILL NO. 44.

An act to further amend the penalty clause of section nine hnudred three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," making the non-operating owner of a vehicle liable, and exonerating the operator thereof in certain cases when such vehicle is involved in violations of said act relative to overweight.

Referred to the Committee on Motor Vehicles.

By Mr. LICHTENWALTER. HOUSE BILL NO. 45.

An act providing for the filing, in the orphan's court, of the record of birth of persons heretofore born in Pennsylvania, but whose birth is not on public record.

Referred to the Committee on State Government.

By Mr. GREENWOOD. HOUSE BILL NO. 46.

An act to amend section four, as amended, and section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty- one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof, requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by exempting from such tax, liquid fuels used for the operation of stationary engines and the operation of tractors and machinery used exclusively for agricultural purposes; and providing refunds of taxes paid on such liquid fuel.

Referred to the Committee on Ways and Means.

By Mr. GREENWOOD. HOUSE BILL NO. 47.

An Act relating to the registration of motor vehicles, trailers and semi-trailers as defined by the Vehicle Code, and of tractors and trailers as defined by the Tractor Code, and the licensing of operators thereof; and establishing in each county a branch office of the Department of Revenue.

Referred to the Committee on State Government.

By Mr. GREENWOOD. HOUSE BILL NO. 48.

An Act to amend section seven hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highway of this Commonwealth; providing for the titling, including liens, encumbrances, and legal caims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, changing the registration fee for certain pick-up trucks with cab.

Referred to the Committee on Motor Vehicles.

By Mr. EDWIN A. LEE. HOUSE BILL NO. 49.

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

COMMITTEE MEETINGS

The Special Committee for Investigating Sewing Projects will meet in the Chief Clerk's Office at 10 A.M., Tuesday, January 14, 1941.

The Presidential Inaugural Committee will meet in the Chief Clerk's office immediately after adjournment.

ADJOURNMENT

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until Monday, January 27, 1941, at 9 P.M.

The motion was agreed to, and (at 10:08 P.M.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

ession 1941. 135th of the General Assembly.

ol. 25. HARRISBURG, PA., MONDAY JANUARY 27, 1941. No. 3.

SENATE

MONDAY, January 27, 1941

The Senate met at 4:00 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. wis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the lowing prayer:

Almighty God, who hast been our greatest friend at all nes whether we actually recognize the fact or not, we e pleased to speak with Thee now to ask for Thy guidance the performance of our duties throughout another legis- ive day. Earnestly seek we Thy favor and deliberately ll we upon Thy holy name invoking Thy divine presence. ncerely believing Thou art here in our midst we assume r responsibilities which, we pray, may be discharged al- ys in the perpetual interest of our great Commonwealth d her people. Let no one labor here in any other interest r for any other cause.

We are not unmindful of the yet greater tasks of National gislation and responsibilities and of direct action which volve upon our nation, her leaders and her law-makers. or either of the gravity of the situation overseas which ars a constant threat to the integrity and safety of our tion. May we build our bulwarks of defense in an in- lligent and practical faith in Thee first and then those of condary importance, of our shores, our government, our stitutions and our hearth-stones.

In Thine own province, annul the acts of subversiveness thin our borders and teach us anew the ideals of a god- aring citizenship practically applied throughout our en- e nation regardless of race, color or creed. "In unity strength" and may that untiy be strengthened now rough the bonds of a common fraternity in Thee. Our nds and hearts await Thy blessing now as we apply them our labors. We pray in Jesus name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present e Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding ssion, when, on motion of Mr. EALY and Mr. GELTZ, the rther reading was dispensed with, and the Journal was proved.

LEAVES OF ABSENCE

Mr. GELTZ asked and obtained leave of absence for the nator from Mercer, Mr. THOMAS, due to the death of s mother, who is to be buried tomorrow afternoon.

Mr. JASPAN asked and obtained leave of absence for the Senator from Philadelphia, Mr. DiSILVESTRO.

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, on account of sickness.

PETITIONS AND REMONSTRANCES

PETITION URGING MODIFICATION OF COMPULSORY SCHOOL LAWS

Mr. EALY. Mr. President, I have here a petition signed by a number of the members of the Amish Mennonite Church of the community of Somerset, requesting modification of the compulsory school laws.

I suggest, Mr. President, the petition be referred to the Committee of Education.

The petition was referred to the Committee on Education.

PETITION FROM THE CUMBERLAND BOARD OF ASSISTANCE

The Chair called to the attention of the Senate the following Petitions and Remonstrances:

Petition addressed to Honorable Samuel Lewis, dated July 15, 1940, resolving that Cumberland County Board of Assistance go on record recommending that Act No. 383, approved June 26, 1939, is not practical and should be discontinued and urging repeal of Act No. 383.

PETITION URGING PASSAGE OF DEFICIENCY APPROPRIATION TO COVER PAYMENT UNDER OCCUPATIONAL DISEASE ACT

Also Petition submitted by United Electrical, Radio and Machine Workers of America, local No. 606, Greensburg, Pennsylvania, dated January 7, 1941, urging that the Senate pass a deficiency appropriation to cover payment under the occupational disease act.

PETITION OF AMISH CHURCH LEADERS OF PENNSYLVANIA

Also Petition presented by Amish church leaders of Pennsylvania, Lancaster County, dated January 2, 1941, petitioning General Assembly to modify compulsory school laws of Pennsylvania.

PETITION OF UNITED MINE WORKERS OF AMERICA, LOCAL UNION No. 190

Petition dated January 17, 1941 urging enactment of modified unemployment compensation laws.

REPORT OF PHILADELPHIA SAVING FUND SOCIETY

The PRESIDENT. The Chair notes receipt of report of the Philadelphia Saving Fund Society, as required under Section No. 3 of the Act of March 15, 1824, Pl. No. 48.

(For report see Appendix).

REPORT OF WESTERN SAVING FUND SOCIETY OF PHILADELPHIA

The PRESIDENT. The Chair notes receipt of report of the Western Saving Fund Society of Philadelphia in conformity with Article No. 1 of the charter of the society.

(For report see Appendix).

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUDGE OF COMMON PLEAS COURT OF THE 53d JUDICIAL DISTRICT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania,

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Matthews, Jr., New Castle, Lawrence County, for appointment as Judge of the Court of Common Pleas of the Fifty-third Judicial District, composed of the County of Lawrence, until the first Monday of January, 1942, vice Thomas W. Dickey, resigned.

ARTHUR H. JAMES.

NOMINATION OF JUSTICE OF PEACE OF TOWNSHIP OF WASHINGTON, FRANKLIN COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania,

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Merle E. McClain of Blue Ridge Summit, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania,

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

JUSTICE OF PEACE OF BRADFORD COUNTY

Henry E. Dunn, 318 Main Street, Towanda, Bradford County, for appointment as Justice of the Peace in the Borough of Towanda, Bradford County, until the first Monday in January, 1942, vice Harry N. White, deceased.

JUSTICE OF PEACE OF GREENE COUNTY

Andrew P. Beres, Box 4, Greensboro, Greene County, for appointment as Justice of the Peace in the Borough of Greensboro, Greene County, until the first Monday in January, 1942, to fill a vacancy.

JUSTICE OF PEACE OF LANCASTER COUNTY

H. B. Wittel, Wood Street, Florin, Lancaster County, appointment as Justice of the Peace in the Township East Donegal, Lancaster County, until the first Monday January, 1942, to fill a vacancy.

JUSTICE OF PEACE OF MONTGOMERY COUNTY

William H. Swartz, 355 West Broad Street, Telf Montgomery County, for appointment as Justice of Peace in the Borough of Telford, Montgomery County, u the first Monday in January, 1942, to fill a vacancy.

JUSTICE OF PEACE OF NORTHUMBERLAND COUN

Willard K. Mettler, Elysburg, Northumberland Cou for appointment as Justice of the Peace in the Towns of Ralpho, Northumberland County, until the first Mon in January, 1942, vice William M. Martz, deceased.

JUSTICE OF PEACE OF TIOGA COUNTY

Louis F. Longwell, Rutland, Tioga County, for appo ment as Justice of the Peace in the Borough of Rosev Tioga County, until the first Monday in January, 1 to fill a vacancy.

ARTHUR H. JAME

APPOINTMENT AS MEMBERS OF THE STATE BOA OF HOUSING

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 194

To the Honorable, the Senate of the Commonwealth Pennsylvania,

In conformity with law, I have the honor hereby nominate for the advice and consent of the Senate following persons for appointment as members of the S Board of Housing:

George E. Evans, Pittsburgh, Allegheny County, u August 17, 1945, and until his successor is appointed qualified.

Vance C. McCormick, Harrisburg, Dauphin County, u August 17, 1944, and until his successor is appointed qualified.

Charles L. Suhr, Oil City, Venango County, until Aug 17, 1943, and until his successor is appointed and quali

Arthur C. Kaufmann, Ardmore, Montgomery Cou until August 17, 1942, and until his successor is appoin and qualified.

Tudor R. Williams, Scranton, Lackawanna County, u August 17, 1941, and until his successor is appointed qualified.

ARTHUR H. JAME

REPORT FROM COMMITTEE

Mr. JAMES from the Committee on Executive Nomi tions reported with a favorable recommendation the lowing nominations, made by His Excellency, the Gover which are as follows:

NOMINATIONS BY THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 7, 194

To the Honorable, the Senate of the Commonwealth Pennsylvania:

In conformity with law, I have the honor hereby nominate for the advice and consent of the Senate, following named persons to be Notaries Public for the Co monwealth of Pennsylvania for the term of four years compute from the date of their confirmation:

ADAMS COUNTY

Miss Mildred A. Vidder, Gettysburg.
William J. Yingling, Littlestown.

ALLEGHENY COUNTY

Leroy E. Ulrich, Pittsburgh.
Miss Hilda Munns, Pittsburgh.
Charles B. Shapiro, Pittsburgh.
Samuel Wesoky, Pittsburgh.
Kenneth D. Jones, Homestead.
Miss Anna J. Collins, Pittsburgh.
Miss Marion B. McCall, Pittsburgh.
Mrs. Lela M. Riley, Pittsburgh.
Miss Mildred M. Trautwein, Pittsburgh.
Fred J. Herrington, Pittsburgh.
Miss Mary Kruth, Pittsburgh.
James B. Moore, Pittsburgh.
Thomas M. Constantin, Pittsburgh.
R. G. DeFilippo, Pittsburgh.
Miss Lillian B. King, Pittsburgh.
Frank X. Weis, Pittsburgh.
Miss Catherine J. Monahan, Pittsburgh.
James Crouse, Ross Twp.
Mrs. Ruth England, Pittsburgh.
I. Harry Goldberg, McKeesport.
Miss Gladys Kratz, Pittsburgh.
Leroy L. Lewis, Pittsburgh.
Mrs. Alice B. Coleman, Caraopolis.
John P. Manion, Scott Twp.
Miss Sara Jane Bour, Pittsburgh.
William P. Cawley, Pittsburgh.
Mrs. Edna Christopher, Pittsburgh.
Miss Mary M. Kraus, Pittsburgh.
Hugo E. J. Schwenke, Jr., Pittsburgh.
Clyde E. Donaldson, Pittsburgh.
Mrs. Margaret Winkler, Pittsburgh.
R. K. Eastman, Pittsburgh.
Ralph E. Graham, Carnegie.
Mrs. Glenna E. Hollis, Aspinwall.
Miss Martha Mae Clowes, Pittsburgh.
Mrs. Helen Henderson, Pittsburgh.
Elmer S. Messer, Pittsburgh.
George A. Briggs, Jr., McKeesport.
J. S. Rockwell, Elizabeth.
Anthony A. Barrante, Pittsburgh.
E. C. Buerklet, Pittsburgh.
John G. Dunay, Pittsburgh.
Miss Edna P. Fischer, McKees Rocks.
Elmer H. Fuehr, Pittsburgh.
Wm. B. Henninger, Pittsburgh.
J. W. Holland, Carnegie.
P. J. Hyland, Pittsburgh.
Robert E. Langdon, Pittsburgh.
Miss Jeanne Levinson, Pittsburgh.
Walter R. McDonough, Pittsburgh.
E. S. McPherson, Pittsburgh.
Walter J. Mesing, Brentwood.
C. L. Richey, Coraopolis.
Hymen Schlesinger, Pittsburgh.
Elmer R. Schuetz, Sharpsburg.
Miss Margaret Weigand, Pittsburgh.
Edgar Wright, Pittsburgh.
Wm. H. Dalzell, Pittsburgh.
H. deS. Kennedy, Pittsburgh.
Chas. F. McClintock, Stowe Twp.
Miss Florence R. Bowers, Duquesne.
Miss Ella M. Ryan, Pittsburgh.
James H. Cunningham, Pittsburgh.
Harry E. Kingan, Duquesne.
Miss T. Eleanor Austerlitz, Pittsburgh.
Walter J. Besterman, Sewickley.
Merton F., Dake, Pittsburgh.
Miss Julia Donovan, Pittsburgh.
Herman Stratman, Pittsburgh.
Charles Thatcher, Jefferson Twp.
Miss Ellen C. Hoge, Pittsburgh.
Francis L. Milton, Pittsburgh.
Miss Catherine Snyder, Pittsburgh.
Wilbur J. White, Pittsburgh.
Floyd W. Goodwin, Pittsburgh.
Justus H. Haun, Pittsburgh.
H. G. Hedstrom, Pittsburgh.
Mrs. Stella M. Kaiser, Pittsburgh.
Fred H. Brenner, Pittsburgh.
Paul L. Kesel, Pittsburgh.
Herman Litman, Braddock.
C. Fred Rebhun, Clairton.
Miss Muriel Wilson, Pittsburgh.
Miss Thelma McCandless, Pittsburgh.
Miss Elizabeth M. Scheib, Pittsburgh.
Miss Henrietta Perkinson, Wilkinsburg.
Robert D. Waggener, Pittsburgh.
T. D. Jacobs, Pittsburgh.
Miss L. M. Fire, Pittsburgh.
J. A. Seibert, Pittsburgh.
Geo. S. Barr, Pittsburgh.
Mrs. Louise C. Dull, Pittsburgh.
Frank E. King, Pittsburgh.
Arthur D. Keagy, Castle Shannon.
W. R. Shoup, Jr., Pittsburgh.
George A. Slater, Pittsburgh.
Walter L. Wickard, West Homestead.
Miss Sara Doole, Pittsburgh.
Miss Glenda M. Fitch, Crafton.
Louis Katz, Pittsburgh.
Jack E. Scott, Sewickley.
Raymond O. Toperzer, Pittsburgh.
Miss Helen K. Banjanin, Pittsburgh.
William C. Casley, Patton Twp.
U. Clark Swengel, O'Hara Twp.
L. C. Morehouse, Pittsburgh.
John G. Clark, Bethel Twp.
Louis Winterhalter, Pittsburgh.
Cecil C. Harper, Coraopolis.
Virgil F. Bowyer, Pittsburgh.
Miss Esther M. Groetzinger, Pittsburgh.
Miss Anna M. Gauscheman, Pittsburgh.
Geo. A. Hagenlocher, Pittsburgh.
T. C. Dummett, Pittsburgh.
J. M. Greer, Mifflin Twp.
Miss Ellanora Joyce, Mt. Lebanon Twp.
Norman V. Tate, Pittsburgh.
Miss Eleanor M. Weismiller, Wilkinsburg.
Miss Madeline Levinson, Pittsburgh.
Miss Elizabeth Alleman, Pittsburgh.
Morris Gordon, Pittsburgh.
Joseph A. Wells, Pittsburgh.
Arthur Wessel, Dormont.
Ralph S. Adams, Crafton.
C. Homer Chadwick, Penn Twp.
Miss Alyce A. Pifer, Braddock.
Mrs. Sally Stein, Pittsburgh.
David J. McBeth, Jr., Pittsburgh.
Miss Mary M. Smethana, Pittsburgh.
Mrs. Thelma Hayes West, Pittsburgh.
Clyde L. Patterson, Clairton.
Fred K. Becker, Jr., Mt. Lebanon Twp.
Philip Goldstein, Pittsburgh.
Thomas Laird, Castle Shannon.
Joseph Moore, Homestead.
Mrs. Alice B. Williams, Pittsburgh.
L. R. Behers, Moon Twp.
Fred P. Benthin, Pittsburgh.
Russell E. Boyer, Pittsburgh.
Mrs. Margaret Brooks, Sharpsburg.
Miss Jeannette Burkhart, Wilkinsburg.
A. Perry Everstine, Pittsburgh.
N. A. Michalski, Pittsburgh.
Mrs. Constance T. Huber, Pittsburgh.
Miss Alma Grace Culin, Mt. Lebanon Twp.
Charles Estelle, Pittsburgh.
Miss Margaret E. Robinson, Duquesne.
Mrs. E. M. Davis, Stowe Twp.
Russell E. Johnston, Pittsburgh.
Miss Lillian I. Marshall, Pittsburgh.
Joseph Sabol, Jr., Duquesne.
Clyde J. Beavers, Pittsburgh.
A. T. Downey, Pittsburgh.
Mrs. Catherine M. Lang, McKeesport.
Miss Eva G. Scardamalia, Pittsburgh.
W. C. Smitley, Swissvale.
Emanuel Williams, Pittsburgh.
Mrs. Anne B. Swinney, Pittsburgh.
Miss Dorothy R. Kelly, Pittsburgh.
Miss D. H. Till, Pittsburgh.

Mrs. Edna Klinger Fisher, Pittsburgh.
Mrs. Cora Bryan, Duquesne.
Thos. F. Maxwell, West Homestead.
Miss Dorothy J. Collins, Pittsburgh.

ARMSTRONG COUNTY

Mrs. Margaret S. Dorfield, Gilpin Twp.
Charles L. Miller, Kittanning.
W. Mack Guthrie, Apollo.
W. M. McCune, Apollo.
Mrs. Alena Barger Westall, Kittanning.

BEAVER COUNTY

Mrs. Gladys A. Fitch, Aliquippa.
Samuel B. Laughner, South Heights.
Miss Anna Steiner, Beaver Falls.
Miss Josephine Lutz, Beaver Falls.
Miss Harriet J. Otto, Beaver Falls.
Miss Gladys V. Dickey, Beaver.
Ellsworth J. Zitzman, Rochester.
Mrs. Jean F. Dowdell, New Brighton.
William Bechtel, Monaca.
John Howell, Aliquippa.
Elmer Kross, Beaver Falls.
Miss Hazel M. Curti, Beaver Falls.
Mrs. LaVaughn Todd, Aliquippa.

BEDFORD COUNTY

Miss Dorothea J. Carnell, Bedford.
Jordan F. Gates, Bedford.
K. A. Thomas, Bedford.

BERKS COUNTY

Miss Anna V. Albrecht, Reading.
J. K. Brintzenhoff, Reading.
J. Walter Miller, Laureldale.
Miss Kathryn M. Rhoda, Reading.
Robert B. Temple, Reading.
Mrs. Esther W. Fisher, Reading.
M. R. Leeser, Topton.
Warren W. Swoyer, Reading.
P. A. Scheck, Reading.
Paul F. Lanshe, Reading.
Mrs. Della N. Esterly, Mt. Penn.
Robert J. Master, Kutztown.
Milton F. Fegely, Shillington.
Leroy F. Werner, Mohnton.
Charles B. Ebling, Muhlenberg Twp.
Cornelius M. Brennan, Hamburg.
Mrs. Mildred M. Green, Reading.
Harry E. Herb, Muhlenberg Twp.
Wayne H. Albright, Reading.
Miss Mary E. Flemming, West Reading.
Mrs. Naomi M. Dunkelberger, Reading.

BLAIR COUNTY

John J. Clark, Tyrone.
Miss Dessa E. Sell, Hollidaysburg.
L. Oder Burket, Roaring Spring.
Martin Goodman, Altoona.
Miss Evelyn Kane, Altoona.
Mrs. Arda Rose Carberry, Hollidaysburg.
James H. Hay, Altoona.
John R. Bassler, Roaring Spring.
Miss Dorothy E. Reigh, Williamsburg.
Edwin A. Rudasill, Altoona.
Miss M. Eleanor Coxey, Altoona.
Bayard T. Skilling, Hollidaysburg.
Mrs. Mame McAleer, Altoona.

BRADFORD COUNTY

Mrs. Georgiana Williams, LeRaysville.
Miss Mary A. Bustin, Towanda.
A. S. Buckley, Athens.
Donald E. Merris, Towanda.
Mrs. Mary C. Tuton, Towanda.
Mrs. Nancy C. LaBarr, Sayre.

BUCKS COUNTY

Mrs. Stella G. Myers, Doylestown.
Harry W. Weierbach, Springfield Twp.
Paul D. Fretz, Perkasie.
Arthur H. Stackhouse, Lower Makefield Twp.
Miss Anna C. Nealis, Bristol.
Ray Z. Hartman, Quakertown.
Mrs. Mildred M. Spielman, Perkasie.
Miss Anita E. Lynn, Bristol.
Elwood M. Hazel, Bristol.
John S. Fenstermacher, Telford.
Howard B. Freed, Quakertown.

BUTLER COUNTY

Leo S. Duffy, Butler.
Leo A. Bloom, Butler.
W. O. Cruciger, East Butler.
Mrs. Ann H. Walker, Butler.
Miss Almyra, Pitts, Slippery Rock.
W. J. Uber, Slippery Rock.
R. W. Emerson, Butler.
Mrs. Helen Plaisted, Butler.

CAMBRIA COUNTY

Mrs. Ruth MacDonald, Ferndale.
Miss Zola K. Rodkey, Spangler.
Miss Edna M. Walker, Johnstown.
Mrs. Margaret Schmidt, Johnstown.
Mrs. Lillian C. Hassell, Johnstown.
E. F. Croyle, Johnstown.
Herman J. Werfel, Summerhill.
Mrs. Helen Butts, Johnstown.
Mrs. Margaret O. Cover, Johnstown.
Miss Augusta M. La Mantia, Nanty-Glo.
Paul D. Washington, Cresson.
Miss Dorothy B. Johnson, Johnstown.
Miss Evelyn F. Ream, Johnstown.
Miss Helen Michlo, Johnstown.

CAMERON COUNTY

Miss Lucille P. Bierly, Emporium.

CARBON COUNTY

Anthony F. Sander, Bowmanstown.
Mrs. Laura M. Diehl, Palmerton.
Miss Evelyn F. Gabert, Lehighton.
Kenneth H. Seaboldt, Lehighton.
Mrs. Mary Hoffman, Parryville.
Mrs. Arlene Zellner Hess, Palmerton.
Francis X. Koomar, Mauch Chunk Twp.
Andrew Shutack, Lehighton.

CENTRE COUNTY

A. L. Francis, Bellefonte.
Mrs. Louetta Neusbaum, State College.
Richard T. Baney, Bellefonte.
David F. Kapp, State College.
Mrs. Mary C. Clemson, State College.
William R. Long, State College.

CHESTER COUNTY

James S. Phillips, Tredyffrin Twp.
Mrs. Mary K. Eisenbrey, Phoenixville.
Mrs. Alma T. Newlin, Avondale.
Harold W. Hood, Coatesville.
Mrs. Mary Lafreeda, Phoenixville.
M. Stead Mauger, Malvern.
Hubert L. Snyder, Coatesville.
Miss Marthe Nields, Downingtown.
Miss Margaret M. O'Connor, Phoenixville.
S. Earl Entrekin, Jr., Downingtown.
Walter L. Amos, Coatesville.
Mrs. Marion G. Clark, West Chester.
Miss Anna E. Heald, West Grove.

CLARION COUNTY

Mrs. Mildred J. Stahlman, New Bethlehem.
Mrs. Susen E. Pierce, Knox.
Miss Laura E. Byèrs, Clarion.
Ellis L. Hatfield, Washington Twp.
Freas E. Powell, Clarion.
Miss Mercedes Meisinger, Clarion.
Nelson Wall, New Bethlehem.
Nelson Seigworth, Washington Twp.

CLEARFIELD COUNTY

William C. Nelson, Clearfield.
L. N. Rougeux, Clearfield.
Robert S. Walker, DuBois.

CLINTON COUNTY

Wilson P. Poorman, Lock Haven.

COLUMBIA COUNTY

Mrs. Jeanette Feldman, Bloomsburg.
E. Eugene Eves, Bloomsburg.
Mrs. Margaret Kyle, Millville.

CRAWFORD COUNTY

J. B. Trace, Meadville.
Miss Fidelia A. Richardson, Meadville.
Mrs. Alberta Winans Fish, Spartansburg.
Miss Marjorie J. Scott, Meadville.
Mrs. Anna T. Henretta, Meadville.
Thomas J. O'Laughlin, Meadville.
A. D. Stevens, Conneautville.

CUMBERLAND COUNTY

Luther K. Bowman, Newville.
Mrs. Rose B. Hippensteele, Shippensburg.

DAUPHIN COUNTY

Harvey J. Dowhower, Derry Twp.
Fred Collins, Harrisburg.
Miss Kathryn M. Quickel, Middletown.
Harry W. Cook, Harrisburg.
E. S. Nailor, Harrisburg.
Miss Florence Fegley, Lykens.
Charles B. Fishel, Harrisburg.
Doyle S. Poorman, Harrisburg.
Miss Amy A. Swab, Harrisburg.
Mrs. Catharine K. Smith, Harrisburg.
Miss Dorcas M. Keister, Harrisburg.
George E. Bowman, Harrisburg.
Miss Margaret G. Miller, Harrisburg.
Mrs. Josephine Hambright, Middletown.
Mrs. Beulah M. Kocher, Berrysburg.
Paul E. Deimler, Hummelstown.
Wilbur E. Buffington. Harrisburg.
Morley W. Baker, Harrisburg.
George D. Fry, Harrisburg.
R. Prince, Jr., Harrisburg.
Clarence M. Jones, Harrisburg.
R. B. Manley, Harrisburg.
Mrs. Corinne J. Lee, Harrisburg.
Miss Betty J. Sullivan, Harrisburg.
Miss E. Gertrude Dunn, Harrisburg.
Miss Miriam S. Pressel, Harrisburg.
Lewis W. Roberts, Harrisburg.
Miss Ina M. Sanders, Penbrook.
Robert R. Shaffner, Harrisburg.
Neil B. March, Millersburg.

DELAWARE COUNTY

Mrs. Alice McElroy, Chester.
Miss Frances E. Carlisle, Darby.
Miss Rena B. Van Zandt, Chester.
Mrs. Emma Q. Kelley, Radnor Twp.
Mrs. Evelyn S. Taylor, Chester.
Abraham Lachman, Ridley Park.
Miss Leona Collins, Newtown Twp.
Mrs. Christine N. Dallett, Upper Darby Twp.
Arthur M. Saunders, Springfield Twp.
T. P. Davis, Chester.
R. L. Headley, Radnor Twp.
J. Guy McCormick, Upper Darby Twp.
William J. Vogt, Upper Darby Twp.
William Rosen, Upper Darby Twp.
Martin F. Hatch, Upper Darby Twp.
Miss Bettie McKinney, Chester.
E. S. Quay, Upper Darby Twp.
William E. Griffith, Aston Twp.
John H. Steele, Clifton Heights.
Mrs. Florence Haines Rockwell, Chester.
Walter D. LoMasney, Darby.
John I. Davidson, Marcus Hook.
C. L. Roach, Upper Darby Twp.
W. A. Gray, Jr., Prospect Park.
Arthur J. Parsons, Upper Darby Twp.
Raymond W. Bradway, Chester.
Louis B. Nolan, Upper Darby Twp.
Charles Noll, Lansdowne.
Miss Orpha M. Rennie. Chester Twp.
Edgar J. Wilson, Lansdowne.
Mrs. Kathryn C. Sherrer, Glenolden.
John T. Titherington, Chester.
H. E. Ritchie, Lansdowne.
Miss C. I. Parks, Radnor Twp.
Edw. Rittenhouse, Lansdowne.

ELK COUNTY

J. R. Bauer,, St. Marys.
Miss Hilda A. Cannon, St. Marys.
Miss Clare Pontzer, St. Marys.
William D. Gallagher, Ridgway.

ERIE COUNTY

Miss Elva F. Jackson, Erie.
Mrs. Mary Sheridan Mowry, Erie.
Spencer A. Sisson, Erie.
Mrs. T. M. Swaney, Edinboro.
C. Manton, Emery, Erie.
Orrin M. Hillburg, Corry.
M. Hjalmer Johnson, Erie.
Alfred L. Lechner, Erie.
W. Everett Benson, Erie.
James E. Marsh, Erie.
Miss Shirley Phillips, Wesleyville.
Miss Irene R. Buzanowski, Erie.
W. Tighe Heinlein, Erie.
Harry R. Zoll, Erie.
Mrs. Florence E. McQuillen, Erie.
Miss Margaret L. Hough, Erie.
Mrs. Edna Brown, Springfield Twp.
Miss Rita Mulcahy, Erie.
Paul G. Atkins, Erie.
Miss Helen M. Wakefield, Erie.
Donald Huntingdon, Erie.
Otto G. Hitchcock, Jr., Erie.
Mrs. Marguerite A. Mattis, Erie.
Mrs. Veronica B. Humphries, Erie.
Miss Lynette Murray, Erie.
Mrs. P. L. Downs, Erie.

FAYETTE COUNTY

W. J. Hausman, Dunbar.
Victor Holt, Henry Clay Twp.
Mrs. Aurella A. Gibson, Brownsville Twp.
Miss Virginia Marshall, Uniontown.
John C. Reisinger, Uniontown.
S. C. Robinson, Uniontown.
Mrs. Sarah Mc. Neville, Uniontown.
Guido Gentile, Uniontown.
W. Leonard Dillinger, Point Marion.
Mrs. Mary Lucius, Uniontown.
Leo Haberer, Masontown.
Miss Edna L. Herrington, Upper Tyrone Twp.
L. P. Zimmerman, Uniontown.
Joseph M. Baron, South Union Twp.
Charles S. Hempstead, Menallen Twp.

FOREST COUNTY

W. J. Phillips, Hickory Twp.

FRANKLIN COUNTY

Harold W. Brake, Chambersburg.
J. C. Foust, Greencastle.

GREENE COUNTY

Mrs. Dorina B. Trout, Clarksville.
Willis E. Fox, Mt. Morris.
J. D. South, Greensboro.

HUNTINGDON COUNTY

Charles A. Bauer, Smithfield Twp.
Ralph H. Galbraith, Huntingdon.
John L. Gilliland, Warriors Mark Twp.

INDIANA COUNTY

Miss Dorothy Holsopple, Homer City.
George Marcus, Indiana.
Roy E. Penfield, Indiana.
S. J. Orange, Indiana.
Miss Ruth Marshall, Indiana.
Miss Esther Blyth, Indiana.

JEFFERSON COUNTY

Harry H. Nolph, Brookville.
B. L. Shobert, Sykesville.
Clifton P. Weaver, Brookville.

LACKAWANNA COUNTY

Miss Jane E. Clark, Scranton.
Robert A. Furiosi, Scranton.
Vincent McGowan, Throop.
W. E. Smith, Dalton.
Mrs. May N. Thompson, Scranton.
Miss Anna A. Pillot, Scranton.
Miss Ruth Harrity, Scranton.
Fred M. Francis, Dalton.
Miss Gretchen R. Davies, Scranton.
Louis M. Marcus, Scranton.
Mrs. Mary Lanuti, Scranton.
Daniel H. Jenkins, Scranton.
Miss Helen Munchak, Scranton.
Arthur J. Butler, Dunmore.
Ralph E. Davis, Scranton.
Miss Myriel R. Davies, Scranton.
Mrs. Dorothy C. Phillips, Scranton.
Leon N. Mruk, Dickson City.
Franklin Price, Moosic.
Miss Dorothy A. Miller, Scranton.
David Feldman, Scranton.
Miss Lillian P. Kiesel, Scranton.
Miss Mary Levins, Scranton.

LANCASTER COUNTY

Henry J. Erisman, Lancaster.
Miss Gertrude Pothke, Mount Joy.
Leroy S. Zell, Elizabethtown.
Charles R. Case, Lancaster.
H. S. Risser, Elizabethtown.
Miss Margaret E. Harkins, Lancaster.
J. Rankin Wiley, Fulton Twp.
Nelson K. Myers, Lancaster.
Miss Irene M. Hoover, Ephrata.
Joseph E. Fritz, Manheim Twp.
Miss Anna M. Hensel, Quarryville.
Mrs. O. S. Stoner, Lancaster.
Miss Ruth R. Huber, Lancaster.
Miss Helen M. Heist, Lancaster.
Miss Grace C. Offner, Lancaster.
Mrs. Helen S. Nolt, Lancaster.
Melvin K. Mentzer, Manheim.
Mrs. Florence L. Steele, Lancaster.
Mrs. Harriet L. Rhen, Lancaster.

LAWRENCE COUNTY

Joseph Solomon, New Castle.
Miss H. M. McCracken, New Castle.
Walter P. Simpson, Ellwood City.
C. L. Bauder, Ellwood City.
Miss Ann Lienert, New Castle.
Mrs. Elvie M. Mitchell, New Castle.
Clyde M. Buzard, Ellwood City.
Miss Mary A. Patterson, New Castle.
Mrs. Pauline V. Isaac, North Beaver Twp.
Frank B. Beale, Bessemer.
T. C. Ben, Ellwood City.

LEBANON COUNTY

Mrs. Mary Holahan, Lebanon.
Franklin H. Blouch, North Lebanon Twp.
George E. Yiengst, Swatara Twp.
Miss Therisa C. Fritz, Cornwall.
Miss Erma J. Light, Lebanon.
Mrs. Violet E. Webber, Heidelberg Twp.
Raymond W. Henry, Myerstown.
Irvin A. Reist, Palmyra.

LEHIGH COUNTY

Donald S. Weida, Lower Macungie Twp.
J. T. Wolfel, Allentown.
Miss Elizabeth M. Thesli, Allentown.
Oscar T. Iobst, Emaus.
Miss Fay Seaman, Allentown.
M. H. Andrews, Allentown.
O. R. Bittner, Allentown.
Fred. H. Schantz, Allentown.
Harold R. Fatzinger, Allentown.
Miss Dorothy W. Hagy, Allentown.
Mrs. Marjorie G. Snelling, Allentown.
Miss Frances V. Harris, Allentown.
Samuel Glickman, Catasauqua.
Mrs. Mary Rau Smith, Allentown.
Fred G. Harwick, Emaus.
Mrs. Emma E. Welsh, Coopersburg.
E. T. Kramer, Allentown.

LUZERNE COUNTY

J. Albert Spare, Hazleton.
Miss M. L. Grzybowski, Wilkes-Barre.
Oscar J. Parker, Pittston.
Charles P. Krick, Wilkes-Barre.
George B. Balcomb, Forty Fort.
Miss Elizabeth J. Homan, Wilkes-Barre.
Thomas F. Jacob, Wilkes-Barre.
Harry E. Jones, Kingston.
Miss Ceola M. Kishbaugh, Nescopeck.
Miss Winifred L. Curley, Wilkes-Barre.
Frederick J. Eck, Dallas.
S. N. Feidelman, Hazleton.
Albert N. Wallace, Wilkes-Barre.
James H. Hopper, Wilkes-Barre.
William T. Madden, Jenkins Twp.
Clem Krause, Nanticoke.
Howard R. Wright, Wilkes-Barre.
Nicholas V. Gerard, West Pittston.
Miss Mary Litavis, Hazleton.
Nicholas Walker, Hazleton.
Miss Margaret F. Adams, Wilkes-Barre.
Bernard C. Brennan, Hazleton.
Vernon T. Sorber, Union Twp.
A. Sterling Learn, Freeland.
Jerome W. Daylida, Wilkes-Barre.
T. P. Dolan, Plains Twp.
Miss Helen H. McPhillips, Wilkes-Barre.
Miss Ruth M. Schroeder, West Pittston.

LYCOMING COUNTY

Ernest J. Cruse, Picture Rocks.
Mrs. Margarette Minnick, Williamsport.
Norman A. Norrito, Williamsport.
James L. Thomas, Williamsport.

iss Beatrice L. Walton, Muncy.
iss A. Marie Ertel, Williamsport.
iss Mary Welteroth, Williamsport.
y H. Campbell, Williamsport.

McKEAN COUNTY

rs. Mildred Brandes, Bradford.
rs. Rita D. Quirk, Smethport.
igene R. Black, Mt. Jewett.
riffith A. Herold, Bradford.

MERCER COUNTY

rs. Nellie W. Mitchell, Grove City.
lvin R. Isenberg, Sharon.
enneth J. Kilner, Greenville.
T. Niece, Grove City.
oyal J. Morrison, Stoneboro.
oy E. Perrine, Greenville.
dmond H. Daurelle, Farrell.
lenn Hazlett, Sharon.
iss Florence Hilkirk, Hickory Twp.
rs. Eleanor Dale, Grove City.
rs. Mabel S. Wilson, Sharon.
rthur Courtney, Greenville.
illiam B. Reichard, Greenville.

MIFFLIN COUNTY

loyd E. Harman, Union Twp.
. M. Riddle, Granville Twp.
obt. B. Grubb, Lewistown.

MONROE COUNTY

Irs. Hazel B. Lauffer, Stroudsburg.
hester A. Coleman, Stroudsburg.
Iorace G. Walters, East Stroudsburg.

MONTGOMERY COUNTY

rancis A. Mahan, Lower Merion Twp.
red A. Clayton, Lansdale.
Irs. Florence K. Insley, Norristown.
ohn M. Koser, Lower Merion Twp.
rancis W. Wack, Schwenksville.
Irs. Betty M. Miller, Abington Twp.
alph N. Campbell, Conshohocken.
larry H. Schultz, Lansdale.
loyd M. Huston, Lower Providence Twp.
ohn P. Kenrie, Cheltenham Twp.
Irs. Ida G. Bone, Hatboro.
Irs. Marian R. Hand, Lower Merion Twp.
. George Hummel, Upper Dublin Twp.
Kendall S. Renninger, Cheltenham Twp.
Iiss Mary D. Casey, Whitemarsh Twp.
Herbert Goldberg, Jenkintown.
H. Earl Love, Bridgeport.
ames Herbert Egan, Norristown.
Iiss Mary H. Lanahan, Conshohocken.
Edward W. Jones, Whitemarsh Twp.
Iiss Marie J. Pollock, Jenkintown.
Iiss Gertrude E. Friskits, Hatboro.
Irs. Elizabeth Price Wilson, Cheltenham Twp.
larry I. Schotter, Lower Merion Twp.
Edward V. Schiesser, Upper Moreland Twp.
Iiss Marie, Patane, Cheltenham Twp.
Valter E. Dames, Pottstown.

NORTHAMPTON COUNTY

Alfred A. McCabe, Easton.
Irs. Miriam I. Whiting, Easton.
Clinton S. Lerch, Wilson.
Paul C. Seyfried, Nazareth.
A. S. Kichline, Hellertown.
Chas. H. Young, Bethlehem.
Irs. Beulah Huff, Hellertown.
Wilbert C. Best, Bethlehem.
Iiss Margaret Owen, Easton.
Iiss Elsie I. Smith, Bethlehem.
Iiss Mildred A. BenVenuti, Northampton.
A. C. Roray, Bethlehem.
Herbert Freeman, Bangor.
Miss Iva E. Krause, Bethlehem.
Frank L. Maurer, Easton.
A. M. Snyder, Bethlehem.
R. C. Steiner, Bethlehem.
Charles L. Voss, Easton.
Robert G. Rapp, Palmer Twp.
Miss Elizabeth J. Marrett, Easton.

NORTHUMBERLAND COUNTY

Emeriggio John Fincato, Mount Carmel.
Mrs. Katie W. Crissinger, Washingtown Twp.
L. J. Dildine, Turbotville.
Miss Mona A. Latsha, Jackson Twp.
T. B. Martin, Shamokin.
Miss Florine M. Rhoades, Shamokin.
Miss Maude E. Rubright, Mount Carmel.
John J. Barni, Shamokin.
Miss Anna Surak, Shamokin.
George W. Haupt, Sunbury.
Miss Marion A. Cook, Shamokin.
Joseph N. Zaleskie, Mount Carmel.
Mrs. Lillian S. Russell, Sunbury.

PERRY COUNTY

Mrs. Hazel A. Morrow, Centre Twp.

PHILADELPHIA COUNTY

Thomas Descano.
John A. Koltes.
John W. Armtsrong, Jr.
G. B. Rementer.
Wilmer W. Clayton.
Miss Marjorie E. Lucas.
Stephen Nocella.
Miss Ada Pearcey.
William L. Keeley.
Miss Helen B. Wick.
Wm. L. Mattern.
Miss Catharine C. Feerick.
Allen M. Rosenblum.
Charles G. Shubin.
James J. Gallagher.
Miss Catherine R. Murphy.
Miss Dolores Conover Klein.
Mrs. Elsie Miller.
F. Russell Conley.
Edmund D'Ambrosio.
Charles D. Moss.
Albert O. Petersen.
Miss Mary F. Cicchitti.
Nathan Stup.
William A. Thomas.
Miss Marie Trevi.
Walter B. Richards.
Miss Anastasia M. White.
Martin Zitomer.
Edwin B. Lyman.
Thomas R. MacFarland, Jr.
Mrs. Sarah F. Moore.
Miss Anna Roemer.
John J. Turchi.
Thos. A. Turkington.
Mrs. Dorothy Lewis.
Miss Cecile Reidenberg.
Milton Casper.
Mrs. Anne Gallagher.
Bernard S. Robinson.
Morton Robert Rosen.
Mrs. Elizabeth S. Garrison.
William H. Backhausen.
Miss Kathryn E. Burgess.
Linford B. Cassel, Jr.
Kenneth S. Clark.
Miss Ida DiBerardino.
Miss Margaret Esola.
Louis Feldman.
John P. Fletcher.
Joseph J. Gaffney.

Miss Frances E. H. Graham.
John W. Hartman.
Louis H. Henkels.
J. R. Hindle.
Miss Lillian M. Ingraham.
Miss Nellie S. Leeds.
James E. Mason.
Miss Dorothy C. Mellon.
Wm. J. Nellis.
Leon F. O'Neill.
Bernard Polen.
Miss Else W. Rennert.
Miss Mary I. Rittenhouse.
Miss Florence Salmore.
C. P. Smith.
David Tonkin.
Robert Vincent.
Wm. J. White.
Charles H. Woolsey.
Jules Hertz.
Mrs. Irene Payne.
Robert D. Armstrong.
Joseph A. Paxon.
Warren H. Koch.
Robert M. Wilson.
Miss Ida Damerau.
Miss Grace F. Blanch.
Garrett C. McCarter.
A. H. Beary.
Miss Mary T. Lavin.
Miss Anna H. Scherz.
Louis G. Waring.
Paul E. Beyer.
Harry Fogel.
Edwin E. Smith.
Frank A. Cooper.
Ashford G. Liles.
Miss Helen C. Weeks.
Miss D. M. Reis.
D. B. Gillman.
Thomas J. McOscar.
Miss Marie A. O'Hara.
Herman H. Dunn.
Miss Lucy M. Gagliano.
George R. Koenig.
Murray L. Alterman.
Lester S. Gibbs.
Stanley Rojewski.
Robert F. Garrison.
Clarence E. Linsley.
Mrs. Mary Paul.
John Shaw.
William J. Toy.
Matt A. Lynch.
Earl W. Lebo.
Miss Marguerite D. Lyons.
Miss Celia Balaity.
Nathan Rigberg.
Miss Reba G. Lichtenstein.
William E. Morse.
Harry O. Riepen.
Jackson Wheatley.
Miss Lillian N. Beby.
Miss Nora D. Benson.
Harry P. Buckley.
John B. Morgan.
Daniel A. Murphy.
Ross E. Harding.
George H. Metz.
Miss Ruth L. Wright.
C. Frank Ayer.
Jacob Sommerstein.
Anthony T. Vincent.
Miss Eleanor LaBattaglia.
Arthur Robinson.
Miss Mary E. Hines.
Mrs. Reba H. Nagle.
Frank J. Richards.
James B. Rock.
P. Chas. DeRita.
Leopold Segal.
Joseph F. Shaw.
Mrs. Florence Haldeman.
Miss Dorothy M. Gross.
Mrs. Signa G. Martin.
Horace Morrell.
Miss Della Farber.
Miss Clara M. Winch.
Mrs. Edna M. Reid.
August P. Schulz.
Miss Elsie Tschopp.
H. Trisdom Duke.
Miss Lavinia C. Jones.
Miss Elizabeth R. A. Maneely.
Miss N. Jane Ramsburg.
Mrs. Sarah Stern.
Joseph J. Bacher.
James F. Brown.
Harold Goodman.
Miss Denett Henkels.
Miss Anna Levin.
John J. Teeling.
Raymond H. Aucott.
H. Richard Bennewitt.
R. A. Gray.
Allen L. Cooper.
Louis T. Greenblatt.
Miss Lucy V. Tyl.
Herman M. Bloom.
Mrs. Anna Freifelder.
Stanley M. Getz.
Miss Sara M. Hayman.
George J. Pracht.
C. N. Scheetz.
Miss Henrietta E. Burger.
Howard T. Lodge, Jr.
Miss Eliazbeth B. Casey.
Mrs. Helen G. Krischker.
Howard McCready,
Geo. H. McGrath.
J. W. Reese.
Filer M. Searight.
Miss Marie D. Teti.
John F. Woodman.
Walter B. Carter.
James E. Egan.
Harry A. Lutz.
Miss Margaret M. Manning.
James G. Popp.
Miss Jeanne Salms.
Mrs. Mary S. Conrad.
Thomas Duncan.
John T. Schmidt.
Roy V. Williams.
Mrs. Lucy C. Greifzu.
Samuel Salkowe.
B. P. Collins.
J. J. Convery.
Miss Bertha Greenberg.
W. LeRoy Groom.
Miss Dorothea E. Hannigan.
Mrs. Daisy J. Hill.
Jules Hopman.
John Macauley.
Charles S. Pollock.
F. B. Priestley.
Miss Thelma M. Whalen.
Miss Catherine Irvin.
Harold J. Elkman.
Miss Margaret M. Lafferty.
Miss Gladys R. Breuninger.
Miss Ada L. Mann.
Miss Laura C. Cotter.
Charles L. Suermann, Jr.
Frederick Alfred Riegel.

PIKE COUNTY

Charles A. Foster, Milford.
Robert Werner, Delaware Twp.

POTTER COUNTY

W. F. Benson, Galeton.
Clark A. Crowell, Coudersport.

SCHUYLKILL COUNTY

Miss Mary L. Young, Port Carbon.
John F. McCauley, Shenandoah.
Miss Margaret M. Pepper, Pottsville.
Miss Helen Miernicki, Shenandoah.
Russell J. Moyer, Orwigsburg.
Mrs. Lillian A. Schuyler, Pottsville.
Miss Dora D. Thompson, Tower City.
Roy J. Zimmerman, Pine Grove.
Edward Wasileski, Gilberton.
LeRoy C. Shollenberger, Pottsville.
Miss Margaret K. Heiken, Pottsville.
Edward B. Bunsa, McAdoo.
Charles R. Kaufman, Gordon.
John Saloka, St. Clair.
Mrs. Helene R. Krusnoski, Minersville.
H. C. Bolan, Pottsville.
Mrs. Bridget A. McCarthy, St. Clair.
Walter Stauffer, North Union Twp.
Marvin W. Shellhamer, Tamaqua.
Miss Kathleen N. Dewald, Cressona.

SNYDER COUNTY

Lewis E. Pawling, Selinsgrove.

SOMERSET COUNTY

W. Walter Baldwin, Hooversville.
R. A. Kidner, Salisbury.
Miss Bertha R. Stein, Meyersdale.

SUSQUEHANNA COUNTY

Mark C. James, Milford.

TIOGA COUNTY

Robert F. Thompson, Wellsboro.
William J. Callahan, Wellsboro.

UNION COUNTY

Miss Freeda M. Keiser, Lewisburg.

VENANGO COUNTY

Walter D. Frederick, Oil City.
Miss Genevieve Snyder, Oil City.
Miss Frances H. Blissell, Oil City.
Daniel J. Skelly, Oil City.
Miss Beulah V. Saye, Franklin.
James C. Ford, Franklin.
J. V. Chittick, Oil City.
Miss Beryl T. Gray, Franklin.

WARREN COUNTY

Leroy J. Stoddard, Warren.
Mrs. Myrtle Mader, Warren.
John G. Wasil, Sheffield Twp.
Mrs. Myrna B. Hoagvall, Warren.
Ray S. Thompson, Warren.

WASHINGTON COUNTY

Mrs. Mary A. Hoehl, Charleroi.
Louis F. Valentour, McDonald.
Mrs. Margie Rossini, Charleroi.
O. J. George, East Bethlehem Twp.
John B. Smith, Charleroi.
C. O. Ashbaugh, Washington.
Mrs. Gertrude K. McCarrell, Washington.
Miss June C. Wingett, Washington.
Mrs. Virginia J. Smith, West Brownsville.
J. W. Lee, II, Canonsburg.

WAYNE COUNTY

T. Y. Boyd, Honesdale.
Mrs. Augusta S. Killam, Lake Twp.
Miss Della F. Nolan, Honesdale.

WESTMORELAND COUNTY

Miss Elizabeth H. Miller, Greensburg.
Louis W. Remaley, Export.
John L. Steuart, Greensburg.
J. Paul Stanley, Vandergrift.
Miss Rhoda R. Hirsch, South Greensburg.
H. R. Hostetler, Latrobe.
Harry W. Crum, New Kensington.
Mrs. Gladys V. Fitzgerald, Vandergrift.
John G. McCune, West Newton.
Paul J. Altman, Greensburg.
Miss W. M. Kerr, New Kensington.
J. W. Martin, Youngwood.
J. W. Burroughs, Trafford.
Miss Eliza Anne Peterson, Ligonier.
L. Alexander Sculco, New Kensington.
Miss Hilda C. Dahlem, Greensburg.
Miss Emily P. McGinnis, Latrobe.
Elliott L. Hibbs, Monessen.
Mrs. Marie B. Keck, Latrobe.
John N. Stofan, Monessen.
R. A. Scheffel, Greensburg.
N. Ward Stitt, West Leechburg.

WYOMING COUNTY

Miss Katharine Reynolds, Nicholson.
Miss Alice Hitchcock, Tunkhannock.
Leon Kromelbein, Tunkhannock.

YORK COUNTY

Richard O. Moul, York.
Alfred F. Williams, Wrightsville.
J. R. Shryock, West York.
Norman E. Weigard, Dillsburg.
Mrs. Lida Markle, Hanover.
M. M. Grove, York.
Nelson R. Cousler, York.
Miss Mary E. Ruth, York.
Harry C. Poff, York.
H. Fred Fickes, York.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY.

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. KEPHART,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	Lanius,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Cavalcante,	Geltz,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,

Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

POINT OF INFORMATION

Mr. JAMES. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Bucks, Mr. James, will state his point of information.

Mr. JAMES. Mr. President, under the new rules of the Senate I understand we are not required to go into Executive Session in order to consider nominations by the Governor for Notaries Public just presented to the Senate.

The PRESIDENT. It is the understanding of the Chair that immediately after the receipt of nominations for Notaries Public the Senate may immediately confirm them, but where nominations have previously been referred to a committee, the Senate must follow former procedure.

NOMINATIONS FROM THE GOVERNOR

NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now advise and consent to the nominations for Notaries Public received from the Governor today.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Howard P. Bleichner, Pittsburgh, 2116 Carson Street, January 31, 1941.

J. Boyd Duff, Jr., Pittsburgh, 1503 Law & Finance Bldg., January 31, 1941.

BRADFORD COUNTY

Mrs. Lillian M. Brown, Wyalusing, January 31, 1941.

PHILADELPHIA COUNTY

John F. Kalberer, Phila., 5th & Montgomery Avenue, January 31, 1941.

Geo. Kornblatt, Phila., 832 Bankers Securities Bldg., January 31, 1941.

Patrick J. Meehan, Phila., 5435 Chester Ave., January 31, 1941.

WESTMORELAND COUNTY

Geo. E. Barron, Greensburg, January 31, 1941.

ALLEGHENY COUNTY

Richard McCall, Pittsburgh, 435 Sixth Ave., February 1, 1941.

BLAIR COUNTY

John A. Hiller, Tyrone, February 1, 1941.

BUCKS COUNTY

Mrs. Marietta T. Bond, Morrisville, February 1, 1941.

DAUPHIN COUNTY

Joseph Mastrosati, Derry Twp., 509 Linden Road, Hershey, February 1, 1941.

DELAWARE COUNTY

Mrs. Reba C. Love, Swarthmore, February 1, 1941.

LACKAWANNA COUNTY

Walter A. Ihlefeldt, Carbondale, February 1, 1941.

LUZERNE COUNTY

Miss Catharine Boyle, Wilkes-Barre, February 1, 1941.

NORTHUMBERLAND COUNTY

Norman W. Henninger, Shamokin, February 1, 1941.

PHILADELPHIA COUNTY

Miss Rose Stamberg, Phila., 21st & Parkway, February 1, 1941.

WASHINGTON COUNTY

J. Ralph Anderson, Washington, February 1, 1941.

YORK COUNTY

James J. Logan, York, February 1, 1941.

ALLEGHENY COUNTY

Robert H. Miller, Pittsburgh, West Penn Bldg., 14 Wood St., February 2, 1941.

FAYETTE COUNTY

Edmund Martin, Perry Twp., Perryopolis, February 2, 1941.

INDIANA COUNTY

Beryl L. Seanor, Indiana, February 2, 1941.

ALLEGHENY COUNTY

Mrs. Bernice Berta, McKeesport, February 3, 1941.

William R. Bruckman, Pittsburgh, 604 Brushton Avenue, February 3, 1941.

Louis D. Ekin, McKeesport, February 3, 1941.

Miss Madolyn Hoover, Pittsburgh, 2135 Brownsville Rd., Carrick, February 3, 1941.

A. H. Lemmon, Pittsburgh, 3007 Gulf Bldg., 435 Seventh Ave., February 3, 1941.

Alex N. Petrovsky, Braddock, February 3, 1941.

Elwood C. Petsinger, Pittsburgh, 545 William Penn Way, February 3, 1941.

Miss Freda Schuck, Pittsburgh, 122 South 13th Street, February 3, 1941.

DELAWARE COUNTY

Joseph Morris, Upper Darby Twp., 69th St. Theatre Bldg., Garrett Road, February 3, 1941.

ERIE COUNTY

Mrs. Natella C. Roesch, Erie, February 3, 1941.

Dorman Weaver, Erie, February 3, 1941.

LANCASTER COUNTY

J. K. Miller, Manheim, February 3, 1941.

LEBANON COUNTY

George E. Brown, Lebanon, February 3, 1941.
R. W. Kreider, Heidelberg Twp., R. D. 1, Lebanon, February 3, 1941.

LUZERNE COUNTY

Miss Sara Maxwell, Wilkes-Barre February 3, 1941.

McKEAN COUNTY

Leo S. Knight, Bradford, February 3, 1941.

MERCER COUNTY

Ernst Durrast, Grove City, February 3, 1941.
Mrs. Thelma M. Stewart, Sharon, February 3, 1941.

PHILADELPHIA COUNTY

Joseph F. Binns, Phila., 1420 Walnut St., February 3, 1941.
William B. Comly, Phila., Brown Bldg., 328 Chestnut St., February 3, 1941.
Wm. E. Gaunt, Jr., Phila., 5358 Woodland Ave., February 3, 1941.
George Kinkaid, Phila., N. W. Cor. 17th & Pine Streets, February 3, 1941.
Miss Anna M. Last, Phila., 1204 Packard Bldg., February 3, 1941.
Michael McHugh, Phila., 3700 Haverford Avenue, February 3, 1941.
Harry M. Nofer, Phila., 503 Land Title Building, February 3, 1941.
Harry W. Pearl, Phila., 804 Franklin Trust Bldg., February 3, 1941.
Miss L. Sigg, Phila., 7240 Torresdale Avenue, February 3, 1941.
Miss Ethel S. Smith, Phila., 1919 Packard Bldg., February 3, 1941.
W. C. Zimmerman, Phila., Curtis Publishing Co. Bldg., February 3, 1941.

VENANGO COUNTY

Vance W. Sayers, Franklin, February 3, 1941.

WESTMORELAND COUNTY

Mrs. Kathryn C. Artman, New Kensington, February 3, 1941.

CHESTER COUNTY

Edward J. Kehoe, Easttown Twp., Lincoln Highway, Berwyn, February 4, 1941.

COLUMBIA COUNTY

Miss Sue Walshe, Centralia, February 4, 1941.

CRAWFORD COUNTY

Jeff E. Bossard, Meadville, February 4, 1941.

LUZERNE COUNTY

F. J. Kane, Pittston, February 4, 1941.

PHILADELPHIA COUNTY

Alan Cowdrick, Phila., 1222 Allengrove Street, February 4, 1941.

WARREN COUNTY

Miss Wilda E. Peel, Warren, February 4, 1941.

NORTHUMBERLAND COUNTY

Luther Rohland, Sunbury, February 5, 1941.

ALLEGHENY COUNTY

Clifford E. Miller, Pitsburgh, Knox and Bausman Street, February 7, 1941.

BERKS COUNTY

H. N. Heckman, Reading, February 7, 1941.

BLAIR COUNTY

Miss Eva M. Gobrecht, Altoona, February 7, 1941.
John H. Hemphill, Altoona, February 7, 1941.

DELAWARE COUNTY

Miss Rena A. Barlow, Clifton Heights, February 7, 1941.

ELK COUNTY

H. W. McCullough, St. Marys, February 7, 1941.

LYCOMING COUNTY

Louis A. Wetzel, Williamsport, February 7, 1941.

MONROE COUNTY

Elwood Hintze, Stroudsburg, February 7, 1941.

MONTGOMERY COUNTY

Harry I. Hiestand, Royersford, February 7, 1941.

NORTHAMPTON COUNTY

Miss Ellen G. Murphy, Bethlehem, February 7, 1941.

PHILADELPHIA COUNTY

Mrs. Esther C. Forstrand, Phila., Social Service Bldg., 311 S. Juniper Street, February 7, 1941.
E. Elmer Gallagher, Phila., 2500 Fidelity-Phila. Tr. Bldg., 123 South Broad St., February 7, 1941.
Miss Helen E. Keul, Phila., 2857 North 8th St., February 7, 1941.
Max Kravitz, Phila., 733 North 42d St., February 7, 1941.
Miss Gertrude M. Loney, Phila., WCAU Bldg., 1622 Chestnut St., February 7, 1941.

SCHUYLKILL COUNTY

Charles W. Kershner, Tamaqua, February 7, 1941.

VENANGO COUNTY

W. R. Daugherty, Oil City, February 7, 1941.

PHILADELPHIA COUNTY

Raymond Gehbauer, Phila., 1438 Lincoln-Liberty Bldg., February 8, 1941.

WESTMORELAND COUNTY

Edson W. Everhart, New Kensington, February 8, 1941.

ALLEGHENY COUNTY

Joseph M. Muehlbauer, Pittsburgh, Western State Penitentiary, February 9, 1941.

ARMSTRONG COUNTY

Frank Hamilton McNutt, Ford City, February 9, 1941.

ERIE COUNTY

Jennings A. Bard, Erie, February 9, 1941.

NORTHUMBERLAND COUNTY

Lester R. Wehry, Mount Carmel, February 9, 1941.

VENANGO COUNTY

H. Carl Wasson, Franklin, February 9, 1941.

ALLEGHENY COUNTY

Miss Barbara A. Keck, Turtle Creek, February 10, 1941.

PHILADELPHIA COUNTY

Clarence E. Koonz, Phila., 5601 Thomas Ave., February 10, 1941.

ARMSTRONG COUNTY

F. L. Bottomfield, Leechburg, February 11, 1941.

LANCASTER COUNTY

Miss Nellie C. Shay, Lancaster, February 11, 1941.

LYCOMING COUNTY

L. A. Henderson, Montgomery, February 11, 1941.

McKEAN COUNTY

C. M. Luttrell, Bradford, February 11, 1941.

MONTGOMERY COUNTY

Charles W. Hunsberger, Green Lane, February 11, 1941.

PHILADELPHIA COUNTY

Alfred N. Hamilton, Phila., Lit Bros., 8th and Market Sts., February 11, 1941.

ALLEGHENY COUNTY

T. F. Matuszewski, Pittsburgh, 3509 Butler St., February 12, 1941.

CUMBERLAND COUNTY

E. B. Smith, New Cumberland, February 12, 1941.

DELAWARE COUNTY

Clarence T. Cosgrove, Marcus Hook, February 12, 1941.

INDIANA COUNTY

Miss Lillian Coon, Indiana, February 12, 1941.

MERCER COUNTY

Ralph Morrow, Sharon, February 12, 1941.

MONTGOMERY COUNTY

Geo. K. Brecht, Norristown, February 12, 1941.

PHILADELPHIA COUNTY

Alexander S. Bauer, Phila., 1524 Lincoln Liberty Bldg., Broad and Chestnut Streets, February 12, 1941.
Martin E. Gallagher, Phila., 5822 North Broad Street, February 12, 1941.
Miss Dorothy M. Hamilton, Phila., 4901 Stenton Ave., February 12, 1941.
Miss Anne F. Vasey, Phila., 213-215 South Broad Street, February 12, 1941.

LEHIGH COUNTY

F. C. Miller, Allentown, February 13, 1941.

WASHINGTON COUNTY

Miss M. C. Davies, McDonald, February 13, 1941.

ALLEGHENY COUNTY

W. A. Braun, Pittsburgh, 1345 Forbes Street, February 14, 1941.
Howard A. Humes, Aspinwall, February 14, 1941.
August Reger, Pittsburgh, 2202 Spring St., February 14, 1941.

BERKS COUNTY

A. S. Hornberger, Mohnton, February 14, 1941.
Miss Ruth M. Wicklein, Reading, February 14, 1941.

BLAIR COUNTY

Mrs. Elizabeth Giacchelli, Altoona, February 14, 1941.

LEHIGH COUNTY

Miss Flossie C. Arnold, Allentown, February 14, 1941.

LUZERNE COUNTY

Ignatius J. Hosey, Plymouth, February 14, 1941.

McKEAN COUNTY

Carmelo Giancotti, Bradford, February 14, 1941.

MONTGOMERY COUNTY

Samuel H. High, Jr., Jenkintown, February 14, 1941.

NOTHUMBERLAND COUNTY

John H. Smink, Coal Twp., Shamokin, February 14, 1941.

PHILADELPHIA COUNTY

H. Edward Fry, Phila., 2202 N. 15th St., February 14, 1941.
Mrs. Regina L. Hoey, Phila., 1001 Finance Bldg., 1426 South Penn Square, February 14, 1941.
Joseph Melgin, Phila., 4509 North Broad Street, February 14, 1941.

VENANGO COUNTY

Judson D. Trax, Oil City, February 14, 1941.

ALLEGHENY COUNTY

Miss Rosina M. Beck, Pittsburgh, 908 Park Bldg., February 15, 1941.
C. W. Doughty, Pittsburgh, Farmers Bank Bldg., February 15, 1941.
Lloyd C. English, Pittsburgh, 335 5th Ave., February 15, 1941.
Christian Mueller, Pittsburgh, 708 East St., North Side, February 15, 1941.
Miss U. M. Westerman, Pittsburgh, 6006 Centre Avenue, February 15, 1941.

DAUPHIN COUNTY

Miss Esther B. Kimmel, Derry Tpw., 9 West Chocolate Ave., Hershey, February 15, 1941.
Miss Ruth M. Linsenmayer, Harrisburg, February 15, 1941.

ERIE COUNTY

William D. Jones, Albion, February 15, 1941.

LANCASTER COUNTY

Mrs. Irene E. Henry, Lancaster, February 15, 1941.

LUZERNE COUNTY

Paul R. Robbins, Plymouth, February 15, 1941.

MONROE COUNTY

Russell R. Williams, Tobyhanna Twp., Pocono Pines, February 15, 1941.

MONTGOMERY COUNTY

Edward N. Adourian, Lower Merion Twp., 320 Old Forest Road, West Park, Phila., February 15, 1941.

MONTOUR COUNTY

Wm. G. McWilliams, Danville, February 15, 1941.

PHILADELPHIA COUNTY

Joseph A. Clapham, Phila., Kensington and Allegheny Avenues, February 15, 1941.
Abraham S. Freezman, Phila., 2046 Ridge Ave., February 15, 1941.
Frederick F. Hallowell, Phila., Southeast Corner, 5th and Rockland Sts., February 15, 1941.
James A. Hickey, Phila., 1600 Walnut St., February 15, 1941.
Mrs. Elizabeth J. Husted, Phila., 7944 Oxford Ave., February 15, 1941.
Joseph Lipschutz, Phila., 521 South 60th St., February 15, 1941.
Miss Marie A. O'Connor, Phila., 1507 Packard Bldg., 15th and Chestnut Sts., February 15, 1941.
Charles W. Rueter, Phila., 1703 West Tioga St., February 15, 1941.
Mrs. Jane M. Suplee, Phila., 1818 Packard Bldg., February 15, 1941.

Raymond A. Thistle, Phila., 522 West Erie Ave., February 15, 1941.
Miss Mildred E. Wolfington, Phila., 3427 Chestnut St., February 15, 1941.
Joseph A. Zeits, Phila., 6529 Dicks Ave., February 15, 1941.

SCHUYLKILL COUNTY

H. C. Clauser, Schuylkill Haven, February 15, 1941.
John Domalakes, Frackville, February 15, 1941.

VENANGO COUNTY

Blaine G. Harrington, Cranberry Twp., Box 310, February 15, 1941.

WESTMORELAND COUNTY

Mrs. Marie Boyd, Greensburg, February 15, 1941.
C. A. McGuire, Manor, February 15, 1941.
Louis Salsman, Vandergrift, February 15, 1941.

YORK COUNTY

Miss Myrtle A. Kinneman, York, February 15, 1941.

ALLEGHENY COUNTY

Frank J. Hohman, Pittsburgh, Westinghouse Building, February 16, 1941.
Richard Mierzwa, Pittsburgh, 4724 Liberty Avenue, February 16, 1941.

ARMSTRONG COUNTY

Miss Maud I. Anderson, Leechburg, February 16, 1941.

BLAIR COUNTY

Mrs. Charlotte P. O'Neill, Altoona, February 16, 1941.

CHESTER COUNTY

F. C. Hughes, Tredyffrin Twp., Paoli, February 16, 1941.

LEHIGH COUNTY

Myles R. Werley, Allentown, February 16, 1941.

LUZERNE COUNTY

Miss Nellie V. McLaughlin, Wilkes-Barre, February 16, 1941.

MONTGOMERY COUNTY

Edward M. Moyer, Souderton, February 16, 1941.
Earle K. Wagner, Cheltenham, Twp., 312 Myrtle Ave., Cheltenham, February 16, 1941.

NORTHAMPTON COUNTY

Miss Jean Miller, Bethlehem, February 16, 1941.

PHILADELPHIA COUNTY

Miss Marie Hofer, Phila., 1212 Phila. Saving Fund Bldg., February 16, 1941.

ALLEGHENY COUNTY

Edwin Goldberg, Pittsburgh, Union Trust Building, February 17, 1941.
C. E. Wolford, Wilkinsburg, February 17, 1941.

GREENE COUNTY

W. G. Sharpnack, Rices Landing, February 17, 1941.

PHILADELPHIA COUNTY

Geo. W. Alexander, Phila., 1802 Finance Bldg., February 18, 1941.
Miss Pauline C. Haibach, Phila., 1816 Chestnut St., February 18, 1941.
Mrs. Madeline D. Kliniewski, Phila., 925 Stephen Girard Building, February 18, 1941.

WASHINGTON COUNTY

Mrs. Freeda McWilliams, Donora, February 18, 1941.

ALLEGHENY COUNTY

Miss Alice B. Dice, Pittsburgh, 715 Park Bldg., February 19, 1941.
R. M. Evans, Pittsburgh, West Penn Bldg., 14 Wood St., February 19, 1941.
R. M. George, Pittsburgh, 6006 Centre Avenue, February 19, 1941.
Paul A. Hughes, Pittsburgh, First National Bank Bldg., February 19, 1941.
Miss Clara Mohlman, McKeesport, February 19, 1941.
C. F. Morlock, McKeesport, February 19, 1941.
Miss Cora J. Naugle, Pittsburgh, 915 Park Bldg., February 19, 1941.
Albert G. Schaub, Pittsburgh, 1423 Beaver Avenue, February 19, 1941.
Miss Julia V. Shay, Pittsburgh, Highland Bldg., February 19, 1941.
Miss Ivy May Sloan, Pittsburgh, 1016 Grant Bldg., Grant St., February 19, 1941.
Anthony Will, Etna, February 19, 1941.
William F. Woestehoff, Pittsburgh, Terminal Office Bldg., 315 Carson St., S. S., February 19, 1941.

BEDFORD COUNTY

Mrs. Lillian R. Feight, Bedford, February 19, 1941.

BERKS COUNTY

Miss Marie G. Dunn, Reading, February 19, 1941.
Miss Grace H. Hahn, Reading, February 19, 1941.

BLAIR COUNTY

Miss Mary G. Kilday, Altoona, February 19, 1941.

BUTLER COUNTY

Ross R. Brown, Mars, February 19, 1941.

CENTRE COUNTY

Miss Elizabeth C. Barnhart, Bellefonte, February 19, 1941.

CLARION COUNTY

Miss Helen McGranahan, New Bethlehem, February 19, 1941.

CLEARFIELD COUNTY

John W. Marshall, DuBois, February 19, 1941.

DAUPHIN COUNTY

Miss Mabel Updegrove, Harrisburg, February 19, 1941.

DELAWARE COUNTY

Harry P. Albertson, Darby, February 19, 1941.

LACKAWANNA COUNTY

George Yavorek, Archbald, February 19, 1941.

LANCASTER COUNTY

Paul Keller, Manheim, February 19, 1941.

LEBANON COUNTY

John A. Brandt, Bethel Twp., Fredericksburg, February 19, 1941.
E. E. Meyer, Lebanon, February 19, 1941.

LUZERNE COUNTY

Mrs. Mary D. Walsh, Newport Twp., 26 E. Main St., Glen Lyon, February 19, 1941.

McKEAN COUNTY

Miss Katherine Burke, Bradford, February 19, 1941.

MERCER COUNTY

John L. Beck, Hempfield Twp., Greenville, February 19, 1941.

MONTGOMERY COUNTY

M. LeRoy Moyer, Souderton, February 19, 1941.

NORTHAMPTON COUNTY

Charles W. K. Shafer, Nazareth, February 19, 1941.

NORTHUMBERLAND COUNTY

H. Herbert Harris, Milton, February 19, 1941.

PHILADELPHIA COUNTY

Miss N. S. Aitken, Phila., 135 S. Broad St., February 19, 1941.
Wm. S. Armstrong, Phila., c/o Henry Disston and Sons, Inc., Unruh, St. and Delaware Ave., February 19, 1941.
Benj. F. Calverley, Jr., Phila., 6100 Ridge Ave., February 19, 1941.
T. Justus Conley, Phila., 2060 Bridge St., February 19, 1941.
Joseph M. Jennings, Phila., 8617 Germantown Avenue, February 19, 1941.
George Keehfuss, Phila., 1311 N. 29th St., February 19, 1941.
William McLaughlin, Phila., 1540 Widener Bldg., February 19, 1941.
Charles F. Meyers, Phila., 1510 Walnut St., February 19, 1941.
Carlo Morelli, Phila., 1168 S. Broad St., February 19, 1941.
J. Allison Parker, Phila., 4741 N. Broad St., February 19, 1941.
Nathan E. Rowland, Phila., 7930 Frankford Avenue, February 19, 1941.
Harry C. Weller, Phila., 4940 N. Broad St., February 19, 1941.

SUSQUEHANNA COUNTY

Miss Rebecca T. Ludlow, Forest City, February 19, 1941.

WESTMORELAND COUNTY

Charles D. Beacom, New Kensington, February 19, 1941.

YORK COUNTY

Charles E. Artzberger, Dover, February 19, 1941.
Urban S. Bond, York, February 19, 1941.
Walter Brillhart, York, February 19, 1941.

LEBANON COUNTY

H. G. Light, Cleona, February 20, 1941.

BLAIR COUNTY

W. H. Baird, Altoona, February 21, 1941.

DAUPHIN COUNTY

Warren E. Boudman, Steelton, February 21, 1941.

PHILADELPHIA COUNTY

Frank Shoemaker, Phila., 635 W. Erie Ave., February 21, 1941.

SCHUYLKILL COUNTY

Miss Dolores Brennan, Shenandoah, February 21, 1941.

ALLEGHENY COUNTY

Edwin A. Austen, Etna, February 23, 1941.
Miss H. E. Beckman, McKeesport, February 23, 1941.
Mrs. Irene E. Keyser, Wilmerding, February 23, 1941.
Mrs. Marion H. McCune, McKeesport, February 23, 1941.
Robert F. Morris, Jr., Pittsburgh, Commonwealth Bldg., 312 Fourth Ave., February 23, 1941.
David Nossokoff, Pittsburgh, 50—33d St., February 23, 1941.

BERKS COUNTY

O. C. Eshelman, Shillington, February 23, 1941.
Edward J. Heere, Reading, February 23, 1941.
Earl A. Ruppert, Topton, February 23, 1941.

DELAWARE COUNTY

Mrs. Alice M. Baird, Swarthmore, February 23, 1941.
Walter R. Pyle, East Lansdowne, February 23, 1941.

FAYETTE COUNTY

C. E. Jeffries, Menallen Twp., Mill St., New Salem, February 23, 1941.

LACKAWANNA COUNTY

Miss Mary F. Tell, Scranton, February 23, 1941.

LANCASTER COUNTY

Henry L. Gise, Elizabethtown, February 23, 1941.

LUZERNE COUNTY

Miss Ethel M. Partridge, Kingston, February 23, 1941.

McKEAN COUNTY

Willis J. Jamieson, Bradford, February 23, 1941.

MIFFLIN COUNTY

Edgar Van Bremen, Lewistown, February 23, 1941.

MONTGOMERY COUNTY

Miss Stella T. Cox, Norristown, February 23, 1941.
Miss Viola Jerscheid, Lansdale, February 23, 1941.
Miss Mabel A. Robison, Norristown, February 23, 1941.

NORTHAMPTON COUNTY

John E. Fulmer, Bethlehem, February 23, 1941.
J. F. Wolfe, Wilson, February 23, 1941.

PHILADELPHIA COUNTY

C. Trevor Dunham, Phila., 1412 W. Girard Avenue, February 23, 1941.
Harry Keiser, Phila., 5425 Euclid Ave., February 23, 1941.
Joseph L. Price, Phila., 439 Chestnut St., February 23, 1941.
Miss Marie R. Saffran, Phila., Mitten Bldg., February 23, 1941.
Miss Margaret P. Truxton, Phila., 500 E. Erie Ave., February 23, 1941.

SCHUYLKILL COUNTY

Robert E. Martz, Gordon, February 23, 1941.

WESTMORELAND COUNTY

C. R. Murphy, Monessen, February 23, 1941.
Joseph Saladiak, Monessen, February 23, 1941.

YORK COUNTY

Miss Mary E. Bowman, York, February 23, 1941.

ALLEGHENY COUNTY

Mrs. Grace N. Jones, Pittsburgh, 529 Union Trust Bldg., February 25, 1941.
Miss Anne E. King, Pittsburgh, 207 Fulton Bldg., 106 Sixth St., February 25, 1941.

BEDFORD COUNTY

Fred S. Sammel, Bedford, February 25, 1941.

BERKS COUNTY

Miss Rose M. Nunemacher, West Reading, February 25, 1941.

LEHIGH COUNTY

A. C. Lamson, Allentown, February 25, 1941.

LYCOMING COUNTY

Mrs. Nellie C. Ettla, Williamsport, February 25, 1941.

PHILADELPHIA COUNTY

Thomas F. Robinson, Phila., 116 Chestnut St., February 25, 1941.
Frank Ursomarso, Phila., 2340 South 11th St., February 25, 1941.

ALLEGHENY COUNTY

J. D. C. Miller, Pittsburgh, 1914 Grant Bldg., February 26, 1941.
Miss Vita C. Mueller, Pittsburgh, 1603 Law and Finance Bldg., February 26, 1941.

DELAWARE COUNTY

Joseph Hallas, Jr., Darby, February 26, 1941.

PHILADELPHIA COUNTY

Frank W. Bless, Phila., 3456 Emerald St., February 26, 1941.

ALLEGHENY COUNTY

Ferd H. Phillips, Pittsburgh, Berger Bldg., February 27, 1941.

BEAVER COUNTY

George R. McPherson, New Brighton, February 27, 1941.
Robert E. Stettler, Ambridge, February 27, 1941.
William W. Wilson, New Brighton, February 27, 1941.

LEHIGH COUNTY

Harry E. Truchses, Allentown, February 27, 1941.

LYCOMING COUNTY

Oliver J. Decker, Williamsport, February 27, 1941.
J. Fred Katzmaier, Williamsport, February 27, 1941.

PHILADELPHIA COUNTY

Robet. G. Foster, Phila., 2816 North Broad Street, February 27, 1941.
Harry S. Kaestner, Phila., 4227 Lancaster Ave., February 27, 1941.
John V. Martin, Phila., 2231 Land Title Bldg., February 27, 1941.
Jesse G. Stump, Phila., 1341 Brandywine St., February 27, 1941.

LACKAWANNA COUNTY

Willis G. Jones, Scranton, February 28, 1941.

PHILADELPHIA COUNTY

Miss Ida N. Wilson, Phila., U.G.I. Bldg., 1401 Arch St., February 28, 1941.

WASHINGTON COUNTY

Miss Ella M. Emery, East Bethlehem Twp., Millsboro, February 28, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Frederick G. Fitt, Phila., 6628 Rising Sun Avenue, January 31, 1941.

ALLEGHENY COUNTY

Jos. F. Wahl, Pittsburgh, 1931 Carson Street, February 1, 1941.

ELK COUNTY

Miss Florence Kilbourne, Ridgway, February 1, 1941.

FRANKLIN COUNTY

Samuel H. Wenger, Chambersburg, February 1, 1941.

CHESTER COUNTY

Mrs. V. F. Gatchel, Downingtown, February 3, 1941.

PHILADELPHIA COUNTY

James R. Anderson, Phila., 1135 Shackamaxon Street, February 3, 1941.
Miss Helen M. Monaghan, Phila., 929-33 Land Title Bldg., February 3, 1941.
Adam J. Strong, Phila., 6502 Rising Sun Avenue, February 4, 1941.

TIOGA COUNTY

Frank A. Hall, Westfield, February 5, 1941.

MONTGOMERY COUNTY

Mrs. E. Mildred Kimbel, Ambler, February 7, 1941.

PHILADELPHIA COUNTY

Max A. Rosenberg, Phila., 407 South 60th St., February 7, 1941.

ALLEGHENY COUNTY

Miss Mary Baker, Pittsburgh, 3201 Richardson Avenue, February 8, 1941.

McKEAN COUNTY

Miss Anna E. Zias, Bradford, February 9, 1941.

CHESTER COUNTY

John H. Voorhees, Kennett Square, February 10, 1941.

LANCASTER COUNTY

David R. Forbes, Quarryville, February 10, 1941.

PHILADELPHIA COUNTY

Clinton M. Smith, Phila., Bustleton Ave., Somerton, February 11, 1941.

SOMERSET COUNTY

John A. Hartman, Windber, February 13, 1941.

ALLEGHENY COUNTY

W. C. McClure, Pittsburgh, 700 Jones Law Building, February 15, 1941.

BERKS COUNTY

Miss Harriet E. Sternbergh, Reading, February 15, 1941.

DAUPHIN COUNTY

D. W. Fahnestock, Harrisburg, February 15, 1941.

ERIE COUNTY

Miss Agnes M. Motsch, Union City, February 15, 1941.
Walter H. Smith, Erie, February 15, 1941.

PHILADELPHIA COUNTY

Mrs. Carrie Fisher, Phila., 2423 West Montgomery Avenue, February 15, 1941.
Carman Thos. Fontana, Phila., 1706-12 Lincoln-Liberty Building, February 15, 1941.
Miss Dorothy Eleanor Richter, Phila., 232 West Tioga St., February 16, 1941.

DAUPHIN COUNTY

Sol Levin, Harrisburg, February 18, 1941.

PHILADELPHIA COUNTY

William Betz, Jr., Phila., 2826 Frankford Avenue, February 18, 1941.

ALLEGHENY COUNTY

F. L. Barnhart, Oakmont, February 19, 1941.
Geo. B. Whitfield, Braddock, February 19, 1941.

PHILADELPHIA COUNTY

Robert T. Levins, Phila., 3333 N. Gratz St., February 19, 1941.
Michael G. Marian, Phila., 401 Fairmount Ave., February 19, 1941.
Miss Kathryn L. McHugh, Phila., 1011 Chestnut St., February 19, 1941.
Franklin H. Spitzer, Phila., 1500 W. Venango Street, February 19, 1941.

NORTHUMBERLAND COUNTY

Miss Esther Stepp, Sunbury, February 22, 1941.

LACKAWANNA COUNTY

Miss Mary E. Gallagher, Scranton, February 23, 1941.

McKEAN COUNTY

Samuel J. Brill, Bradford, February 23, 1941.

MONTGOMERY COUNTY

Miss Mildred D. Coulston, Conshohocken, February 23, 1941.

PHILADELPHIA COUNTY

Giles M. Johnson, Phila., 1000 Lincoln Liberty Building, February 23, 1941.

WESTMORELAND COUNTY

W. Kenneth Cooper, New Kensington, February 23, 1941.

NORTHAMPTON COUNTY

George W. Thoma, Easton, February 25, 1941.

WASHINGTON COUNTY

Robert C. Cassidy, Burgettstown, February 25, 1941.

ALLEGHENY COUNTY

E. F. Portman, Carnegie, February 27, 1941.

BRADFORD COUNTY

Mrs. Nellie R. Howell, Towanda, February 28, 1941.

CAMBRIA COUNTY

Abraham Krantzler, Summerhill Twp., Beaverdale, February 28, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

John T. Shepherd, Phila., Milnor and Bleigh Streets, January 31, 1941.

LUZERNE COUNTY

Joseph A. Skuzinski, Nanticoke, February 3, 1941.

PHILADELPHIA COUNTY

Robert L. Thornton, Phila., 5004 Old York Rd., February 4, 1941.

ALLEGHENY COUNTY

John W. Shissler, Pittsburgh, West Penn Bldg., 14 Wood St., February 7, 1941.

TIOGA COUNTY

Miss Helen A. Blair, Wellsboro, February 7, 1941.

ALLEGHENY COUNTY

Miss Agnes Doole, Pittsburgh, Dollar Savings and Trust Bldg., 526 Federal St., February 15, 1941.
Parks R. Garrett, Ingram, February 15, 1941.

PHILADELPHIA COUNTY

Irving Keneff, Phila., 1211 Chestnut St., February 15, 1941.

ALLEGHENY COUNTY

Miss Katherine P. McNulty, Pittsburgh, c/o The Zemmer Co., 3943 Sennott Street, February 16, 1941.

MIFFLIN COUNTY

Walter B. Wilson, Lewistown, February 18, 1941.

ALLEGHENY COUNTY

Joseph L. Cannon, Pittsburgh, 338 Lafayette Avenue February 19, 1941.

ERIE COUNTY

Miss B. M. Hartman, Erie, February 19, 1941.

PHILADELPHIA COUNTY

Miss Elizabeth E. Britton, Philadelphia, 1032 Bankers Securities Building, February 19, 1941.

FRANKLIN COUNTY

Miss Harriet A. Rhea, Mercersburg, February 20, 1941.

ALLEGHENY COUNTY

Herman McCullough, Pittsburgh, 419 Wood Street, February, 23 1941.

PHILADELPHIA COUNTY

G. W. Townsend, Philadelphia, 1902 Girard Avenue, February 25, 1941.
Miss Teresa M. McTear, Philadelphia, 1440 North 2d Street, February 28, 1941.

SOMERSET COUNTY

F. A. Millott, Windber, February 28, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Dorothy H. Jones, Pittsburgh, 1906 Law and Finance Building.
J. Ben Schwab, Stowe Twp., c/o Pressed Steel Car Co. Inc., McKees Rocks.

BEAVER COUNTY

Miss Frances V. Gallagher, Beaver Falls.
Miss Charlotte M. McComb, New Brighton.

BUCKS COUNTY

Miss M. Elizabeth Windle, New Hope.

CRAWFORD COUNTY

Miss Aileen G. Dain, Meadville.

ERIE COUNTY

Miss Marie C. Dobmeier, Erie.
C. Harrison Lund, Erie.

GREENE COUNTY

Carl K. Whipkey, Waynesburg.

LEBANON COUNTY

Harry Uhler, Lebanon.

LUZERNE COUNTY

Miss Loretta Fox, Hazleton.

LYCOMING COUNTY

Miss Marion H. Rechel, Williamsport.

McKEAN COUNTY

Miss Margaret D. Loftus, Eldred.

PHILADELPHIA COUNTY

Sanford K. Billstein, Phila., 314 Market Street.
William Buckley, Phila., 3433 North 21st Street.
Miss Olive M. Cannon, Phila., 1701 South 54th Street.
Miss Jeanne A. Edwards, Phila., 3759 Main St., Manayunk.
Miss Betty Essner, Phila., 1528 Land Title Bldg.
Mrs. Henrietta M. Gittelman, Phila., 1600 Walnut St.
Miss Katheryn H. Kerner, Phila., 203 Burd Building.
Miss Florence Mayberry, Phila., 1416 South Penn Square.
William K. Ravetz, Phila., 254 South 16th Street.
Miss Eleanor A. Twohig, Phila., 1011 Chestnut Street.
Fred Wagner, Phila., 2859 East Venango Street.

PIKE COUNTY

Mrs. Bernardette F. Peters, Matamoras.

VENANGO COUNTY

Miss Helen Rembold, Oil City.

WESTMORELAND COUNTY

Frank C. Healy, Arnold.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Wilbert H. Anderson, Pittsburgh, Bessemer Bldg.
Samuel E. Appleton, Pittsburgh, 525 Ivy St.
Miss M. Buckley, Pittsburgh, 1005 Law and Finance Bldg.
Howard Courtwright, Jr., Pittsburgh, 1412 River Ave.
C. G. Donahue, Pittsburgh, 435 Sixth Ave.
Miss Josephine Dudas, Pittsburgh, 700 Jones Law Bldg.
C. D. Ecker, Pittsburgh, 48th St. and A. V. Ry.
Mrs. Mildred A. Elgert, Pittsburgh, 2617 Grant Bldg.
Wm. J. Herbster, Pittsburgh, 107 Carnegie Place.
Erwin O. Hopf, Pittsburgh, 603 East Ohio St.
Mrs. Ruth K. Johnson, Crafton.
C. C. Kohl, Pittsburgh, Carnegie Bldg., 434 Fifth Ave.
Miss Louise Levy, Pittsburgh, 208-209 Washington Tr. Bldg., 927 Fifth Ave.
Earl E. Leyda, Pittsburgh, 106 Federal St.
Charles H. McClure, Homestead.
Mrs. Helen E. Morrison, Homestead.
John F. Petty, Pittsburgh, 3700 Forbes St.
Paul C. Reinehr, Brackenridge.
Ralph C. Robinson, Pittsburgh, 5819 Forbes St.
Miss Hilda A. Rosser, Pittsburgh, 303 Jones Law Bldg.
Miss M. J. Weller, Pittsburgh, 301 Fifth Ave.

ARMSTRONG COUNTY

Calvin A. Klingensmith, Ford City.
S. H. McCain, Jr., Kittanning.
Chas. F. Walker, Kittanning.

BEAVER COUNTY

Robert Creighton, Aliquippa.

BERKS COUNTY

Edward W. P. Binckley, Reading.

BLAIR COUNTY

Miss Mary C. MacCormac, Altoona.
Miss Nannie R. Miles, Tyrone.
Miss Mary T. Rentz, Hollidaysburg.

BUCKS COUNTY

Roy E. Bonawitz, Upper Southampton Twp., Southampton.

CAMBRIA COUNTY

Mrs. D. R. McFadden, Ebensburg.

CHESTER COUNTY

Mrs. Linda Z. Evans, Avondale.
Stanley C. Senneff, Downingtown.

CLEARFIELD COUNTY

Morde E. Ginter, DuBois.

CLINTON COUNTY

L. Clark Hamberger, Lock Haven.

CRAWFORD COUNTY

Miss Lulu M. Moran, Titusville.

CUMBERLAND COUNTY

Mrs. Iola E. Oyster, New Cumberland.

DAUPHIN COUNTY

Ben Sharosky, Steelton.

DELAWARE COUNTY

Wm. E. Buckman, Darby.
Miss Sarah A. Grey, Chester.
Miss Mary L. McBride, Upper Darby Twp., Upper Darby Nat. Bank Bldg., Upper Darby.
Miss Clarissa U. Ward, Chester.
Fred A. Werner, Lansdowne.

ERIE COUNTY

Mrs. Lida S. Barns, Albion.
H. D. Hoig, Jr., Erie.
Miss Alice M. Morey, Fairview.

FAYETTE COUNTY

Russell G. Honsaker, Menallen Twp., New Salem.
Miss Vallie E. Switzer, Markleysburg.
Miss Kathryn R. Vilscek, Uniontown.

LACKAWANNA COUNTY

Miss Josephine Gentile, Scranton.
Mrs. Marie E. O'Malley, Scranton.
Mrs. Jean N. Stanton, Scranton.

LANCASTER COUNTY

Mrs. Ida E. Graybill, Strasburg Twp., Refton.

LAWRENCE COUNTY

Miss Emma L. Thompson, New Castle.

LEBANON COUNTY

James S. Lau, Lebanon.

LEHIGH COUNTY

John W. Koch, Allentown.
Lesher Y. Raymond, Allentown.

LUZERNE COUNTY

Mrs. Elizabeth Durkin, Hazleton.
A. C. Overpeck, Forty Fort.
Reed B. Riker, Wilkes-Barre.

MIFFLIN COUNTY

Miss Olive R. Snook, Lewistown.

MONTGOMERY COUNTY

Wesley N. Jobe, Montgomery Twp., 600 Sampson Ave., Willow Grove.

NORTHAMPTON COUNTY

Stanley J. Benner, Nazareth.

NORTHUMBERLAND COUNTY

J. K. McWilliams, Ralpho Twp., Elysburg.
Joseph D. Starinshak, Coal Twp., Ranshaw.

PHILADELPHIA COUNTY

Mrs. Madeline M. Cagle, Phila., 1005 Morris Bldg., 1421 Chestnut St.
Miss Florence F. Foley, Phila., 1724 Lincoln Liberty Bldg.
Mrs. Anna B. Glinske, Phila., 1324 Walnut St.
Charles R. Heermann, Phila., 1835 Phila. Saving Fund Bldg., 12 South 12th St.
William H. Hohenstein, Phila.,, 322 Chestnut St.
Marshall G. Kinney, Phila., Amber and Venango Sts.
W. C. Knaup, Phila., Room 508, 1500 Walnut St. Bldg.
Gerald Leberman, Phila., 2546 North Lawrence St.
Mrs. Edythe O. LeCompte, Phila., Room 1600, 1528 Walnut St.
Miss Edith P. MacKendrick, Phila., 304 Arch St.
Thomas W. McDonough, Phila., 124 North 15th St.
Montague J. McGill, Phila., 5203 Germantown Ave.
Alfred John Moccia, Phila., 1429 Walnut St.
Donald V. Redding, Phila., 2017 North 63d St.
Miss Edythe M. Righter, Phila., 1102 Girard Trust Bldg.
Albert S. Roebuck, Phila., Land Title Bldg.
Ralph B. Rohrman, Phila., Phila. Wholesale Drug Co., 10th and Spring Garden Sts.
Theodore Schneider, Jr., Phila., 1827 West Erie Ave.
Harry S. Switt, Phila., 525 Chestnut St.
Michael J. Whalen, Phila., Butler and Sepviva Sts., Bridesburg.
Benton B. Wilde, Phila., 1528 Walnut St. Bldg.
Miss Helena M. Wittmer, Phila., 4706 Frankford Ave.
Romeo Zappasodi, Phila., 721 Carpenter St.

SCHUYLKILL COUNTY

Leo P. Schneider, East Norwegian Twp., Reading Co. Engine House, St. Clair.
Clinton F. Tiley, Ashland.

SUSQUEHANNA COUNTY

Miss Marion J. Kimble, Susquehanna.

WESTMORELAND COUNTY

Glenn F. Cook, Ligonier.
Mrs. Elizabeth D. McCabe, Greensburg.

YORK COUNTY

James H. Chubb, York.
Clyde H. Markle, Hanover.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John B. Berola, Coraopolis.
Miss Edna M. Croft, Pittsburgh, 903 Highland Bldg Highland Ave.
Clarence A. Hamilton, Pittsburgh, 516 Federal Street
Walter R. McDonough, Pittsburgh, 100 West Stockton Ave.
Charles K. Pikiel, Pittsburgh, 629 54th Street.

BEAVER COUNTY

William F. Behringer, Beaver Falls.

BERKS COUNTY

Miss Elizabeth A. Glaes, Reading.

BRADFORD COUNTY

Chas. V. Kelble, Athens.

DAUPHIN COUNTY

Miss Claire Fortenbaugh, Harrisburg.
Mrs. Leola E. LeRoy, Harrisburg.

LACKAWANNA COUNTY

Miss Gertrude McCann, Carbondale.
J. Harry Morosini, Scranton.
Joseph F. Tedesco, Scranton.

LANCASTER COUNTY

Charles R. Appel, Lancaster.
Miss Mary A. Swarr, Lancaster.

LAWRENCE COUNTY

John E. Johnson, New Castle.

LUZERNE COUNTY

Walter A. Bromfield, Ashley.

MONROE COUNTY

William G. Huck, Pocono Twp., Pocono Manor I Pocono Manor.

MONTGOMERY COUNTY

Hugh F. Gerhard,, Cheltenham Twp., 300 Bent I Wyncote.
Mrs. Julia A. McLaughlin, Cheltenham Twp., 220 Ry Ave., Cheltenham.

NORTHAMPTON COUNTY

Miles J. Keating, Jr. Bethlehem.

PHILADELPHIA COUNTY

Louis Anderson, Phila., Fidelity-Phila. Trust Buildi
John L. Bradbury, Phila., Fidelity-Phila. Trust Buildi
Henry H. Ostroff, Phila., 2728 West Girard Ave.
Rubin Segal, Phila., 1000 South 3rd St.

SCHUYLKILL COUNTY

W. John Krommes, Pottsville.

WASHINGTON COUNTY

Miss Elizabeth Jakubec, Charleroi.
Miss Emma E. Mesher, Donora.

YORK COUNTY

Geo. F. Daniels, York.

ARTHUR H. JAMES.

On the question,

Will the Senate agree to the nominations?

The yeas and nays were taken agreeably to the provisions the Constitution, and were as follows, viz:

YEAS—45

rr,	Ealy,	Lanius,	Stevenson,
rtlett,	Edmonds,	Mallery,	Stiefel,
cker,	Farrell,	McCreesh,	Tallman,
rr,	Frey,	McGinnis,	Taylor,
valcante,	Geltz,	McQuiddy,	Tyler,
apman,	Haluska,	Miller,	Wade,
leman,	Heyburn,	Reed,	Walker,
x,	Homsher,	Ruth,	Watkins,
ider,	James,	Scarlett,	Wilson, H. I.,
owe,	Jaspan,	Shapiro,	Wilson, T. B.,
itrick,	Kephart,	Snowden,	Ziesenheim,
nt,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the estion was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE

Mr. JAMES from the Committee on Executive Nominations also reported with a favorable recommendation, request made by His Excellency, the Governor, recalling following nomination.

CALLING NOMINATION OF DR. WILMER KRUSEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

the Honorable, the Senate of the Commonwealth of Pennsylvania:

n accordance with the power and authority vested in as Governor of the Commonwealth, I do hereby recall nomination made to your Honorable Body on January 1941, for the appointment of Dr. Wilmer Krusen, Philaphia, as a member of the Board of Trustees of Philaphia State Hospital, Doctor Krusen having subsequently igned.

ARTHUR H. JAMES.

)n the question,

Vill the Senate agree to the motion?

Ir. SHAPIRO. Mr. President, I think in fairness to)ctor Krusen there should be some explanation from a mber of the Committee as to the reason Doctor Krusen's ne is being recalled.

he PRESIDENT. The Clerk will read the communicai from the Governor.

Ir. JAMES. Mr. President, the reason the nomination seing recalled is because Doctor Krusen declined to e.

he Clerk read the communication from the Governor s follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

accordance with the power and authority vested in as Governor of the Commonwealth, I do hereby recall nomination made to your Honorable Body on January 941, for the appointment of Dr. Wilmer Krusen, Philahia, as a member of the Board of Trustees of Philahia State Hospital, Doctor Krusen having subsequently ned.

ARTHUR H. JAMES.

On the question,

Will the Senate agree to return the nomination to the Governor?

It was agreed to,

COMMUNICATION FROM SECRETARY OF SENATE RELATIVE TO RESOLUTION CALLING UPON SECRETARY OF PUBLIC ASSISTANCE TO REPORT TO SENATE

The Chair presented a communication dated January 27, 1941, from the Secretary of the Senate to the President and members of the Senate of Pennsylvania.

The Communication reads as follows:

January 27, 1941.

To the President and members of the Senate of Pennsylvania:

Gentlemen:

On January 13, 1941, the Senate adopted a motion offered by Senator Haluska, of Cambria County, calling upon the Secretary of Public Assistance to make a report as set forth in the resolution of the Senator from Cambria, which appears on page 317 of the Journal of the Senate for the Special Session of 1940.

This resolution is recorded on page 21 in the History of Senate Bills and Resolutions for that Session. It was a concurrent resolution and is as follows:

"Whereas, the rule or regulation of the Department of Public Assistance requiring relief recipients to execute a bond as a condition precedent to receiving relief has been a source of controversy; and

"Whereas, The General Assembly regards home ownership as one of the highest forms of good citizenship and wishes to encourage it in every conceivable manner; therefore be it

"Resolved (if the House of Representatives concur), That the Secretary of Public Assistance is hereby directed to make a study and investigation of:

"(1) The relative advantages and disadvantages to all concerned of the present rule or regulation requiring relief recipients to execute a reimbursement agreement as a condition precedent to qualifying for relief.

"Resolved, That the Secretary of Public Assistance shall make a report of such study and investigation to the General Assembly at its next regular session, together with his recommendation, for its guidance on this subject."

The record shows that this resolution was adopted by the Senate on May 16 and messaged to the House. In the House, it was referred to the Committee on Rules on the same day and not reported out.

The Legislature adjourned finally on May 16.

Respectfully Submitted,
GEORGE F. HOLMES.
Secretary.

Mr. HALUSKA. Mr. President, am I to understand this communication is my answer to my inquiry on the question of the bond requirement?

The PRESIDENT. The Chair supposes it must be so construed.

Mr. HALUSKA. Mr. President, I am under the impression my previous resolution read that the Department of Public Assistance shall make a study and state whether or not it is advantageous or disadvantageous to continue the relief bond and we are waiting patiently for that reply. To further clarify the situation, Mr. President, on January 13th of this year a motion was passed by this body asking the Department of Public Assistance to give his answer and place a copy of that answer upon the desk of every member of this House.

The PRESIDENT. For the information of the gentleman from Cambria, Mr. Haluska, the Chair understands the resolution introduced by the gentleman from Cambria

last year in the last days of the Special Session was a concurrent resolution and was forwarded promptly, after its passage in the Senate, to the House and the House took no action on the resolution.

That is what the Chair understands and that is what the Secretary of the Senate found when he endeavored to carry out the expressed wish of the Senate last week.

Mr. HALUSKA. Mr. President, did the Department of Public Assistance take action upon the motion passed by this body January 13, 1941, as appears in the Journal?

The PRESIDENT. For the information of the gentleman from Cambria, Mr. Haluska, and also the other Senators, the Clerk will read statement of the Chair relative to this matter January 13, 1941.

The PRESIDENT. It has been moved by the Senator from Cambria, Mr. Haluska, and seconded by the Senator from Pittsburgh, Mr. Walker, that the secretary of the Department of Public Assistance shall make a report as set forth in the resolution of the Senator from Cambria, Mr. Haluska, as appeared in page 317 of the Journal of the Senate of the Special Session of 1940; and that a copy of said report be placed on the desk of each Senator.

Mr. HALUSKA. Mr. President, as a matter of information am I to understand that because the House failed to concur in the original resolution of last May that the Department of Public Assistance failed to act and will continue to fail to act and refuses to act?

The PRESIDENT. The Chair believes the Senator from Cambria is wrong in that interpretation.

Mr. HALUSKA. Mr. President, I am asking the question; I do not know.

The PRESIDENT. For the information of the Senator that was not a concurrent resolution and it was passed by the Senate and immediately sent to the House. The House adjourned without passing the resolution and therefore the resolution could not go to the Secretary of the Department of Public Assistance. That is the way the Chair understands it. If there is a different construction to be placed on that question the Chair would suggest that someone explain it to the Senator from Cambria, Mr. Haluska.

Mr. HALUSKA. Then, Mr. President, am I to understand that because the House failed to concur, that is the sole reason why the Department of Public Assistance has failed to comply with my request; is that correct?

The PRESIDENT. That is the way the Chair understands it.

Mr. HALUSKA. Then, Mr. President, I of course assume I must present another resolution and try once again to accomplish my point; is that correct?

The PRESIDENT. That is the Chair's thought as to the way it should be done. The resolution submitted by the Senator from Cambria was passed by the Senate and then sent to the House for concurrence.

Mr. SHAPIRO. Mr. President, this is not my quarrel but I should like to take this occasion to suggest that I again see convincing evidence of the fact that this so-called harmony and unity is a matter of mere words and phrases.

I have never before in legislative history, Mr. President, felt that an officer of the Commonwealth who has, as he points out, read the records and seen that the Senate unanimously adopted a resolution—whether it was joint or several is immaterial to the purpose of my point—calli upon him to give certain information to the Senate a six or eight months after that resolution was adopt answered by saying, I am sorry even though the Sen wanted this information, and even though this is of i portance to the Senate, the House having adjourned b fore it got a chance to act on the resolution, I now c your attention to the record and rest.

I think it is certainly evident that he should be criticiz more in view of the fact that on January 13th, when must be assumed that the Senate and the House knew wh action had occurred on the resolution, that the gent man from Cambria, Mr. Haluska, and the gentleman fr Allegheny, Mr. Walker, who joined in the motion calli upon the Secretary to give the Senate the very informati which was requested in that resolution, it is certain obvious that notwithstanding the fact the record sho the resolution was not passed, we want that informati and the gentleman then takes it upon himself to call c attention to the record.

Well, Mr. President, we can read the record for ou selves and we can find out for ourselves and we do n need anybody to send us a long winded letter with a co of the resolution and a copy of the record in a matter such grave importance to the Commonwealth and to t citizens of the Commonwealth of Pennsylvania, and I wa to stand on the floor of this Senate and protest agai that kind of action and say that is not the kind of acti we expect from departmental heads, and when they give us that kind of action they deserve to and should publicly criticized.

I do not think, Mr. President, these two gentlemen, Senator from Cambria, Mr. Haluska and the Senator fr Allegheny, Mr. Walker, asked that this motion be adop simply for the purpose of hearing themselves talk.

These two gentlemen, Mr. President are on opposite si of the political fence and both of them wanted this formation and both of them are entitled to it and so is Senate, and I think it is an insult to the intelligence the Senators here to have the gentleman who wrote t letter send that communication telling us what our r records show. Those records are our own and we do need any salaried man to tell us what the record sho and, Mr. President, I do not think it requires anot motion by either of these gentlemen, either the Sena from Cambria, Mr. Haluska, or the Senator from A gheny, Mr. Walker, to get that information.

That record of January 13, 1941, Mr. President, i direction to the gentleman and we do not need a joint re lution as that is a direction to the head of the Departm of Public Assistance to furnish this body with the infor tion requested, and unless he does furnish the informa requested I will suggest to the two gentlemen that t ask that another resolution be introduced calling upon and giving him the criticism necessary.

Mr. HEYBURN. Mr. President, I am afraid the 4 campaign for the governorship has just started. I do think these gentlemen are being quite fair with the Se tary of the Department of Public Assistance. Mr. Pr dent, we might as well expect a police officer to enf the law because some bill passed the Senate and never went through the House.

It seems to me, Mr. President, that the mistake was n

hen the gentleman from Cambria did not introduce a nate resolution. When he introduced a concurrent reso- tion, which was not passed by the House, it seems to me e Secretary of Public Assistance has no direction at all om the Legislature.

I do think, Mr. President, the gentleman is being a little ifair about it.

Mr. HALUSKA. Mr. President, the gentleman is re- rring to the 1942 campaign but I wish it to be known that presented my resolution before the 1941 campaign was er. I do not think that has anything whatsoever to do ith it.

The PRESIDENT. The Chair believes the gentleman eans the 1940 campaign.

Mr. HALUSKA. Yes, Mr. President, the 1940 campaign. at has nothing whatever to do with it, Mr. President, id I now stress the fact that I am thinking of the people Pennsylvania—the forgotten man. I offered my reso- tion in the Special Session of the General Assembly and that time the members on the right side of the House ought the issue was so important that before they acted on this resolution they called upon this secretary to give em an idea whether or not they were right or wrong, how they should vote.

Now, Mr. President, the gentleman is looking forward 1942, but I may say this: This is a very important issue, id what happened in 1940 will happen in 1942, whether ou are Democrats or Republicans, if you sit here and ke no part in trying to abolish this most vicious provi- on ever placed in the statute books.

Mr. CAVALCANTE. Mr. President, I think the members this Senate, I mean those who are level-headed and ish to do what is right, are justified in presuming from e question now before us that there is some reason that e Secretary of the Department of Public Assistance does ot want to give us the information asked for.

It is evident that good government in this question ould have at least prompted the Secretary of the De- artment of Public Assistance to give the Senate that in- rmation notwithstanding the status of the record.

When we weigh this question seriously now before us, r. President, we can see further and understand many her provisions of our Constitution and law that we ght to be governed by.

The record of this Senate in previous Sessions will show at there have been members on both sides who have ated that the Governor of this Commonwealth when he akes an executive nomination is entitled to the courtesy having that nomination accepted by this body without y question and without anybody interposing any ob- ction.

Now here, Mr. President, we have a question before us here there may be members of this Senate who knew, the time this man was made a member of the Gov- nor's cabinet, that he did not possess the qualifications, at he was not made of the proper metal that should go ith a good public official, but we were told, Mr. Presi- nt, and consistently we were told that members who e lawfully elected to this Senate have no right to ques- on the integrity of the Chief Executive in making execu- e nominations.

I want to call that to the attention of this body, Mr. esident, and I want the record to emphatically record my opposition to the proposition that under our constitution the Governor has the right to his executive nominations without any question by this body.

I want to add my vehement condemnation to the conduct of Mr. Russell, the secretary, and I think that whether the record shows what he has pointed out to us or not, a good public official interested in good government would have thought the record is in this state, but nevertheless because you seem to be interested in this information here it is, I am going to give it to you, and if he would stand on the technical ground that he thought he did not have to prepare this information for us until the present time then he should have stated even though the record is like this and you insist upon having the information I do not have it now, but I will get it and give it to you.

That, Mr. President, would have been the mental attitude of a good public official who did not have anything to conceal from the public or this body.

I think it does not require any other motion or resolution in this case. I think the President of this Senate, in due courtesy to all of the members of the Senate, ought to take it upon himself to notify the Secretary of Public Assistance that he should furnish this information at the earliest possible time and before this particular session adjourns.

Mr. WALKER. Mr. President, I am a little worried about the people who are involved directly with this bond and I do not want them to be smothered by law.

I think it is a very serious thing, Mr. President, when a legislative body such as the Pennsylvania State Senate asks for certain information and the head of a department through a technicality fails to furnish that information. I think that should be stopped before it becomes contagious and the heads of other departments adopt the same tactics.

Mr. President, the request for the information was made in good faith by the gentleman from Cambria and I in good faith seconded the motion and I think we are entitled to have that information, I am frankly, in the vernacular, of the opinion that he is stalling and not giving us that information and I think the Secretary of the Senate could easily communicate the feelings of the Senate to the Secretary of the Department of Public Assistance and get that information over here forthwith.

Mr. President, I think it is beneath our dignity that we should have to produce another resolution and coax the Secretary of the Department of Public Assistance to give us the information we are entitled to have when in the meantime the people who are subject to the imposition of these bonds are still exposed to that racket we are trying to stop, and it keeps going on year after year and we can not get it stopped on account of technicalities. I think it is an outrage and an insult to the Senate.

Mr. EALY. Mr. President, I think the gentleman from Cambria, Mr. Haluska, is entitled to the information he has requested. However, there is a little confusion about this matter. We must remember, Mr. President, this resolution never really went to the Secretary of the Department of Public Assistance and he has never had a copy of this resolution.

Mr. President, I think it is only proper that the Senator from Cambria, Mr. Haluska, introduce a resolution—a Senate resolution, it does not need to be a joint or concurrent resolution.

There was a considerable amount of confusion in the way this motion was made and the way it appears in the record and while I think the Senator from Cambria, is entitled to have the information I feel a proper resolution should be handed to the Secretary of the Department of Public Assistance.

Mr. SHAPIRO. Mr. President, I want to make two answers to the comments which have been made. First, Mr. President, I want to tell the gentleman from Delaware, Mr. Heyburn, I am not surprised he is worried about the election for 1942. I think he ought to be one of the first fellows to be worried about it.

As to the statement of the Senator from Somerset, Mr. Ealy, I should like to say a gentleman who can so well read the record as to be able to tell us six months later the resolution according to the record shows it did not pass in the House, also should be able to read the record and know that according to the Legislative Journal we said to them in spite of that we wanted the information.

Mr. President, I do not think you need another resolution at all; I think the Secretary of the Department of Public Assistance has had plenty of notice and ample information as to what we want. The debate on this mater, Mr. President, went on for days.

I agree with the gentleman from Allegheny, Mr. Walker, that after all we are not interested in ourselves or whether or not we are going to get satisfaction from the Department of Public Assistance, but, Mr. President, what we are really interested in is: are the people being affected by the legislation and the practice about which we are inquiring, and we do not want this man to come and tell us nothing more than what is contained in this Journal, and if he read last year's Journal he can read these things and he saw that and he knows that and he has still not furnished the information; and he is stalling.

Mr. HALUSKA. Mr. President, I desire to interrogate the Senator from Somerset, Mr. Ealy.

The PRESIDENT. Will the Senator from Somerset permit himself to be interrogated?

Mr. EALY. I will, Mr. President.

Mr. HALUSKA. Mr. President, did the gentleman from Somerset have any knowledge of the fact that on January 13th, when I made my request asking for this report, that the House had failed to concur in this resolution?

Mr. EALY. Mr. President, I did not have such information. I only knew that after the session adjourned.

Mr. President, I want to call attention to the fact that this motion, as it appears in the record, does not ask the Secretary of the Department of Public Assistance to supply the information in this resolution but it asks him to make a report on a resolution which never got to him.

Mr. WALKER. Mr. President, may I suggest that the gentleman who is the head of the Department of Public Assistance does not need a Senate resolution to dump a lot of other information on our desks which is so voluminous we cannot read it and I think he should give us the information we requested because we are entitled to it.

Mr. GELTZ. Mr. President, I may have a misunderstanding of this situation, but I think there is a clear misunderstanding on the part of the others. If I understand correctly, Mr. President, the report with which we have to do was a report from the Secretary of the Senate and not, Mr. President, a report from the Department of Public Assistance, so that the Secretary of the Department of Public Assistance certainly has been unjustly accused here, since he has not heretofore, or up to this time, received any notice of any motion or any resolution.

Mr. REED. Mr. President, I voted for the resolution introduced by the gentlemen from Cambria, Mr. Haluska at the last session and I am in favor of that information being sent to the Senate, but, Mr. President, it seems to me that if we ask for information in that irregular manner, without it being properly recorded, we are setting a very bad precedent for future procedure.

It seems to me, Mr. President, the proper thing would be for the gentleman from Cambria, Mr. Haluska, to introduce a resolution, have it passed, and then have a copy of it sent to the head of the department. That, Mr. President, is the regular way I think to do it and I think if we follow any other course we are setting a very bad example. That would not take much time, Mr. President and I think the information then would be forthcoming.

Mr. HALUSKA. Mr. President, I think at this time we are all very familiar with what we are talking about. In fact, we should be. I see no reason why we should call any further upon the Department of Public Assistance or any other department asking whether or not we might be permitted to vote upon a certain piece of legislation. We know what we are talking about, Mr. President, and we know what is going on. We know also, Mr. President, who is being penalized.

RESOLUTION DIRECTING DISCONTINUANCE OF REGULATION OF EXECUTION OF BOND

Mr. HALUSKA. Mr. President, I for that reason offer the following resolution pertaining directly to the Bond without requiring any report by the Department of Public Assistance.

The resolution was read as follows:

In the Senate, January 27, 1941.

Whereas, The rule or regulation of the Department of Public Assistance requiring relief recipients to execute a bond as a condition precedent to receiving relief has been a constant source of public indignation for years as the requirement has had the effect of penalizing only those citizens of the Commonwealth who heretofore through their industry and thrift managed to become home owners and

Whereas, The General Assembly regards home ownership as one of the highest forms of good citizenship and wishes to encourage it in every conceivable manner, and

Whereas, The interests of the Commonwealth are adequately and fully protected by existing law; therefore be it

Resolved, That the Secretary of the Department of Public Assistance is hereby directed to discontinue the rule or regulation requiring relief recipients to execute a bond as a condition precedent to qualifying for relief and that henceforth no such requirement shall be made.

Mr. HALUKSA. Mr. President, I ask that the clerk read the resolution slowly please.

The PRESIDENT. The Clerk will read the resolution slowly and distinctly in order that all members of the Senate may hear and grasp the idea.

The Clerk again read the resolution.

MOTION FOR IMMEDIATE ADOPTION OF RESOLUTION

Mr. HALUSKA. Mr. President, I move the immediate adoption of the resolution.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, I object and ask that the esolution be referred to a committee.

Mr. HALUSKA. Mr. President, I insist upon an imme-liate adoption.

Mr. CAVALCANTE. Mr. President, it means a suspen-ion of the rules.

The PRESIDENT. Under the rules of the Senate the esolution must be referred to a committee because there as been objection. There must be unanimous consent, he way the Chair understands it, before it can be given mmediate action.

MOTION TO SUSPEND RULE NO. 39

Mr. HALUSKA. Mr. President, I move the suspension f Rule No. 39.

Mr. CAVALCANTE. Mr. President, I second the motion.

The PRESIDENT. It has been moved by the gentleman rom Cambria, Mr. Haluska, and seconded by the gentle-nan from Fayette, Mr. Cavalcante, that Rule No. 39 be uspended for the purpose of taking immediate action on he resolution introduced by the Senator from Cambria.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Roll call, Mr. President.

Mr. SHAPIRO. Roll call, Mr. President.

Mr. EDMONDS. Mr. President, before a roll call is taken I should like to interrogate the Senator from Cambria.

The PRESIDENT. Will the Senator from Cambria per-mit himself to be interrogated?

Mr. HALUSKA. Gladly, Mr. President.

Mr. EDMONDS. Mr. President, is the resolution just presented by the Senator from Cambria identical with the resolution which passed the Senate in May.

Mr. HALUSKA. Mr. President, I might say the resolu-tion I have presented is identical with the one I intro-duced in May.

Mr. EDMONDS. But, Mr. President, it did not pass the Senate in that form.

Mr. HALUSKA. Mr. President, it was amended by the Senate in May.

The PRESIDENT. The question now before the Senate s on the question of the suspension of Rule No. 39.

Mr. HEYBURN. Mr. President, I am wondering if the Senator from Cambria would not permit the resolution to e withdrawn, with the understanding it will go over until omorrow. No one has yet had opportunity to read it and, fter all, I think we would like to read it.

Mr. HALUSKA. What is there to be known about it, Mr. President?

Mr. HEYBURN. Mr. President, we would like to read he resolution before voting on it.

Mr. CAVALCANTE. Mr. President, may I ask the Chair o have the resolution read again

The PRESIDENT. If there is no objection the resolution vill again be read, in order that the Senators may know he purport of the resolution.

(The resolution was again read by the Clerk.)

Mr. WALKER. Mr. President, I desire to interrogate he Senator from Cambria.

The PRESIDENT. Will the Senator from Cambria per-mit himself to be interrogated

Mr. HALUSKA. Mr. President, I will.

Mr. WALKER. Mr. President, I desire to ask the gentle-man from Cambria if it is not a fact that the use of the bond is a rule of the department that is backed up by the opinions of two attorneys general, one the present in-cumbent and the other his predecessor, Guy K. Bard?

Mr. HALUSKA. Mr. President, under the Pamphlet Laws of 1937, amended in 1939, you will find the follow-ing wording: "That the Department of Public Assistance shall make its own rules and regulations." I know of no one who has written any opinion on that and I would like to have that opinion by any attorney general.

Mr. WALKER. Mr. President, I would like to suggest and direct the attention of the Senate to the fact that when this matter was before the Senate in the session of 1939, and also in the Special Session in 1940, there were opinions read purporting to have come from Guy K. Bard, when he was attorney general and the present incumbent, At-torney General Claude T. Reno, and evidently the head of the department was taking action predicated upon those opinions, and I would like to suggest to the gentle-man from Cambria, Mr. Haluska, that nobody wants to get rid of these bonds any more than I do, but I do not think we should suggest to the department a method contrary to the opinions of the Attorneys General, which in turn would embarrass the head of the department. I have no desire to embarrass him; I merely want to stop the use of the bonds and I suggest to the gentleman from Cambria that the resolution he has offered is contrary to the opin-ions of the Attorneys General and therefore it would place the head of the Department of Public Assistance in an embarrassing position, if we were to ask him to violate what is purported to be the law.

Mr. CAVALCANTE. Mr. President, I think the gentle-man from Allegheny, Mr. Walker, has brought out a very material point here. Not only do we have the opinions of the two Attorneys General mentioned, but there is a specific Act of Assembly on the statute books that requires a bond. My understanding of this discussion, Mr. Presi-dent, from the very beginning, I mean from the other Session, was to this point: The judgment clause incor-porated in the bond required—there was no objection, as I understand, to the giving of the bond, but there was this serious objection to the insertion of the judgment clause and that judgment clause was inserted under a rule and regulation of the Department of Public Assistance and the two opinions of the attorneys general were merely on the point as to whether or not the Department of Pub-lic Assistance could by its rules and regulations insert that judgment clause and, Mr. President, both opinions were affirmative on that point.

I think, Mr. President, we properly had better be cau-tious on this resolution, if the resolution would call upon repealing of an Act of Assembly which can not be done by mere adoption of a resolution.

Mr. GELTZ. Mr. President, I rise to inform my col-leagues the vote about to be taken is not a vote on the resolution but a vote to suspend the rule which provides this resolution be submitted to a committee.

Mr. HALUSKA. Mr. President, due to the fact that there have been various differences of opinion, I would like to withdraw the resolution I submitted and I shall pre-

pare a resolution calling upon the Department of Public Assistance—as suggested by the gentleman from Somerset, Mr. Ealy—asking that the Department of Public Assistance report at an early date, possibly tomorrow, their findings upon this original resolution.

Resolution referred to Committee on Welfare, Public Assistance and Pensions.

The PRESIDENT. The motion of the gentleman from Cambria, Mr. Haluska, to suspend Rule 39, is withdrawn, and the resolution introduced by the gentleman from Cambria, is referred to the Committee on Welfare, Public Assistance and Pensions.

Mr. CAVALCANTE. Mr. President, I was going to suggest there is no use to withdraw that; let the resolution be referred to committee, and in committee be so amended.

The PRESIDENT. For the information of the Senateor from Fayette that is what has been done.

Mr. CAVALCANTE. Mr. President, very well, sir.

The PRESIDENT. The only thing before the Senate was a motion to suspend Rule 39. That was withdrawn and the resolution has been referred to a proper committee.

QUESTION OF PERSONAL PRIVILEGE

Mr. JASPAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, will state his question of personal privilege.

Mr. JASPAN. Mr. President, I can hardly suscribe to the statement contained in an article appearing in the Philadelphia Record of this morning. I think it is very important and concerns us very vitally. I therefore, Mr. President, shall now read the article as it appeared. The article is headed "Blackie Zupkosky's Pals." I read from the article.

BLACKIE ZUPKOSKY'S 'PALS'

Blackie Zupkosky, one of the most vicious thugs ever to make a joke of Pennsylvania justice, shot a man in Newark Friday night.

It was a holdup of a liquor store. Zupkosky says he was just passing by and met another thug, "Mike" Summers. Summers said: "Come on we're gonna stick this joint up."

Says Blackie:

"I couldn't let a pal down, so I followed in."

Thus one more shooting was added to the list of Zupkosky's crimes, one of the longest and most notorious on local records.

* * *

Blackie Zupkosky had other "pals." Maybe you know them:

Judge Harry S. McDevitt, who paroled Blackie in 1939 with the statement:

"I suppose that if I put you back on the street it will shock the community as well as a great many persons for whose opinion I dont care a whit."

Now Judge McDevitt says he is "shocked."

When Zupkosky was told how McDevitt felt, he lapsed once more from crime to remorse. He felt terrible—

Because he'd let a "pal" down.

At the hearing before Judge McDevitt, the District Attorney's office was represented by Assistant District Attorney Vincent A. Carroll, recently appointed a Common Pleas Judge by Governor James. Since Carroll acquiesced; he should be counted as another "pal" Blackie let down.

* * *

Still other "pals" of Blackie Zuposky were found on the Pennsylvania Board of Pardons in 1938 under the administration of Governor Earle. The board was warned advance of public indignation over parole abuses under the Pinchot administration.

The Earle Board met that situation by giving Zupkosky his parole in secret. They did so at the behest of Paul V. Costello, who originally sponsored him, and Warden Herbert Smith, of Eastern Penitentiary.

Zupkosky was given this parole even though he had been sentenced to a term of 70 to 140 years; even though more than 61 robbery charges were still pending against him, and even though Judge Howard A. Davis, who sentenced him, regarded him as a thoroughly dangerous professional thug.

Sad that Blackie has had to go and let all those "pals" down, too.

* * *

The reader may speculate for himself why a ruthless thug had so many friends in such high places—Judges, Prison Wardens' Pardon Board members and even the Governor himself signed the parole

Zupkosky's sponsor was a Democratic division worker employed by Thomas A. Logue, then a member of the Pardon Board. And his counsel was no less than a Republican member of the Pennsylvania House of Representatives.

The Record assailed the Pardon Board at the time. Our voice was not heard. We called attention to the fact that Zupkosky, after a long record of holdups, was shot in a fight; escaped from Philadelphia General Hospital where he was officially "dying;" engaged in a $5000 pay roll holdup shortly afterward; tried to shoot a cop and failed only because his gun jammed.

But the parole, had been granted. Then some of the untried charges against Zupkosky were revived, but Judge McDevitt set him free, with the observation:

"I will assume full responsibility for this act."

* * *

Our parole system is doomed unless the power of parole and pardon is removed from political control and turned over to experts who know how to use it; not abuse it. The Pardon Board and the Judiciary have proven over a long period of time that this function is misplaced with them.

The power of parole was intended to reclaim the young offender, who could offer real hope of reform and to meet the problem of those who commit crimes, such as crimes, such as crimes of passion, and who almost certainly would never repeat the offense.

The power of parole was not intended to afford a back-door of escape from prison for unredeemable, professional criminals such as Zupkosky. That he belonged in that class should have been evident to the most naive.

Justice may now belatedly deal with Blackie as it should.

Zupkosky's "pals," luckily for them, have only to answer to their own consciences.

Mr. President, it comes as a distinct shock to have Judge Harry S. McDevitt called a criminal's pal. Thousands of civic-minded Philadelphians have come to regard Judge McDevitt as the one man to put punch in the slogan "Crime Does Not Pay," and as the one man who did more to purge Philadelphia of its vicious criminal element than any other Judge on the Bench within recent history.

And Judge Vincent Carroll was bracketed with Judge

McDevitt in the newspaper charge because both men acted in good faith in participating in the parole of the notorious "Blackie" Zuposky in 1939 and who recently turned back to a career of crime. Any lawyer who enjoyed the privilege of fighting Judge Carroll when he served as an Assistant District Attorney knows only too well his towering zeal for convictions, and the long list of criminals who were sent to jail through his efforts speaks eloquently of the extent of his interest and where it has always lain. In fact, he fought so hard to do his duty as a member of the District Attorney's staff that several cases he handled were reversed by the Appellate Courts because of an over-indulgence of such zeal.

The implication of the newspaper charge is to the effect that both of these officials were highly remiss in showing any confidence at all in Zupkosky's rehabilitation. From the standpoint of what happened since, the parole was a mistake. But anybody can be a second guesser. The football world is full of Monday morning quarterbacks. But as of the time Judges McDevitt and Carroll acted, there were plenty of honest reasons in their minds for acting as they did. The whole theory of criminal punishment involves the principle of rehabilitation as one of its main objectives. These two judges, along with other men whose sincerity can not be questioned believed that Zupkosky could be rehabilitated. The fact that these men were of both major political parties shows that politics could have but little to do with it. The Parole Board and Warden Smith acted on what, in the light of their then knowledge, indicated the successful outcome of their belief that despite Zupkosky's admittedly black past, he could be led into a straight path of living. It has been done before and will be done hundreds of times again in cases just as bad. That their hopes failed to materialize was because of an honest mistake for which they should not be condemned by inuendo.

There is more at stake in the matter than merely the reputations of Judges McDevitt and Carroll both of whom need no apologists. They both believed in the parole system and they still do. Judge McDevitt's indefatigable efforts to salvage something worthwhile from the human delinquency that comes before him is well known by everybody connected with penal as well as with crime-prevention work. He visits the jails weekly; he keeps an eye on incarcerated men who show promise of reform; he works hard for the families of the men so confined, so that their economic burden is lightened; he does not rest with the sentence.

If, therefore, we condemn an honest effort to make the parole system workable, we destroy the very object of criminal justice and shut the doors of despair in the face of every convict. It's all well and good to point out the occasional mistake of the parole system, but it's just as important to remember the overwhelming good it has done.

I rise, therefore, to the defense of these two men with full knowledge of the value of their long and conscientious service to stop crime, and also to express my confidence in the parole system as it is now written in our statutes and the men who help administer it, and to instill in these men further confidence, should they so need it, to carry their fight for rehabilitation of prisoners beyond the courtroom, beyond the court sentence and beyond the biased opinions of newspapers.

I also arise in defense of our parole boards. They have done excellent work and have always acted without regard to race, color, creed or politics. Politics have played no part with the board during the Earle Administration nor the present administration. The board today as then is comprised of men and women who are not callous and cold and indifferent to the rights of unfortunates. They are human and if it is the purpose of a newspaper to destroy one's humaneness and conscience, it will not succeed.

Gentlemen, I make this statement knowing full well that I may lose favor with our Democratic newspaper, but it makes little or no difference to me. My conscience and judgment prevail. As contrasted with this article, let me now read you an article from the Philadelphia Bulletin, to which I heartily subscribe. I quote:

PAROLE'S BLACK EYE

Persons who believe that the parole system is a device for coddling convicts will regard the case of William Zupkowsky as proof of the existence of an evil that calls for correction.

It tends to undermine the contention that parole is workable if properly administered. For in the Zupkowsky case the fundamentals of proper parole were duly observed. By his conduct the prisoner had convinced the Judge who acted on his case, the District Attorney's office, the prison authorities and experienced social service agents that he was a changed man; and after his release he was kept under close observation.

Unfortunately, "Blackie" fooled them all; perhaps even himself. The criminal virus was in his blood. He drifted back into his old ways, and is again in the toils.

There is a difference between this case and those of convicts thoughtlessly turned loose to prey on society; and the fact remains that many paroled prisoners justify, by their subsequent conduct, their release.

It will not do to reason from the particular to the general. Parole has a new black eye, but it is a valuable tool in the hands of enlightened penology when properly used, an occasional notable exception to the rule notwithstanding.

The PRESIDENT. The Chair at first could not see a point of personal privilege because apparently the Senator from Philadelphia, Mr. Jaspan, was not a pal; his name was not mentioned. However, the Chair is indebted to the Senator from Philadelphia, because the Chair believes that brings very forcibly before each and every member of the Senate what the Chair, as Chairman of the Pennsylvania Board of Pardons, has been advocating, and the Chair is going to call on this body presently to support liquor legislation that might correct the conditions just referred to by the Senator from Philadelphia, Mr. Jaspan.

Thank you for raising a point of personal privilege for the Chair.

RESOLUTION DIRECTING SECRETARY OF THE DEPARTMENT OF PUBLIC ASSISTANCE TO REPORT TO SENATE

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer a resolution at this time.

In the Senate, January 27, 1941.

Whereas, The rule or regulation of the Department of Public Assistance requiring relief recipients to execute a bond as a condition precedent to receiving relief has been a constant source of public indignation for years as the requirement has had the effect of penalizing only those citizens of the Commonwealth who heretofore through their industry and thrift managed to become home owners; and

Whereas, The General Assembly regards home ownership as one of the highest forms of good citizenship and wishes to encourage it in every conceivable manner,

Therefore, Be it Resolved, That the Secretary of the Department of Public Assistance shall report to the Senate of Pennsylvania as to the advantages and disadvantages

with reference to abolishing the bond procedure as outlined above.

Mr. GELTZ. Mr. President, because of the fact it was the Senate's intention to have this important information a long time past I now ask that nobody object to its immediate adoption.

The PRESIDENT. Is there any objection?

Mr. EALY. Mr. President, I have no objection to the adoption of the resolution, but the preamble is bad and in voting for the call for information we do not wish to be understood as assenting to all features of the preamble.

Mr. CAVALCANTE. Mr. President, in line with what the Senator from Somerset has said and in view of the discussion we have already had on this question, I think it is not a resolution we need but it is a bill to repeal the statute that is on the books requiring the bond.

Mr. SHAPIRO. Mr. President, that bill is on the calendar, Senate Bill No. 15, introduced by the gentleman from Cambria, Mr. Haluska, but speaking of preambles I would like to suggest to the gentleman from Somerset if he is interested in preambles, as to what they mean, that he read the preamble to the House Bill in Delaware County; it has a lovely preamble under which the water works were bought.

Mr. HALUSKA. Mr. President, in reply to the remarks of the Senator from Fayette, Mr. Cavalcante, I might say for his information that I last week introduced a bill revising the public support law and if he reads that bill he will find the answer to his query.

However, if you will note here under "be it resolved" I have not said just how promptly the Department of Public Assistance should give us the answer, That might be important to him. I think we should have the answer tomorrow but if he thinks next week is too soon we will give him plenty of opportunity, make it the week after next, just so we get the answer. I have been very fair in this resolution. Mr. President; I am asking one thing and that is his reaction insofar as this bond is concerned.

Mr. CAVALCANTE. Mr. President, I appreciate the information imparted to me by the gentleman from Cambria, and I also appreciate the information he seeks in this case and which apparently he does not have himself.

Mr. President, the gentleman from Fayette does not need the information he has requested from the Secretary of the Department of Public Assistance. I already have that information and I know what action should be taken and every member of this Senate at this time has all of the information. We do not need this information, Mr. President.

There is an Act of Assembly on the statute books that requires this bond. We know that and we also know that the objectionable thing is the judgment clause inserted in that bond and the only answer to this thing is this: not a resolution, not information from the secretary, but a bill to repeal the act that requires the bond and then, when that bill comes up for proper discussion in this body and the House we may then decide whether we should insert in that repealing act authority to the Department of Public Assistance to insert a judgment clause in the bond.

I do not need that information, Mr. President.

Mr. REED. Mr. President, granting what the Senator from Fayette has said, that as I understand the law, will not correct the situation because in many counties today the Public Assistance Department is going right in with a suit in assumpsit and getting judgment that way.

Mr. President, the act creating the Department of Public Assistance will have to be changed in that respect, to effect a complete cure of the trouble the Senator from Cambria is seeking.

Mr. CAVALCANTE. Mr. President, in answer to the statement of the gentleman from Washington, Mr. Reed, for whom I have a high regard, I do not need that information from the secretary on that point, because being an attorney and supposedly learned in the law I know that the courts of this Commonwealth have already held, and the cases are reported, that notwithstanding any Act of Assembly the State of Pennsylvania has a common law right to receive from the estates of these relief recipients the amount the state has contributed to their support. Still the question recurs, and I say, Mr. President, we do not need this information from the secretary; what we need is an Act of Assembly repealing the statute that requires a bond and to also repeal the common law rule that makes the estate of a deceased liable in cases of this kind.

Mr. REED. Mr. President, I want to call to the attention of the gentleman from Fayette also the fact that in many counties under the Public Assistance law and some other laws, our chief difficulty with this question does not only arise in the civil courts but it also is passed over into the criminal courts, and they are now putting people in jail who are on public assistance.

Mr. CAVALCANTE. Mr. President, in answer to that problem the people are not being put in jail because they sign a bond, or because the Act of Assembly requires a bond; they are being put in jail because they fraudulently and deceitfully obtain relief from the Commonwealth of Pennsylvania, and they ought to be put in jail for that.

Mr. HALUSKA. Mr. President, I agree with my two colleagues from Fayette and Washington counties that my resolution is not an answer to this great problem. Then, you may ask me, why present that resolution, and my answer is that because prior to 1939, it was never known that any person in this Commonwealth ever signed a bond, despite the fact that it was the law of the state. It was only after 1939 that the present administration took upon itself the responsibility of compelling the relief recipients to sign a bond; so if prior to 1939 the rule was not effective, I thought possibly we might make that rule non-effective again up until such time that this body might take time to read Senate Bill No. 13. If you will read Senate Bill No. 13 you will find an answer to the question of the Senator from Fayette and the Senator from Washington County.

Mr. GELTZ. Mr. President, if our colleague from Cambria county would read the minutes of the meetings of the board to which he refers, as not requiring that bond, he might not be in such a bragging mood, when he stated as to the reasons given why the Democrats did not require that bond just before election. However, since there is this question arising now as to whether or not this resolution is what we thought it would be, that requires him to get this information for us, I object to its immediate adoption and ask it to be referred to a committee.

The PRESIDENT. There is objection to immediate consideration of the resolution.

MOTION TO SUSPEND RULE NO. 39

Mr. HALUSKA. Mr. President, I move that we suspend Rule No. 39 pertaining to this resolution.

Mr. SHAPIRO. Mr. President, I second the motion.

The PRESIDENT. It has been moved by the Senator

from Cambria and seconded by the Senator from Philadelphia that Rule No. 39 be suspended.

Are there any remarks?

MOTION TO LAY MOTION ON TABLE

Mr. HEYBURN. Mr. President, I move that the motion of the gentleman from Cambria, Mr. Haluska, to suspend Rule No. 39 be laid on the table.

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. It has been moved by the gentleman from Delaware, Mr. Heyburn, and seconded by the gentleman from Allegheny, Mr. Geltz, that the motion to suspend Rule No. 39 be laid on the table.

Are there any remarks?

Mr. CAVALCANTE. Mr. President, I intend to vote against this resolution because I think we ought to vote on the resolution just to defeat it and not because I agree with the bond that the Department of Public Assistance requires.

If the Democratic administration did not require this bond, I am not here condoning their conduct, because if they did not enforce it they were violating the law, and I am one citizen of the Commonwealth of Pennsylvania who will not condone any violation of any law, no matter what it is; political expediency means nothing to me. The law is on the statute books and it ought to be enforced, regardless of who is hurt.

This resolution should not be laid on the table, but should be voted down, and I will vote against the adoption of the resolution, not because I believe in the bond, but because I want to vote for some measure that will repeal that law and keep it repealed, and this resolution calling upon the Secretary of Department of Public Assistance to furnish this information will not have that affect.

Mr. HALUSKA. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Geltz.

The PRESIDENT. Will the Senator from Allegheny, Mr. Geltz, permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Allegheny, Mr. Geltz, to get up on the floor after I introduced my resolution and ask his colleagues not to object to this resolution?

Mr. GELTZ. I did, Mr. President.

Mr. HALUSKA. Mr. President, and did I not understand the gentleman to later get up on the floor and object to the adoption of this resolution?

Mr. GELTZ. I did, Mr. President.

Mr. HALUSKA. Mr. President, can the gentleman from Allegheny give any good reason for his actions?

Mr. GELTZ. I do not know, Mr. President, whether my colleague from Cambria considers it a good reason or not, but I gave the reason for my position.

Mr. HALUSKA. Mr. President, may I hear it again, please?

Mr. GELTZ. Mr. President, at the time I gave my reason, I said something to this affect, that since there seemed to be disagreement on the other side, and since Mr. Haluska himself says that this resolution does not accomplish what we hope to have accomplished, I saw no reason for its immediate adoption, and therefore objected to it.

Mr. SHAPIRO. Mr. President, I should like to suggest that we are playing a little bit of marbles here. There is a bill on the Calendar, which is Senate Bill No. 15, which provides for the repeal of the act which makes it necessary for the Department of Public Assistance to require this bond in the form in which it is issued. Now, whether or not that bill should be passed is a question which will come before this Senate sooner or later. I think there has been some disagreement on one side or the other as to the advisability of the resolution, which does not change the fact that in order to act intelligently on Senate Bill No. 15 we should have the information, not that I gather or that somebody else gathers, but information from the department itself. Just what the effect of that provision has been upon the community, the State of Pennsylvania, how it has worked in the department, what profit if any there has been, I do not mean in dollars and cents, but from the point of view of keeping off relief rolls those who are not entitled to relief, but such information as any good legislature would want to have from the proper source when it acts on legislation. Therefore it seems to me that while the first resolution of the Senator from Cambria was not a proper resolution, because it undertook by resolution to repeal the existing law, the second resolution which is merely one of inquiry asking for this information is a proper resolution and even though there may be disagreement it does not take away the fact that we should have that information. I suggest to the Senator from Allegheny, Mr. Geltz, that he withdraw his objection and let us pass the resolution so that we can get the information which sooner or later we should have as good legislators.

Mr. GELTZ. Mr. President, there is a motion before the House to table the motion to suspend the rule.

The PRESIDENT. The question before the Senate is a motion to lay on the table the motion to suspend Rule No. 39, made by the gentleman from Cambria, Mr. Haluska.

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, under the rule of this Senate, an objection having been made to the immediate consideration of a resolution, the motion to lay on the table is out of order.

The PRESIDENT. The Chair rules otherwise. The question before the House is the motion to lay the motion on the table.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HALUSKA, and were as follows, viz:

YEAS—26

Bartlett,	Edmonds,	Miller,	Wade,
Becker,	Farrell,	Scarlett,	Watkins,
Carr,	Geltz,	Snowden,	Wilson, H. I.,
Chapman,	Heyburn,	Stevenson,	Wilson, T. B.,
Crider,	Homsher,	Tallman,	Ziesenheim,
Crowe,	James,	Taylor,	Tyler,
Ealy,	Kephart,		

NAYS—17

Barr,	Frey,	McCreesh,	Ruth,
Cavalcante,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	McQuiddy,	Stiefel,
Deitrick,	Mallery,	Reed,	Walker,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Motion prevailed.

MOTION CALLING RESOLUTION FROM TABLE

Mr. SHAPIRO. Mr. President, I now call up from the table the previous resolution and move its immediate adoption.

Mr. HALUSKA. Mr. President, I second the motion.

Mr. SHAPIRO. The previous resolution is now on the table. I now call it up for action.

Mr. CAVALCANTE. The motion has just laid the resolution on the table.

The PRESIDENT. It was to lay the motion on the table, to suspend Rule No. 39.

Mr. SHAPIRO. That is correct, Mr. President.

The PRESIDENT. Now, that reverts back to whether there is objection and there is objection and it goes to the Committee on Welfare and Assistance.

Mr. SHAPIRO. Mr. President, I want to follow my motion, if you please.

The PRESIDENT. Proceed.

MOTION TO SUSPEND RULE NO. 39

Mr. SHAPIRO. I called the resolution up for action, and I now move again that Rule No. 39 be suspended.

The PRESIDENT. The Chair must rule that the resolution is not on the table.

Mr. SHAPIRO. It is not?

The PRESIDENT. The resolution has been referred to the Committee on Welfare, Public Assistance, and Pensions.

The rule to lay on the table was the motion made by the Senator from Cambria, Mr. Haluska, to suspend Rule No. 39.

Mr. SHAPIRO. That is correct, Mr. President.

The PRESIDENT. The motion to lay that on the table was lost; Therefore his motion to suspend--

Mr. SHAPIRO. Is lost, Mr. President.

The PRESIDENT. We take action on that now. That is the action before the Senate.

Mr. SHAPIRO. Mr. President, the motion as I understood it was to lay on the table the motion to suspend the rule.

The PRESIDENT. That is correct.

Mr. SHAPIRO. That motion was carried?

The PRESIDENT. That is correct.

Mr. SHAPIRO. That leaves the resolution before us with an objection to its immediate adoption.

The PRESIDENT. That is correct.

MOTION TO SUSPEND RULE No. 39

Mr. SHAPIRO. I now ask that Rule No. 39 be suspended and we act upon the resolution. Any motion that has been made to lay on the table can be made again. I am now again making that motion.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, moves that Rule No. 39 be suspended.

Mr. SHAPIRO. That is correct, Mr. President. I am calling up Rule No. 39 from the table on which it was just laid.

The PRESIDENT. You said the resolution.

Mr. SHAPIRO. I Mean the motion, Mr. President.

The PRESIDENT. The motion now is on the suspension of the rule. The Clerk will call the roll.

POINT OF ORDER

Mr. EALY. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Somerset, will state his point of order.

Mr. EALY. Mr. President, we have just acted upon this motion which was laid on the table.

Mr. SHAPIRO. Mr. President, that is correct, but a motion that has been laid on the table can be called up any time, and I am now calling up from the table the motion to suspend the rule.

The PRESIDENT. The point taken by the Senator from Philadelphia is correct. The error was when he stated "resolution" instead of "motion."

Mr. SHAPIRO. I said both, Mr. President.

Mr. THOMAS B. WILSON. Mr. President, will you kindly state for the benefit of the members what the question is now, so that we can intelligently vote upon it?

The PRESIDENT. The question before the Senate is the motion of the Senator from Philadelphia to take from the table the motion that was laid on the table, which motion is to suspend Rule No. 39. Is the Chair correct?

Mr. SHAPIRO. Mr. President, I think we are voting now on the suspension of Rule No. 39, to take that from the table.

The PRESIDENT. And take it from the table.

Mr. SHAPIRO. And vote on it, Mr. President.

Mr. GELTZ. Mr. President, I may be foggy but that seems like an inconsistent statement to me. If we are voting to take it from the table, we are not voting on the motion itself. Mr. President, are we now voting on the motion to suspend the rule or the motion to take the previous motion from the table?

The PRESIDENT. The Chair may not understand what the motion is. The Chair tried to state it, but for the information of the Senators I will ask the Senator from Philadelphia, Mr. Shapiro, to restate it.

Mr. SHAPIRO. Mr. President, there is now on the table a motion to suspend Rule 39, in connection with the action on the resolution presented by the gentleman from Cambria, Mr. Haluska?

The PRESIDENT. That is correct.

Mr. SHAPIRO. Now, Mr. President, since a motion which has been laid on the table can be called up at any time for action, I now call up from the table the motion which was laid on the table, and I call it up for action, which means that we will now act on the suspension of Rule 39, just the same as any resolution that is laid on the table; we act on the resolution; we do not act on whether we should call it up from the table. If you will look at the rule, you will see that the rule provides that a motion to lay on the table can be called up for action at any time. That is the exact wording of the rule. I, therefore, call up for action the motion that was laid on the table.

Mr. GELTZ. Mr. President, I ask my colleagues to vote "no."

Mr. CAVALCANTE. Mr. President, I want to try to vote intelligently on this motion when this vote is called. I just do not understand the gentleman from Philadelphia or anyone else that has explained this. I sit rather close here to the gentleman from Cambria, and when he introduced his resolution there was objection and the gentleman from Cambria then moved to suspend the rule. That motion was seconded, and then the gentleman from Delaware, Mr. Heyburn, moved that the motion to suspend the rule be laid on the table, and that motion was carried. That leaves now the resolution before this body with the objection of the gentleman from Allegheny, Mr. Geltz. There is no motion on the table to be taken up at this time. The resolution is before this body with the objection made by the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. The Chair would request the Senator from Philadelphia, Mr. Shapiro, to read for his informa-

tion the rule that you can take from the table a motion.

Mr. SHAPIRO. Mr. President, since these rules are in the Journal, I am trying to find them.

The PRESIDENT. The Chair itself is laboring under the same handicap.

Mr. HALUSKA. Mr. President, while we are checking up on these rules, once again I wish to make my appeal to my colleagues on the right to withdraw their objections. All we are asking for is the Department of Public Assistance to give us what information they have in reference to this bond and whether they believe it must be or not, certainly there is no harm in it and I can't see why they should handicap us. We should have that information from the department informing us whether or not they are compelled to receive this bond before they can give relief, or whether they can act without the bond, and I believe we are entitled to that information, and I feel the Senator from Allegheny County, Mr. Geltz, should reconsider his objection and put this resolution through, because we are entitled to the information.

Mr. GELTZ. Mr. President, some of my colleagues have objected to the preamble of the resolution, and if our colleague, Senator Haluska, will alter that preamble, I will be very glad to withdraw my objection.

Mr. HALUSKA. Mr. President, I will make up a new resolution in a few minutes.

The PRESIDENT. The Chair would suggest that Mr. Haluska, from Cambria, and Mr. Geltz from Allegheny, get together and the Senate will be at ease.

(The Senate was at ease)

Mr. DENT. Mr. President, while the Senate is at ease, I don't want to inject myself into this but I happen to have received something in the mail that happens to bear on this particular subject and I would like to read it to the Senators.

The PRESIDENT. The Chair understands that the Senator from Cambria, Mr. Haluska, and the Senator from Allegheny, Mr. Geltz, are trying to get together to relieve the situation as to the motion before the House.

Now, if there is no objection we will permit the gentleman from Westmoreland, Mr. Dent, to proceed.

Mr. DENT. Mr. President, I just want you to pay a little attention to this; this is a notice, a final notice from the Commonwealth of Pennsylvania, Department of Public Assistance, dated January 17, 1941, which reads as follows:

"You failed to make a payment or to appear with regard to the claim for assistance held against you by the Commonwealth. If you do not call on 212 Denot Street, Greensburg, Pennsylvania, on Friday, January 22, 1941, at 1-4 o'clock, to discuss this matter, the claim will be referred to the Department of Justice for legal action without further notice."

Mr. President, I just wanted to call that to the attention of the members of the Senate because this woman is eighty-four years old. She owes the amount of $28.50 to the department and unless she gives it to them they are going to put her in jail.

I just wanted to call your attention to that, Mr. President.

The PRESIDENT. The Senate will now be in order.

RESOLUTION WITHDRAWN

Mr. HALUSKA. Mr. President, in order to keep the record straight I shall withdraw the last resolution I presented and offer another resolution in its place.

The PRESIDENT. The Chair believes the proper procedure would be, now that the Senator from Cambria desires to withdraw his resolution, that the Senator withdraw the seconding.

If there is no objection to that procedure it will clear everything before the Senate.

Mr. SHAPIRO. Mr. President, I second the motion of the Senator from Cambria, Mr. Hulaska, in now withdrawing his resolution.

On the question.

Will the Senate agree to the motion?

It was agreed to.

RESOLUTION CALLING ON DEPARTMENT OF PUBLIC ASSISTANCE TO REPORT TO SENATE

Mr. HALUSKA. Mr. President, I offer the following resolution and ask its immediate adoption.

In the Senate, January 27, 1941.

Whereas, The rule or regulation of the Department of Public Assistance requiring relief recipients to execute a bond as a condition precedent to receiving relief has been a constant source of discussion for years, and

Whereas, The General Assembly regards home ownership as one of the highest forms of good citizenship and wishes to encourage it in every conceivable manner.

Therefore, Be It Resolved, That the Secretary of the Department of Public Assistance shall report to the Senate of Pennsylvania as to the advantages and dis-advantages with reference to abolishing the bond procedure as outlined above.

On the question,

Will the Senate agree to the Resolution?

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. The motion is for immediate adoption of the resolution introduced by the Senator from Cambria.

Is there objection?

Mr. CAVALCANTE. Mr. President, I would like to have some remarks on the resolution the way it is. Mr. President, I wish to object to that part of the "Whereas" of that resolution that says this bond is required by virtue of a rule or regulation of the Department of Public Assistance.

Now, Mr. President, it is either true or untrue; there is either an Act of Assembly requiring the bond or else it is a rule and regulation of the Department of Public Assistance.

The statement in that resolution that the bond is required by rule or regulation of the Department of Public Assistance is false and untrue and I do not intend to vote for a resoluion that contains a false and untrue statement.

On the question.

Will the Senate agree to the motion?

Mr. CAVALCANTE. Roll call, Mr. President.

The yeas and nays were required by Mr. HALUSKA and Mr. SHAPIRO and were as follows, viz:

YEAS—40

Barr,	Farrell,	McCreesh,	Stiefel,
Bartlett,	Frey,	McGinnis,	Tallman,
Becker,	Geltz,	McQuiddy,	Taylor,
Carr,	Haluska,	Miller,	Tyler,
Chapman,	Heyburn,	Reed,	Wade,
Cox,	Homsher,	Ruth,	Walker,
Crider,	James,	Scarlett,	Watkins,
Crowe,	Jaspan,	Shapiro,	Wilson, H. I.,
Ealy,	Kephart,	Snowden,	Wilson, T. B.,
Edmonds,	Mallery,	Stevenson,	Ziesenheim,

NAYS—2

Cavalcante, Dent,

So the question was determined in the affirmative.

TIME OF NEXT MEETING

Mr. EDMONDS offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 27, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 3, 1941, at 4 o'clock, p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 3, 1941, at 9 o'clock, p. m.

On the question,

Will the Senate agree to the Resolution?

Mr. DENT. Mr. President, I just want to call attention to the fact that roads are in pretty bad condition and it takes a long time to come to Harrisburg from western Pennsylvania and I therefore still object to this body meeting at four o'clock.

Mr. President, some of us have some other work to do at home, for our constituents. I still say it is silly to come in here at four o'clock in the afternoon when the house does not meet until eight o'clock at night and I will maintain that position all session.

Mr. CARR. Mr. President, I should like to interrogate the gentleman from Westmoreland.

Mr. PRESIDENT. Will the Senator from Westmoreland, permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. CARR. Mr. President, I should like to inquire why it took the gentleman so long to get from the Midway Hotel to Harrisburg.

Mr. DENT. Mr. President, I am certainly glad the Senator mentioned that. I just wanted to be led into that particular question.

The PRESIDENT. The question is why did it take the Senator so long to get here. Is that the question? Will the Senator from Butler repeat the question?

Mr. CARR. Mr. President, I inquired why it took the Senator from Westmoreland so long to get to Harrisburg from the Midway Hotel.

Mr. DENT. Mr. President, the truth of the matter is after you leave the Turnpike and run onto the Pennsylvania highways, and since the James administration has come into power they have thought more of spending dollars than they have of maintaining the roads in proper condition for the innocent motorists, because they have refused to put ashes on the roads and they do not do anything but sit around and spend very little money on the maintenance of roads so that those of us who must use the roads must take a long time because we have to drive carefully.

Mr. President, I just wanted to bring out the fact that the roads are not being taken care of by the present administration.

The PRESIDENT. Is the answer satisfactory to the Senator from Butler, Mr. Carr.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Ordered, that the Clerk present same to the House of Representatives for concurrence.

CONDOLENCES TO SENATOR THOMAS ON THE DEATH OF HIS MOTHER

Mr. MALLERY offered the following resolution which was twice read, considered, and agreed to:

In the Senate, January 27, 1941.

Whereas, The members of the Senate of Pennsylvania have learned with sorrow of the death of the beloved mother of our colleague, Senator J. Fred Thomas, at her home in Sharon, advanced in years and after a life exemplifying Christian virtues; therefore be it

Resolved, That the Senate extend to Senator Thomas its heartfelt sympathy in the great loss he has sustained and express the hope that he and his family may derive solace and comfort from the esteem in which she was held by her neighbors and many friends.

The Secretary of the Senate is directed to forward a copy of this resolution to Senator Thomas.

LEAVE OF ABSENCE

Mr. GELTZ. Mr. President, I ask unanimous consent to request leave of absence for my colleague from Clearfield, Mr. Letzler, who is confined in bed.

The PRESIDENT. Is there objection?

The request is granted.

BILLS INTRODUCED

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 35, entitled:

An Act to reenact and amend section seven of the act approved the thirty-first day of March, one thousand eight hundred seventy-four (P. L. 13), entitled "An act to carry into effect section five, of article fourteen, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," removing the power of the salary board in fourth class counties to fix the number and salaries of deputies and clerks of certain county officers.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 36, entitled:

An Act requiring all persons otherwise qualified as electors to register for participation in elections, and imposing penalties.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 37, entitled:

An Act to amend section four hundred forty-two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards and commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescrib-

ing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," requiring Workmen's Compensation Referees to be learned in the law.

Which was committed to the Committee on State Government.

Mr. EDMONDS. Mr. President, I rise in my place to present to the Senate four bills which are jointly sponsored by the Senator from Washington, Senator Reed, and myself. These four bills relate to fiscal matters in the state and I ask permission to make a very slight explanation on the subject.

The PRESIDENT. The Senator from Montgomery may proceed.

Mr. EDMONDS. Mr. President, at a meeting of the Pennsylvania Bar Association which was held in Hershey the first week in January the tax section of that Association reported a series of resolutions which were unanimously approved by the Pennsylvania Bar Association and those resolutions called upon the general assembly to amend the fiscal laws in the following particulars.

First, to allow appeals to the Dauphin County Court and to the Supreme Court from the refusal of the Board of Finance and Revenue to grant refunds.

In that connection, Mr. President, I might state that it is probably well known to all the Senators that if a corporation files its report and there is objection by the State then there is a re-settlement by the Board of Finance and Revenue and from that re-settlement an appeal may be taken to the Court, but if a corporation or an individual has paid its or his tax or has over paid the tax and asks for a refund he or it must file a petition for a refund and can not appeal to the court.

In several cases, Mr. President, the Supreme Court has decided that since there is no appeal in the Fiscal Code therefore there is no appeal on refunds.

That is the first one of those bills, Mr. President.

In the second bill it is proposed that interest shall be allowed on refund claims from the date of payment to the date of allowance of the refund. The rate of interest stated in these bills is two per cent, which I am inclined to think low, when we consider the interest the Commonwealth of Pennsylvania charges if a taxpayer has failed to make his payment on time. However, Mr. President, that is a subject for later consideration by this body.

Third, Mr. President, it is proposed that the Fiscal Code be amended so as to provide that appeals from re-settlement shall be filed by the appellant in the Dauphin County Court within the time now limited by law and that the requisite bond be filed in the appeal. That changes the law in this particular, Mr. President. Today it is required that appeals be filed in the Department of Justice and the intention is to hurry up proceedings by getting them into court at once.

The fourth, bill proposes that Section No. 1104 of the Fiscal Code be amended to provide that the sixty day period begin to run after notice of refusal to resettle or, in case of resettlement the certification by the Department of Revenue of the resettlement made by the Board of Finance and Revenue.

I may say, Mr. President, all of these bills were considered by the Pennsylvania Bar Association, which had the aid and assistance of Mr. Kress, First Deputy Secretary of Revenue, Mr. Umstead, counsel for the Secretary of Revenue, and Mr. Reist, long time counsel of the Inheritance Tax Bureau and, as I say, Mr. President, they were approved by the Bar Association in that respect.

Therefore, Mr. President, they come before us with the commendation of a substantial body of our citizens and I wish also to express my thanks to the Senator from Washington, Mr. Reed, because he and I feel there is nothing partisan in any way about any of these bills and therefore we are willing to jointly sponsor and defend them.

Mr. EDMONDS, on behalf of Senator Reed and himself read in his place and presented to the Chair Senate Bill No. 38, entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth; or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

Which was committed to the Committee on Judiciary General.

He also on behalf of Senator Reed and himself read in his place and presented to the Chair Senate Bill No. 39, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department; board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required

to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice.

Which was committed to the Committee on Judiciary General.

He also on behalf of Senator Reed and himself read in his place and presented to the Chair Senate Bill No. 40, entitled:

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Which was committed to the Committee on Judiciary General.

He also on behalf of Senator Reed and himself read in his place and presented to the Chair Senate Bill No. 41, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 42, entitled:

An Act to amend section four as amended, and section seventeen of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits; to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by exempting from such tax liquid fuels used for the operation of motor boats and aircraft, and the operation of tractors used exclusively for agricultural purposes and providing refunds of taxes paid on such liquid fuel.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 43, entitled:

An Act requiring the reemployment of certain persons leaving their positions to serve in the armed forces of the United States as reserves called to active duty, or as trainees under the Federal Selective Training and Service Act of 1940.

Which was committed to the Committee on State Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 44, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 45, entitled:

An Act to further amend section four hundred and twenty-two of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing certain contributions by county commissioners toward the burial of deceased service men regardless of the total cost thereof.

Which was committed to the Committee on County Government.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 46, entitled:

An Act to amend the act approved the second day of

ay, one thousand nine hundred and twenty-nine (P. L. 78), entitled "An act relating to counties of the second, ird, fourth, fifth, sixth, seventh and eighth classes and vising, amending and consolidating the laws relating ereto," authorizing the county treasurer to appoint a licitor and providing for his salary payable by the unty.

Which was committed to the Committee on County overnment.

He also read in his place and presented to the Chair enate Bill No. 47, entitled:

An Act to amend section one hundred forty-nine of the t, approved the second day of May, one thousand nine ndred and twenty-nine, (P. L. 1278), entitled "An act lating to counties of the second, third, fourth, fifth, sixth, venth and eighth classes; and revising, amending and nsolidating the laws relating thereto," by authorizing e appointment of a deputy county treasurer in third, urth, fifth, and sixth class counties; providing for the lary of said deputy county treasurer payable by the unty; requiring the deputy county treasurer to give nd, and providing that the premium thereon shall be aid for by the county.

Which was committed to the Committee on County overnment.

Mr. WALKER read in his place and presented to the hair Senate Bill No. 48, entitled:

An Act making an appropriation to the Department of ilitary Affairs for the maintenance and education of ildren of certain soldiers, sailors, marines, female field erks, yoemen (female) and nurses.

Which was committed to the Committee on Appropria- ns.

Mr. BARTLETT read in his place and presented to the air Senate Bill No. 49, entitled:

An Act providing that only American citizens be eligible r State and county positions, and prescribing penalties.

Which was committed to the Committee on State Govern- nt.

Mr. CROWE read in his place and presented to the Chair nate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsyl- nia and its political subdivisions employ only citizens the United States.

Which was committed to the Committee on State Govern- nt.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of first class to furnish food, including milk, to under- urished and poor school children in their districts.

Which was committed to the Committee on Education.

Mr. REED read in his place and presented to the Chair nate Bill No. 52, entitled:

An Act to amend section one thousand one hundred nine the act, approved the eighteenth day of May, one thou- nd nine hundred and eleven (P. L. 309), entitled "An to establish a public school system in the Common- alth of Pennsylvania, together with the provisions by ich it shall be administered, and prescribing penalties the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the election of county superintendent by secret ballot.

Which was committed to the Committee on Education.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 53, entitled:

An Act authorizing counties, cities, boroughs, towns, townships and school districts to operate programs of public recreation and playgrounds, either alone or in cooperation with each other, or through recreation boards created by one or more of them.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 54, entitled:

An Act to add clause forty-seven to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing the furnishing of meeting rooms to veterans' organizations and the payment of rentals of certain buildings and rooms by such organizations.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 55, entitled:

An Act to add clause twenty-two to section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the furnishing of meeting rooms to veterans' organizations and the payment of rentals of certain buildings and rooms by such organizations.

Which was committed to the Committee on County Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 56, entitled:

An Act providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 57, entitled:

An Act to amend the title and the act approved the twenty-third day of May, one thousand nine hundred and twenty-three (P. L. 351), entitled "An act to require the teaching of the Constitution of the United States in the public and private schools," extending the provisions thereof to include the teaching of the history of democracy, the study of the United States Government and the Constitution of Pennsylvania.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 58, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges

thereof; and appeals therefrom," as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 349), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 59, entitled:

An Act authorizing the Insurance Department and the Department of Revenue to make a fair and impartial joint investigation of the efficiacy, wisdom and practicability of the laws of the Commonwealth relating to automobile insurance and the laws in effect in other states relating to automobile insurance for the purpose of ascertaining the advisability of enacting in this Commonwealth a compulsory motor vehicle insurance law or an automobile accident compensation law or both requiring said departments to make a joint report to the next session of the General Assembly of their findings and recommendations as to such legislation as may be necessary or desirable and conferring upon the Insurance Commissioner and the Secretary of Revenue power to issue subpoena and the Courts power to punish those refusing to obey the same.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 60, entitled:

An Act making voidable releases of claims for personal injuries or death given within thirty days and providing for the avoidance of the same.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 61, entitled:

An Act providing that when new trial is granted upon grounds that damages are inadequate or excessive the new trial shall be confined to that question and not to liability.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 62, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL and Mr. SHAPIRO read in their places and presented to the Chair Senate Bill No. 63, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 64, entitled:

An Act providing that contributory negligence shall not be a bar to the recovery of damages in actions broug for personal injuries, death or property damage.

Which was committed to the Committee on Judicia General.

Mr. DENT read in his place and presented to the Cha Senate Bill No. 65, entitled:

An Act permitting and regulating fishing in certain r servoirs used for public water supply purposes in accor ance with rules and regulations adopted by the Board Fish Commissioners; modifying the laws with respect trespass, and imposing penalties.

Which was committed to the Committee on Forests a Waters, Game and Fish.

Mr. CAVALCANTE read in his place and presented the Chair Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of secti four hundred thirty-nine of the act, approved the seco day of May, one thousand nine hundred and twenty-ni (P. L. 1278), entitled "An act relating to counties of t second, third, fourth, fifth, sixth, seventh and eigh classes; and revising, amending and consolidating the la relating thereto," imposing additional duties on and pr viding for additional compensation of veterans' gra registrars.

Which was committed to the Committee on Milita Affairs.

Mr. DEITRICK read in his place and presented to t Chair Senate Bill No. 67, entitled:

An Act to amend section ten of the act approved t thirteenth day of May, one thousand nine hundred a twenty-five (P. L. 644), entitled "An act relating to a regulating the solicitation of moneys and property f charitable, religious, benevolent, humane, and patrio purposes," changing the provisions concerning the punis ment of those offending against the act.

Which was committed to the Committee on Judicia General.

BILL RE-REFERRED

Mr. EDMONDS. Mr. President, a bill that related home rule was referred last week to the Committee Constitutional Changes. There has been some discussi among the members of this body and there is a feeling should have been referred to the Committee on Munici Government. That committee had that subject before a it would appear that this bill should have been prope referred to the Committee on Municipal Governme rather than to the Committee on Constitutional Chang I have talked with the gentleman from Franklin, M Crider, and he states he would have no objection to t suggestion that the bill be referred to the Committee Municipal Government.

The PRESIDENT. The Senator has that bill now?

Mr. CRIDER. Mr. President, from the Commi tee Constitutional Changes, I return to the Senate, Senate B No. 7, entitled:

An Act to carry into effect section one of article fifte of the Constitution, giving cities the right and power frame, adopt and amend their own charters, and to exerc the powers and authority of local self-government, a providing the procedure therefor; imposing certain restr tions, limitations and regulations; imposing duties upon c councils, city officers, county boards of elections, cou

common pleas, and the Secretary of the Commonwealth; d providing for the payment of certain expenses by ies.

th the recommendation that it be re-referred to the mmittee on Municipal Government.

The PRESIDENT. Is there objection? The Chair hears ne.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do w take a recess for ten minutes.

Mr. BARTLETT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed e Senate will be in order.

REPORT FROM COMMITTEE

Mr. WADE. Mr. President, I ask unanimous consent to ake report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears ne.

Mr. WADE from the Committee on State Government -reported as committed, Senate Bill No. 33, entitled:

An Act to amend section one of the act, approved the st day of July, one thousand nine hundred and thirty- ven (P. L. 2460), entitled "An act creating a joint legis- lative commission, to be known as the Joint State Govern- ent Commission; providing for the appointment of its embers; and defining its powers and duties," changing e number of members; and extending the power to em- oy assistance.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do w proceed to the first reading of all bills reported from mmittees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and considera- n of Senate Bill No. 33, entitled:

An Act to amend section one of the act, approved the st day of July, one thousand nine hundred and thirty- en (P. L. 2460), entitled "An act creating a joint legis- ive commission, to be known as the Joint State Govern- nt Commission; providing for the appointment of its mbers; and defining its powers and duties," changing number of members; and extending the power to em- y assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do w adjourn until Tuesday, January 28, 1941 at 11:00 lock, a. m.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:29 o'clock, p. m. until Tues- y, January 28, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, January 27, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The SPEAKER: Prayer will be offered by the Chaplain Rev. Donald McFall, Pastor of the Grace Evangelical Church at Steelton and Charlton Evangelical Church at Paxtonia. The Chaplain is the son of a Member of this House, the gentleman from Northampton, Mr. McFall.

The Chaplain Rev. Donald McFall offered the following prayer:

Almighty God, as this session opens this night, we seek not only thy blessing, but also thy guiding spirit. We ask Thee, O God, to so direct the affairs of State that these men who have been sent to represent the people of our beloved Commonwealth may not betray their trust at any time.

We beseech thee, O God, to bless the Speaker of the House. May he be guided in such a way as to bring out the best that is in man, as each representative seeks to be heard from time to time.

Bless the Governor of our State and those in authority with him. Grant that this session may be marked by the passing of such legislation that will make our State a leader in that which stands for Justice and Brotherhood among men.

We seek thy special blessing for the President of These United States in this critical hour. Grant unto him wisdom. May those who share the responsibilities of our land be led aright.

May it please thee, Our Heavenly Father, to help each of us to play our part in keeping this land, a land of Liberty, a place of Free Press and Free Speech, and above all to preserve our Religious Freedom—for we realize that unless we turn to thee, Our God, much that is now held sacred will be lost.

Hear us, O God, Our Father. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of the proceedings of Monday, January 13, 1941.

The Clerk proceeded to read the Journal when, on motion of Mr. NORMAN WOOD the further reading was dispensed with and the Journal approved.

PETITIONS

The SPEAKER laid before the House the following petitions:

LIQUOR LICENSES

Petitions from voters of
McKeesport, Pa.
Clairton
Philadelphia, 6th, 14th and 24th Districts
Pittsburgh
Allegheny County

Advocating legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

SEWING PROJECTS

Members of Unit No. 3703, Sewing Project of Ellwood City, Pa., urging continuation of sewing projects.

Referred to the Committee on Welfare.

BOWLING

Residents of Erie advocating legislation to legalize bowling on Sundays.

Referred to the Committee on Law and Order.

SCHOOL CODE

The Plain People of Pennsylvania advocating amendments to School Code "to the end that children in rural districts be not compelled to attend school beyond a one hundred sixty day term" and granting certain exemptions.

Referred to the Committee on Education.

REPORT OF PHILADELPHIA SAVING FUND SOCIETY

The SPEAKER laid before the House the report of the Auditors of the Philadelphia Saving Fund Society for the year ending December 31st, 1940.

(For report see Appendix)

REPORT OF WESTERN SAVING FUND SOCIETY

The SPEAKER laid before the House the Ninety-fourth Annual Report of the Auditors of the Western Saving Fund Society of Philadelphia for the year 1940.

(For report see Appendix)

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. ALLMOND for himself after tonight for the remainder of the week.

Mr. Gerard for Mr. BROWN on account of illness.

Mr. Ellwood B. Welsh for Mr. ROONEY on account of illness.

Mr. Voorhees for Mr. O'DARE.

Mr. George E. Jones for Mr. SOLLENBERGER.

Mr. Gillette for Mr. GREENWOOD.

Mr. Pettit for Mr. POLEN and Mr. WRIGHT on account of illness.

Mr. Owens for Mr. CHERVENAK on account of illness.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker. As Chairman of the Joint State Government Commission, I am pleased to submit the report of the Joint State Government Commission and the "Joint Legislative Committee to Study Unemployment Compensation Provisions" containing recommendations for amending the Pennsylvania Unemployment Compensation Law. An additional report on the subject of merit or experience rating as applied to employers' contributions will be submitted shortly.

During the 1939 Regular Session two Resolutions were passed relating to the subject of unemployment compensation. Senate Resolution No. 127, which was concurred in by the House on May 27, 1939, provided for a Joint Legislative Committee to Study Unemployment Compensation Provisions. House Resolution No. 136, dated May 26, 1939, charged the Joint State Government Commission with making a study of merit or experience rating.

To avoid unnecessary duplication of work and expense, the Joint State Government Commission requested the Joint Legislative Committee to study the entire subject and to submit its recommendations to the Joint State Government Commission for action. Since no appropriation was provided for the Joint Legislative Committee, our Commission agreed to pay the expenses of the Committee and assigned its Director to act as counsel for the Committee.

The Joint Legislative Committee undertook its task without any thought of partisanship. Numerous hearings and meetings were held and the Committee received many recommendations, ideas and proposals from business and industry, organized labor, the Bureau of Unemployment Compensation and others interested in the subject.

I would like to say, Mr. Speaker, that the Joint Legislative Committee to study Unemployment Compensation provisions was composed of Honorable Weldon Heyburn, Honorable John H. Dent, and Honorable Robert M. Miller on the part of the Senate and Honorable Hiram G. Andrews, Honorable Thomas A. Curran, Honorable Harry E. Trout, and Honorable Henry I. Wilson on the part of the House. I do not believe that too much credit can be given to this group of the Senate and the House for the many hours they spent in Harrisburg, and the very fine piece of work they performed.

It was the considered judgment of the members of both Legislative Agencies that only proposals and recommendations receiving unanimous action at its meetings were desirable. This procedure was followed. The Commission was of the opinion that the working man, the employer and the agency administering this law should not suffer as a result of any partisanship and that those changes in the law which would be of benefit to both employee and employer and bring about further improved administration should be adopted.

The Commission and the Committee concluded that the waiting period should be reduced to two weeks; that the minimum benefits should be increased; that the minimum earning eligibility should be reduced; that the employer should have a say in the administration of the law which places the burden entirely upon him; and that the benefit rights of those entering the service of the country in the present emergency should be preserved.

A bill has been drafted which contains these recommendations and will be introduced promptly. It is the desire of the Commission and the Joint Legislative Committee that unless there is some clarification necessary in the language of any of the amendments that this bill should have the active support of all members of both Houses. If there is any desire to further restrict or enlarge any provisions of the Unemployment Compensation law I suggest that they be embodied in other Bills and that amendments to this bill should not be offered for the purpose of making the measures controversial.

As to the report itself I recommend it to the members of the General Assembly for their careful consideration and analysis. At the beginning of the report you will find a summary of the recommendations so that it is possible to determine quickly what the recommendations provide. They are followed by a discussion of the reasons for each recommendation.

There are a number of statistical tables which contain a great deal of information on the receipts to and expenditures from the Unemployment Compensation Fund. Attached is also a comparative table on the significant provisions of the laws of all the states so that comparisons can be made.

This Report should be preserved for the valuable data

and information it contains. I commend it to you for your careful perusal.

Mr. Speaker, I submit the report on behalf of the Committee and the Commission. There are copies here for distribution and I ask that the Page boys distribute these at the present time.

The SPEAKER. The Chair directs the Page Boys to distribute the report.

CONDOLENCE RESOLUTION

Mr. HEWITT offered the following privileged resolution which was twice read, considered and unanimously adopted by a rising vote:

In the House of Representatives, January 27, 1941.

The sad announcement of the death of John S. Fisher, on June 25, 1940, has plunged the entire state into profound sorrow, for with his passing Pennsylvania lost one of her most illustrious and distinguished sons.

Born in South Mahoning Township, Indiana County, with forbears whose antecedents were rooted in the early colonial days of the Commonwealth, John S. Fisher in his lifetime exemplified all of their highest traditions.

First, as a teacher, then as a lawyer and finally as Governor of this Commonwealth, he was a constant source of inspiration, to his students, community, brother-lawyers and fellow-citizens.

Under his aegis as Governor sprang the good roads movement which he so capably managed that our State became the foremost among those of our country for its sound and improved rural highways.

Those who differed from him never questioned his integrity, his patriotism nor his devotion to public service. Through his wise counsel, his clarity of vision and his fearless adherence to a cause he felt was just, he led the people of this Commonwealth to give him their full and complete confidence.

He had the respect and admiration of his fellow-citizens to an extent enjoyed by few public men; therefore be it

Resolved, That the House of Representatives mourns the passing of this distinguished son of Pennsylvania and extends to his family its sincere sympathy in the loss they have sustained; and be it further

Resolved, That a copy of this resolution be transmitted to the family by the Chief Clerk of this House.

CONDOLENCE RESOLUTION

Mr. SHEPARD offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

Whereas, February 12th is the natal day of the Great Emancipator; and

Whereas, The world today is engaged in a gigantic struggle, with the forces of tolerance and democracy embattled in a titanic struggle for existance with those of bigotry, intolerance and race hatred; and

Whereas, In the year 1860, and thereafter, Abraham Lincoln stood as a pillar of strength, rallying about him those who loved true democracy and those who would defend it to their very death; and

Whereas, He, the man of the people, remained steadfast in his conviction that all men were created equal, irrespective of race, color, or creed, to the point where it led him to his death at an assassin's hand; and

Whereas, His spirit and his ideals are the great sustaining force on which we can today rely for our own survival, therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five members of the House of Representatives to plan a fitting service to the memory of our great President; and be it further

Resolved, That the Speaker set aside the period immediately following the regular business on Wednesday, February 12th, 1941, for the observance of such memorial service.

RESOLUTION

INVESTIGATION OF PUBLIC ASSISTANCE BOND SYSTEM

Mr. CORDIER offered a resolution and asked and obtained unanimous consent for its reading.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 27, 1941.

Whereas, The Department of Public Assistance, by virtue of the general power given to it under the Public Assistance Law to make rules and regulations, requires applicants for assistance, before receiving the same, to give a bond to the Commonwealth conditioned for the repayment to the Commonwealth of all amounts received as public assistance; and

Whereas, The giving of such bond has become greatly unpopular, and has caused considerable confusion in the minds of persons whose circumstances make it necessary for them to avail themselves of the benefits of public assistance, whether the same results through a lack of understanding of the ultimate effect of such bonds or because of a feeling on the part of those who own property that they are being unjustly discriminated against; and

Whereas, There is some question as to whether these bonds have in measure justified themselves during past experience, or whether the practice is worth continuing; therefore be it

Resolved, The Speaker of this House appoint a committee of five members to make a careful and thorough investigation of the practical operation of the bond requirement system established by the Department of Public Assistance, with special reference to the number of such bonds on which judgments have been entered, the total cost of entering them and enforcing collections thereon, and the total amount recovered. The committee shall proceed with such dispatch as to enable them to report to the House their findings and recommendations thereon not later than the first day of April, one thousand nine hundred and forty-one.

The SPEAKER. The resolution lies over for printing under the Rules.

CONDOLENCE RESOLUTION

Messrs. PROSEN, TATE and SCANLON offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

This legislative body on proper occasion pays fitting reverence to the memory of citizens of this Commonwealth who because of their achievements have gained an outstanding position in their communities or in the State.

This reverence and respect has been well earned during a more than usually active and effective lifetime by the Honorable James Dougherty, late Magistrate of the County of Philadelphia.

James Dougherty, born in Donegal, Ireland, on January 7, 1885, settled in Philadelphia thirty-five years ago.

First as a contractor and later as a political leader he devoted all of his time to the development of the Great Northeast section of his adopted city so that today it is foremost among all the sections of the City of Philadelphia for its homes and communal activities.

As a magistrate he dispensed justice to both poor and rich alike without discrimination tempering his decisions with mercy and kindlinesss. All who came into contact with him grew to love this man whose integrity was unquestioned, whose every activity was motivated by his sympathetic understanding and love of his fellow-men.

His passing leaves a profound sense of sorrow to all those who knew him and revered him, therefore be it

Resolved, That it is with regret we consider the passing of so capable a magistrate and commend the memory of

Honorable James Dougherty to the memory of his fellowmen, and be it further

Resolved, That copies of this resolution be forwarded to the widow and children of the deceased as a last tribute to so sterling a husband and father.

RESOLUTION

Messrs. PETROSKY, LOVETT and LESKO offered a resolution which was laid over for printing under the Rules.

CONDOLENCE RESOLUTION

Mr. WEISS offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 27, 1941.

Whereas, Almighty God, in His infinite wisdom, has called from this life Lizzie Ferrell Wright, the wife of our distinguished colleague, Honorable Perry E. Wright of Greene County, Pennsylvania, now therefore be it

Resolved, That this resolution be entered upon the Journal of the House, and a copy thereof be transmitted by the Chief Clerk to Mr. Wright.

PERMISSION TO ADDRESS HOUSE

Mr. TROUT asked and obtained unanimous consent to address the House.

Mr. TROUT. Mr. Speaker I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware, Mr. Turner permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. TROUT. Mr. Speaker, I would like to ask the gentleman from Delaware, Mr. Turner, whether the members of the Committee on Unemployment Compensation had an opportunity to examine this report finally before it was printed.

Mr. TURNER. Mr. Speaker, I do not know whether the Members had a chance to examine the actual draft of the report as it went to the Printer. My recollection is that we had so many Committee meetings in the last couple of weeks that the report of the Committee was submitted to the Joint State Government Commission with the statement that the report had been agreed upon by the Joint Committee on Unemployment Compensation. This Commission had a meeting and went over the report and recommendations as prepared by the Joint State Government Commission. That is my recollection.

Mr. TROUT. Mr. Speaker and members of the House that is practically what happened, but as a member of the Committee on the study of Unemployment Compensation I had no opportunity of seeing the report after it had finally been written following the last meeting of the Commission. There were several questions upon which there was some disagreement. One of them especially was the waiting period and there were at least, I think, several Members of the Committee who felt that the waiting period should be reduced from three weeks to one week instead of three weeks to two weeks. I was one of the members of the committee who, in his opinion, felt that the waiting period should be reduced from three weeks to one week and I want to state that before the Members of the House.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 27, 1941.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene Monday February 3rd, 1941 at 4 p. m. and when the House of Representatives adjourns this week it reconvene Monday, February 3rd, 1941, at 9 p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. McKINNEY asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, my attention has been called to an editorial that appears in today's issue of the Oil City Derrick, and as it has to do with this session of the Legislature and more particularly with the affairs of the Commonwealth, I thought it opportune to call it to the attention of the members at this time. I quote:

THE DUTY OF THIS LEGISLATIVE SESSION

"Today the Pennsylvania legislature gets down to business. This regular session may last to June, or even longer. It has an obligation to discharge to the state and nation. It can do this job well or it can do it badly. This is up to its leaders. This great commonwealth hopes it will do it well.

"To complete our present defense program, or to win the war if we must get into it, the United States will have to depend upon Pennsylvania as much if not more than it will have to depend upon any state in the Union.

"The news dispatches tell us from time to time what a magnificent contribution Canada is making to the cause of Britain. Pennsylvania has as great a population as Canada. It is much more heavily industralized. It is far richer in the sinews of war.

"We also read of the magnificent fighting being done by the Australians in Africa. Pennsylvania's population is one-third larger than that of Australia. Its population is some two millions larger than that of Belgium or the Netherlands, nearly four times larger than that of Norway and practically as large as that of Argentina; but none of those countries could begin to put as much force into war as Pennsylvania.

"The very crux of whatever war effort this country has to make is mechanical output—what we can produce in our furnaces, mills and factories. At this very moment it is not a question of how much political capital can be made either by Republicans or Democrats in this session. It is a question of how much material Pennsylvania can contribute toward the mighty effort needed to save both Europe and the United States from enslavement by the greediest, most bloodthirsty power than ever ran amok.

"Let there be no legislation enacted at this session which will throw hurdles in the path of Pennsylvania's effort to win this fight. Let there be nothing enacted which will slow up production or add materially to the cost of it. Yielding to the temptation to curry favor with certain industrial or social groups at the expense of the commonwealth would be foolish and foolhardy, closely akin to disloyalty and dishonor.

"The people of Pennsylvania have their eyes on this session of their legislature. They want no pettifoggery or log rolling. They want no new burdens of

state taxation. They want no laws which will act as embargoes on the production of munitions of war. They want to see the necessary business of this session discharged expeditiously and adjournment taken as quickly as possible so that every member can get back to his community and put his shoulder to the wheel."

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to call the attention of the House to a bill which I am about to introduce, not because I am the one who is the sponsor of the bill, but because I believe honestly and truly that the majority of the people of Pennsylvania are very vitally interested in the subject matter of the bill which I hold in my hand.

To the older members who have been here for a few sessions the probability is that they will readily concede that this bill deals with the subject of the Workman's Compensation Act. I know of no act introduced and passed in the 1939 session of the House which is so unanimously disapproved of by the rank and file of the people of Pennsylvania, both Democrats and Republicans alike, as the 1939 Workmen's Compensation Act.

I met the other day in the City of Pittsburgh a man who was a candidate on the Republican ticket for a seat in this House, and he told me that he was glad he had been defeated because when his party, the Republican party, got into power, the first thing they did was to start to enact laws of which he disapproved. I say to the Members of the House that I do not intend to go into the merits or the particulars of the bill at this time, but briefly the bill reenacts the 1937 Workmen's Compensation Act, with certain additional provisions to make it conform to certain judicial opinions that have been rendered since that time.

I call the attention of the Members of the House to this bill because I am sure they will want to secure copies of it, and study its provisions. There is no doubt in my mind that those Republicans who have expressed the desire to lead their party into greener fields and greener pastures will be glad to go along with this measure. I am sure if they are sincere in their desire to change the principals of their party so that it can more truly meet the desires and the aims of the working people of Pennsylvania and at the same time be fair to the various other interests concerned, they will want to study it.

Mr. Speaker, I desire at this time to introduce this bill.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There will be a meeting of all Committee Chairmen and vice-Chairmen in the New House Caucus Room this evening immediately after adjournment.

ANNOUNCEMENT

Mileage checks for the members are ready for distribution at the Chief Clerk's Office.

ADJOURNMENT

Mr. VOORHEES. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 28, 1941, at 1 p. m.

The motion was agreed to, and (at 9.50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, JANUARY 28, 1941. No. 4.

SENATE

TUESDAY, January 28, 1941.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT (Lieutenant-Governor Samuel S. ewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the llowing prayer:

Gracious God, into this another day of thy creation Thou ast brought us through the protection of Thy Providence. o many of these blessings daily received we pass by unoticed and unappreciated until their constancy is broken nd denied us. Thus this morning we are thankful unto hee for these blessings.

A new day of opportunity is ours—a day in which we ıay be privileged to serve Thee in this legislative chamber ı the interest of good government and upright citizenship. ouchsafe unto all who labor here in the vision of a greater ervice to the people of our Commonwealth as each succeedıg day comes and goes. May we rise to that service on ıe dead selves of yesterday.

May Thy consolation and comfort abide in and rest upon ıe heart of Senator Thomas in this his hour of bereaveent in the passing of his beloved mother.

Guide all who will be called upon to make decisions of olicy and operation this day both in this General Assembly ıd National Congress, for our dependence upon Thee and hy wisdom in these days especially is unquestioned.

Let Thy presence grace our every thought and act as we bor here this day. In His name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present e Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding ssion, when, on motion of Mr. EDMONDS and Mr. WATINS, the further reading was dispensed with, and the ournal was approved.

LEAVES OF ABSENCE

Mr. SHAPIRO asked and obtained leave of absence for ie Senator from Lackawanna, Mr. COLEMAN, on account (a death in his family.

Mr. GELTZ asked and obtained leave of absence for the nator from Clearfield, Mr. LETZLER, on account of illss.

Mr. GELTZ asked and obtained leave of absence for the nator from Mercer, Mr. THOMAS, on account of a death i the family.

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, on account of illness.

Mr. WADE asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

NOMINATION FOR APPOINMENT AS CONTROLLER IN MERCER COUNTY

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, January 28, 1941.

To the Honorable, The Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Mr. Dunham Barton, 239 N. Pitt Street, Mercer, for appointment as Controller in and for the County of Mercer, until his successor in office is duly elected and installed.

ARTHUR H. JAMES.

NOTARIES PUBLIC

He also being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Miss Jean M. Hickey, Phila., 1600 South 22d Street, February 3, 1941.

INDIANA COUNTY

Arthur B. Coulter, Saltsburg, February 7, 1941.

PHILADELPHIA COUNTY

Philoty A. Tenaglia, Phila., SW Cor. 17th and Mifflin Sts., February 13, 1941.

CHESTER COUNTY

Morris Brewer, Coatesville, February 14, 1941.

DELAWARE COUNTY

G. W. Dieter, Upper Darby Twp., 3 Township Line Road, Upper Darby, February 15, 1941.

PHILADELPHIA COUNTY

Jacob S. Brenner, Phila., Keystone Telephone Bldg., 135 South 2nd St., February 15, 1941.

INDIANA COUNTY

W. Earl Oakes, Clymer, February 16, 1941.

ALLEGHENY COUNTY

Austin L. George, Pittsburgh, Park Bldg., 357 Fifth Ave., February 19, 1941.

BUTLER COUNTY

S. D. Webber, Butler, February 19, 1941.

LANCASTER COUNTY

Miss Amy Gresser, Columbia, February 19, 1941.
George F. Weidler, Akron, February 19, 1941.

LEHIGH COUNTY

Arthur W. Durner, Allentown, February 19, 1941.

BEAVER COUNTY

Wilbert H. Wise, Jr., Beaver Falls, February 23, 1941.

CENTRE COUNTY

Claude H. Decker, State College, February 23, 1941.

MONTGOMERY COUNTY

Mrs. Anna L. Trumbauer, Lansdale, February 23, 1941.

PHILADELPHIA COUNTY

Miss Margaret D. Greenlee, Phila., 139 South 3rd St., February 23, 1941.
Miss Isabel M. McKee, Phila., NE Cor. 15th and Locust Sts., February 23, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Thomas M. Beer, Pittsburgh, 435 Sixth Ave.

BUCKS COUNTY

Miss Elizabeth M. Tryon, Bristol Twp., Cedar and New York Avenues, Croydon.

DELAWARE COUNTY

Mrs. Marie C. Anderson, Media.

JEFFERSON COUNTY

Ralph J. Bennett, Brookville.
T. M. Kurtz, Jr., Punxsutawney.

LANCASTER COUNTY

Miss Clara E. Roop, Lancaster.
Miss Arlene B. Young, Manheim.

LEHIGH COUNTY

C. E. Musselman, Allentown.
Miss Anna Marie Sables, Allentown.

LUZERNE COUNTY

Mrs. Alice Carpenter, Wyoming.

NORTHAMPTON COUNTY

Miss Hilda Egan, Easton.

PHILADELPHIA COUNTY

John K. Allen, Phila., 1035 Market St.
Miss Clare A. Belcher, Phila., 2222 Packard Bldg.
Edward W. Bell, Phila., 918 Chestnut St.
Harold J. Craig, Phila., 507-519 Commerce Bldg.
Miss Blanche S. Gres, Phila., 2099 North 63rd St.
Miss Alma H. Karr, Phila., 1500 Walnut St.
Landreth T. Murray, Phila., Packard Bldg.
Louis M. Paul, Phila., 1109 City Center Bldg.
Miss Ethel M. Roche, Phila., 1238 North 44th St.
W. Boud Smith, Phila., 1312 North 18th St.

SCHUYLKILL COUNTY

Mrs. C. H. Kirchner, Mahanoy City.

VENANGO COUNTY

Mrs. Georgia T. Brown, Franklin.

WASHINGTON COUNTY

Mrs. Gene Igoe, Charleroi.

WESTMORELAND COUNTY

Clarence M. Hutchinson, Greensburg.

YORK COUNTY

C. Thomas Jenkins, York.

ARTHUR H. JAMES.

MOTION TO ADVISE AND CONSENT TO NOMINATIONS

Mr. JAMES. Mr. President, I move that the Senate do now advise and consent to said nominations.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Edmonds,	McCreesh,	Stiefel,
Becker,	Farrell,	McGinnis,	Tallman,
Carr,	Frey,	McQuiddy,	Tyler,
Cavalcante,	Geltz,	Miller,	Wade,
Chapman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Ziesenheim,
Dent,	Kephart,	Snowden,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, January 27, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 3, 1941, at 4:00 p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 3, 1941 at 9:00 o'clock p. m.

REPORT OF SLATE COMMITTEE

Mr. CHAPMAN. Mr. President, I desire to report with

vorable recommendation from the Slate Committee the llowing:

In the Senate, January 28, 1941.

Resolved, That the following persons be elected employes the Senate:

ASSISTANT SERGEANT-AT-ARMS

Frederick L. Kiger.

NIGHT WATCHMAN

Frank E. Bixler.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

Mr. CROWE, from the Committee on Welfare reported ith favorable recommendation the following resolution d move its immediate adoption.

Mr. TALLMAN. Mr. President, I second the motion.

In the Senate, January 17, 1941.

The demand on the part of the people of this Common-ealth for adequate and reasonable pensions to be granted the Federal Government to aged persons has become e of the major political and economic issues of the pres-t generation.

The cost of the maintenance of our aged persons has, in ost cases, been borne by relatives who are frequently un-le to assume such burden without seriously affecting eir ability to properly provide for their immediate fam-es.

The care of the aged is more a part of the Nation's re-onsibility than the care of the unemployed. Age is ver deliberately assumed, and unemployment is fre-ently preferred.

Proper care of all aged persons by the Federal Govern-ent would assist in creating jobs for the unemployed. erefore be it

Resolved (if the House of Representatives concur), That s General Assembly does hereby memorialize the Rep-sentatives in Congress to immediately consider some m of adequate and reasonable allowance to be paid to ed persons, and be it further

Resolved, That copies of this resolution be immediately nsmitted by the Secretary of the Senate to the Speaker the House of Representatives of Washington, the Chair-n of the House Ways and Means Committee and the esident of the United States Senate, and a copy be warded to the President of the United States.

On the question,

Will the Senate agree to the Resolution?

Mr. SHAPIRO. Mr. President, in the absence of the nsor of this resolution, since I would like to question n on it, I ask that the resolution be laid on the table.

The PRESIDENT. The Senator from Philadelphia, Mr. apiro, requests that this resolution be laid on the table. s there objections?

Mr. CROWE. Mr. President, I object.

Mr. SHAPIRO. Mr. President, I do not know the pur-se of this resolution. I see the sponsor of the resolution n the Senate chamber now, and I should like to inter-gate the Senator from Blair.

The PRESIDENT. Will the Senator from Blair permit itself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. SHAPIRO. Mr. President, since I am aware of the n the Federal Government has by its social security act, ade provision for the aged, I am curious to know the port of this resolution, which reads:

Proper care of all aged persons by the Federal Govern-ment would assist in creating jobs for the unemployed, therefore, be it

"Resolved, (if the House of Representatives concur), That this General Assembly does hereby memorialize the Representatives in Congress to immediately consider some form of adequate and reasonable allowance to be paid to aged persons,"

I would like to understand what other allowance than is being made at the present time by the government is intended by this resolution.

Mr. MALLERY. Mr. President, several weeks ago I read in the paper, and it was my thought, that the President intends to recommend a reasonable and adequate old age pension, and I am very much in favor of such a proposition. What we have here today in this State is old age assistance and it is not a pension. A lot of the aged people in the state believe we have a pension, but we all know we do not have a pension, except for the blind. It is my thought that is what the President has in mind, and I for one hope the federal government or Congress may see fit to enact a pension. I know the social security pension is separate and distinct from that, Mr. President.

Mr. SHAPIRO. Mr. President, I should like to further interrogate the Senator from Blair.

The PRESIDENT. Will the Senator from Blair permit himself to be further interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. SHAPIRO. Mr. President, the gentleman from Blair is aware, I assume, that the federal government pays a pension under the old age security act to certain persons who have arrived at a certain age, which I believe at the present time is sixty-five, and which will shortly be sixty-two.

Mr. MALLERY. Mr. President, there are a great many people, as the Senator realizes, who are not eligible to receive social security.

Mr. SHAPIRO. Mr. President, then the purpose of this resolution, I assume, is that an old age pension law should be passed by the federal government, which would give pensions to persons irrespective of their employment and irrespective of whether they have served the time of employment required to bring them under the provisions of the social security act.

Mr. MALLERY. I so understand, Mr. President.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present same to the House for concurrence.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

NOMINATION FOR APPOINTMENT OF RECORDER OF DEEDS OF BUCKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederick W. Randall, 174 McKinley Street, Bristol, Bucks

County, for appointment as Recorder of Deeds of Bucks County, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice Frank Pfeifer, deceased.

ARTHUR H. JAMES.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

Mr. HEYBURN. Mr. President, I ask unanimous consent to make a report at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN from the Joint Legislative Committee on State Government reported as follows:

Mr. President: I am pleased to submit to this Body the Joint Report of the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation Provisions. The Joint Legislative Committee was created by Senate Concurrent Resolution No. 127 of the Regular Session of 1939 to study certain provisions of the Pennsylvania Unemployment Compensation Law and to make a report to the next regular session of the General Assembly. This Committee received no appropriation but through the cooperation of the Joint State Government Commission, which was charged by House Resolution 136 with making a study of merit or experience rating, the expenses of this Committee were paid by the Joint State Government Commission and the Joint Legislative Committee undertook to study the entire subject of amending the Pennsylvania Unemployment Compensation Law. The Director of the Joint State Government Commission was assigned to act as the Committee's Counsel. He did not receive any additional compensation other than the remuneration paid him by the Commission.

This Committee undertook its task without any thought of partisanship. Numerous hearings and meetings were held and the Committee received many ideas and proposals from business and industry, organized labor, the Bureau of Unemployment Compensation and others interested in the subject.

The recommendations are the unanimous affirmative action of the members of both legislative agencies present at the meetings when the proposals were considered. The committee was of the opinion that the working men, the employer and the agency administering this law should not suffer as a result of any partisanship and that those changes in the law which would be of benefit to both employe and employer and bring about advances in administration should be adopted.

Politics, of course, has its place but not where the welfare of millions of employees and many thousands of employers are involved. The Committee concluded, among other amendments, to provide for:

1. A reduction in the waiting period to two weeks;
2. Minimum benefits be increased;
3. Minimum earning eligibility be reduced;
4. The employer shall have a say in the administration of the law which places the burden entirely upon him through the creation of a compulsory Advisory Council;
5. The benefit rights of those entering the service of this country be preserved;
6. Memorializing Congress to permit flat rate reduction of ten per cent in tax.

It was agreed that these proposals should not be thrown into the malestrom of politics. My colleagues, the Senator from Westmoreland, Mr. Dent, the Senator from Luzerne County, Mr. Miller, the Senator from Jefferson County, Mr. Wilson, and the members from the other House of the General Assembly, will bear out what I am saying.

We must be constructive. This law making body should not deny such advantages which are non-controversial in order that they may be made available promptly to the people of this Commonwealth.

A bill has been drafted which contains these recommendations and will be introduced promptly. It is the desire of the Committee and the Commission that unless there is some clarification necessary in the language of any of th amendments that this bill should receive your full suppor If there is any desire to further restrict or to further e large any provisions of the Unemployment Compensatio Law, both Legislative Agencies desire that they be en bodied in other Bills and that amendments should not b offered for the purpose of hurling this Bill into the aren of politics.

As to the Report itself, I recommend it to the membe of the General Assembly for their careful consideration an analysis. At the beginning of the Report you will find summary of the recommendations so that any one can d termine immediately what the recommendations are. The are followed by a discussion of each recommendatio setting forth the reasons therefor.

There are a number of statistical tables which contain great deal of detailed information on the receipts to an expenditures from the Unemployment Compensation Fun There is also attached a comparative table on the significan provisions of the law of all the states.

This report and the part dealing with merit or exper ence rating, on which action will be taken shortly and sub mitted later, should be preserved for the valuable da contained therein.

I want to take this opportunity of thanking my co leagues of the Senate, the Senator from Westmoreland, M Dent, the Senator from Luzerne, Mr. Miller and the Sena tor from Jefferson, Mr. Wilson, and the Representative fro Cambria, Mr. Andrews, the Representative from Lancaste Mr. Trout and the Representative from Delaware, M Curran, for their active interest and valuable service. The gave unstintingly of their advice and time.

I will now ask that the reports be distributed to th members of the Senate.

The PRESIDENT. Copies of the report referred to by th Senator from Delaware will be distributed to the Sen tors; the report will be noted in the Legislative Journal.

REPORT OF JOINT STATE GOVERNMENT COMMISSION ON RELIEF

Mr. HOMSHER. Mr. President, I ask unanimous con sent to make a report at this time.

The PRESIDENT. Is there objection? The Chair hea none.

Mr. HOMSHER, from the Joint Legislative Committ on State Government reports as follows:

Mr. PRESIDENT. As a member of the Committee Relief of the Joint State Government Commission, it my privilege to submit to the State Senate for its stu and consideration the Commission's completed report Relief in Pennsylvania.

In pursuance of a House Resolution and under authori of the Act of June 26, 1939, creating the Joint State Go ernment Commission, the Legislature's fact-finding bod it is with sincere appreciation of the multiple proble of public assistance that the report and recommendatio on unemployment relief and the administration there are hereby commended to your attention.

The economic nourishment of Pennsylvania's liberaliz relief system has found warm support in the humanitari attitude of the Senate toward the problems which ha become part and parcel of our efforts to provide economically sound and balanced program of soc welfare.

You are all deeply conscious of the heavy responsibili associated with relief administration because it is a su ject which strikes deep into every home community. longer are we governed by a vague theory that rel is a passing condition which must be regarded as an u avoidable offshoot of depression years.

Relief, in some form, has been with us since the halcy days of Pennsylvania's Colonial government, and it

rw an inescapable conclusion that public assistance in rying degrees has become a permanent obligation of ate government.

The problems associated with relief administration have en in its emphasis or interpretation and Pennsylvania's e-eminence among other States as a paragon of relief nefits has not been achieved without developing flaws nich have undermined its effectiveness and scope.

The co-ordinated efforts of the Committee on Relief of e Commission and the Joint State Government Commis- n have unmasked conditions which have impeded the urse of relief in this State and these revelations, in the ain, have been in the interpretation of the laws regu- ing public assistance, and not in the laws themselves.

The Commission, in furtherance of its objectives, func- ned on a nonpartisan, non-political basis and has alyzed the conditions which have weakened the founda- n of the State relief system. To overcome this, it has vised a series of effective counter-checks and improve- nts which I heartily commend to you.

Never in the history of the Senate has there been a re impressive opportunity to digest the questions asso- ted with public assistance for in the report placed in ur hands today are the accumulated results of surveys, search studies, statistical comparisons and field investi- tions. The report also contains numerous graphs and arts illustrating relief trends in the Commonwealth.

Augmenting this have been scores of committee hearings d conferences designed to sift facts and evidence for a ngible balancing rod by which the ramifications of relief uld be developed on a sound, interlacing basis to promote eded economies and greater benefits according to merit.

Yet, in the course of probing infractions of the State lief system, we have come face to face with conditions nich, under a lesser government, might have had de- oralizing consequences.

Through the combined energies and talents of the Joint ate Government Commission, this task was approached ith a significant appreciation of the magnitude of relief d the psychological changes that are the natural out- owth of economically dismal years.

The final summary of these findings is rich in funda- ental provisions by which the emotionalism of social elfare can be supplanted by the practical humanitarian- n of relief based on actual, pre-established need. The ommission, through its recommendations, strives to evate the present relief system to a new level of efficiency d oneness of purpose through economy and administra- e reforms designed to meet the high and low tide of cial emergencies.

Specifically, the Commission urges a more rigid system investigation to prevent relief chiseling and other social predations. It recommends that county boards be em- wered to function as autonomous units with "home rule" thority to determine policy and management in line th conditions in their own counties.

The commission advocates a more carefully synchronized stem of administrative bureaus to prevent overlapping authority and thereby congesting the channels for ompt, efficient analysis of relief needs.

Other basic provisions of the Commission's report are a more liberalized merit system for public assistance ployes, coordination of public interest in the social fects of unemployment and relief costs, simplification of local public assistance set-ups through concentration of financial and administrative responsibility arising in each county and amendment of the Federal Social Security Act to permit increased benefits to the aged and blind.

Having been fortunate enough to have had a part in the presentation of this program, I believe I am justified in saying that its merits and far-reaching benefits establish it as one of the most comprehensive summaries of relief ever undertaken and that it warrants an endorsement compatible with the tone and substance of its liberalized recommendations.

I wish to thank my colleagues, the gentleman from Allegheny County, Mr. Geltz; the gentleman from Philadelphia, Dr. Woodward, and the Honorable John E. Van Allsburg, of Erie County, the Honorable Leo A. Achterman, from Monroe County, the Honorable Ellwood J. Turner, from Delaware County and the Honorable Robert E. Woodside, Jr., from Dauphin County, on the part of the House, members of the Relief Committee of the Joint State Government Commission and all the other members of the Commission, who gave unstintingly of their time and service for the purpose of studying relief.

On this note, I submit the Report of the Joint State Government Commission, confident in the belief that the solemn import of this vital subject as weighed against the gravity of fluctuating economic conditions will enlist your sympathetic understanding and conscientious approval to the end that Pennsylvania's relief administration will present an impregnable front against the encroachments of time!

The PRESIDENT. Copies of the report referred to by the Senator from Lancaster, will now be distributed to all Senators.

The report will be noted in the Legislative Journal.

RESOLUTION MEMORIALIZING CONGRESS TO REDUCE RATE OF FEDERAL EXCISE TAX

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I wish to introduce a resolution at this time referred to in my report, memorializing Congress to reduce the rate of the Federal Excise Tax, sponsored by myself, Senator Dent, Senator Miller and Senator Henry I. Wilson.

Mr. President, I suggest that it be referred to an appropriate committee.

The Clerk read the resolution as follows, which was referred to the Committee on Labor and Industry:

In the Senate of Pennsylvania, January, 1941.

Whereas, Experience of the past three years has demonstrated the fact that the present rate of contributions required of employers under the Unemployment Compensation Law is burdensome and materially in excess of that required for the purposes for which the Unemployment Compensation Fund is maintained, as shown by the following figures: Balance in fund as of December 31, 1940, $132,393,969; benefits paid during the past three years: for 1938, $71,553,159, for 1939, $54,594,544 and for 1940, $44,260,799, showing an average annual payment of $56,802,834; and

Whereas, The rate of such contributions is controlled by the maximum credit allowable to employers by section nine hundred two of the Federal Social Security Act against the Federal Excise Tax imposed by section nine hundred one of said act (said sections being now sections one thousand six hundred one and one thousand six hundred respectively of

the Federal Internal Revenue Code, as amended); therefore be it

Resolved (if the House of Representatives concur), That the Congress of the United States be memorialized, by proper congressional action, to reduce the rate of the Federal Excise Tax imposed by section one thousand six hundred of the Internal Revenue Code with respect to employment, to two per centum of total wages paid by an employer during the calendar year with respect to employment after December 31, 1940, so as to enable the states, by appropriate legislation, to reduce their present rate of contribution if and when their Unemployment Compensation Fund shall exceed one and one-half times the average annual amount expanded for the payment of benefits during the three last preceding calendar years.

Resolved, That certified copies of the foregoing resolution be transmitted, by the Chief Clerk of the Senate, to the President of the United States, to the presiding officers of the Senate and House of Representatives of Congress, and to each United States Senator and Congressman elected from this Commonwealth.

BILLS INTRODUCED

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 68, entitled:

An Act making an appropriation to the Temple University Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 69, entitled:

An Act making an appropriation to the North-Western General Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 70, entitled:

An Act making an appropriation to the Saint Christophers Hospital for Children, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 71, entitled:

An Act making an appropriation to the Saint Luke's and Children's Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 72, entitled:

An Act making an appropriation to the Kensington Hospital for Women, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 73, entitled:

An Act providing for the degree of care to be exercised by a pedestrian, operator and driver of a motor or other vehicle at the crossing of a highway and a railroad or railway at grade in certain cases and the profit of negligence and contributory negligence in such cases.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 74, entitled:

An Act making an appropriation to the Stetson Hospital Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 75, entitled:

An Act limiting the time within which actions of trespass may be brought.

Which was committed to the Committee on Judiciary General.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 76, entitled:

An Act to amend section thirty-one of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates sewer rates, and lighting rates; for the procedure upon claim filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judical sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing in certain cases for the discharge of all covenants and restrictions on property when sold at judicial sales.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 77, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by exempting assets held by liquidating trustees.

Which was committed to the Committee on Judiciary General.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 78, entitled:

An Act to amend section eight hundred one of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth courts, county boards of elections, county commissioners imposing penalties for violation of the act, and codifying revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining political parties and political bodies; excluding therefrom parties or bodies desiring to overthrow the Government of the United States by force.

Which was committed to the Committee on Elections.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 79, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedent and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Which was committed to the Committee on Judiciary General.

Messrs. HEYBURN, DENT, MILLER and H. I. WILSON read in their places and presented to the Chair Senate Bill No. 80, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

Which was committed to the Committee on Workmen's Compensation.

Mr. REED read in his place and presented to the Chair Senate Bill No. 81, entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, cosolidating, and changing the law relating thereto," by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

Which was committed to the Committee on County Government.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 82, entitled:

A Joint Resolution proposing an amendment to article eight of the Constitution of the Commonwealth of Pennsylvania, by adding thereto section eighteen.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 83, entitled:

An Act establishing a mode of selecting and drawing jurors for the courts of this Commonwealth.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 84, entitled:

An Act establishing and relating to a judicial council.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 85, entitled:

A Joint Resolution proposing an amendment to sections fifteen and twenty-five of article five of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 86, entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court, providing such person is or shall become, during such term, financially able to pay for the same.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 87, entitled:

An Act to amend subsection (f) of section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating the issuance of firearm licenses; requiring the finger printing of applicants therefor and certain investigation of such finger printing by the Federal Bureau of Investigation.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 88, entitled:

An Act authorizing the common pleas judges and the county commissioners jointly, to create medical clinics for the examination of certain persons convicted of the com-

mission of a crime, prior to the sentencing thereof, as a means of decreasing the number of habitual offenders; providing for the creation of joint medical clinics among the several counties; and imposing the costs of maintaining and operating such clinics upon the county or counties creating the same.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 89, entitled:

An Act to amend article twenty-three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined", by imposing upon the Department of Welfare the duty to investigate the subject of crime prevention and to stimulate, develop and coordinate crime prevention activities in this Commonwealth.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 90, entitled:

An Act regulating the entry of real estate as bail in criminal cases; and providing for the forfeiture thereof; and determining the validity of liens thereunder.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 91, entitled:

An Act authorizing the Governor to offer a reward for the apprehension of escaped persons charged with or convicted of a felony.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 94, entitled:

An Act making it a felony for any judge to impose sentence contrary to that provided by law when the same is done by such judge for personal gain, malice, revenge or other unlawful purpose.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 93, entitled:

An Act providing that a convicted person is a competent witness although such conviction may be shown to affect his credibility.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 94, entitled:

An Act providing for the removal from public office of any public officer who refuses to disclose the source of his income other than the lawful salary of his office, or who cannot satisfactorily explain the source thereof.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 95, entitled:

A Joint Resolution proposing an amendment to article one, section six of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 96, entitled:

An Act regulating horse racing and wagering on the results thereof; providing for the licensing of race tracks, race horse owners, riders, trainers, stewards, and officials for such racing; imposing license fees; creating a departmental administrative commission within the Department of Agriculture for the administration of this act; requiring the revenues accruing under this act, to be deposited in a special fund in the State Treasury; and appropriating the moneys in such funds; imposing penalties; and repealing inconsistent legislation.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 97, entitled:

An Act regulating the payment of wages or compensation for labor or service in private employments, establishing regular pay days, imposing certain duties upon employes, conferring powers and duties upon the Department of Labor and Industry, and district attorneys, imposing civil and criminal penalties for violations of the act, and providing for their collection and disposition, and making a repeal.

Which was committed to the Committee on Labor and Industry.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 98, entitled:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employee retirement system and creating a retirement board for the administration thereof, establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds, imposing powers and duties upon the heads of departments in which State employes serve excepting annuities, allowances, returns, benefits and rights from taxation and judicial process and providing penalties", further extending the definition of "original member".

Which was committed to the Committee on State Government.

Mr. STEVENSON read in his place and presented to the Chair Bill No. 99, entitled:

An Act providing for the fingerprinting of all employes of the Commonwealth and of its political subdivisions.

Which was committed to the Committee on State Government.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, last week I introduced a number of bills—you might call them reform bills—legalizing certain forms of amusement. I fully realize, however, that we can not introduce bills in this chamber which might be directly known as revenue bills, but these bills are reform bills, which permit certain forms of amusement in Pennsylvania. Attached to them you will find a license to be payable for policing these measures.

The point of information, Mr. President, is whether or not these bills are legally introduced in this chamber, or whether they must be introduced in the lower House.

The PRESIDENT. The Chair would rule that if it carries an appropriation, it must originate in the House.

Mr. SHAPIRO. Mr. President, I should like to raise the question that any revenue raising measure must originate in the House, irrespective of whether it carries an appropriation or not.

The PRESIDENT. Does the answer satisfy the Senator from Cambria?

Mr. HALUSKA. Not quite, Mr. President, One of these bills I might state is to legalize a certain form of amusement. Attached to it you will find a license to be able to police this measure. It is not a direct revenue bill.

The PRESIDENT. The Chair is of the opinion that a license bill is not a revenue raising bill, and therefore it would be proper to introduce it in the Senate. It depends on the nature of the bill and an explanation as to just what it contains.

CALENDAR

The PRESIDENT. The Senate will recall that the rule was changed requiring that the Senate go into a committee of the whole, so unless there are objections, the Chair will not make the usual statement, "Will the Senate dispense with going into a committee of the whole," and will proceed with the reading of the bill.

The Chair has discussed this question with the majority and minority leaders and it is entirely satisfactory to them.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 33, entitled:

An Act to amend section one of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" changing the number of members and extending the power to employ assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, of the Commonwealth:

APPOINTMENT AS JUDGE OF COURT OF COMMON PLEAS OF THE 53rd JUDICIAL DISTRICT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles Matthews, Jr., New Castle, Lawrence County, for appointment as Judge of the Court of Common Pleas of the Fifty-third Judicial District, composed of the County of Lawrence, until the first Monday of January, 1942, vice Thomas W. Dickey, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS RECORDER OF DEEDS OF BUCKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederick W. Randall, 174 McKinley Street, Bristol, Bucks County, for appointment as Recorder of Deeds of Bucks County, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice Frank Pfeifer, deceased.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. CHAPMAN

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself in Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. CHAPMAN

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Edmonds,	McCreesh,	Stiefel,
Becker,	Farrell,	McGinnis,	Tallman,
Carr,	Frey,	McQuiddy,	Tyler,
Cavalcante,	Geltz,	Miller,	Wade,
Chapman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Scarlett,	Wilson, T. B.,
Deitrick,	Jaspan,	Shapiro,	Ziesenheim,
Dent.	Kephart,	Snowden,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

CONDOLENCE TO SENATOR COLEMAN ON THE DEATH OF HIS BROTHER

Mr. BARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR offered the following resolution which was twice read, considered and agreed to:

In the Senate, January 28, 1941.

The angel of death has taken from our midst Paul Coleman, brother of Honorable Edward J. Coleman, Senator from Lackawanna County.

To the citizens of Scranton his sudden passing leaves a profound sense of sorrow, for his place in community life cannot be filled; to his fellow workers on the Delaware, Lackawanna and Western comes the great shock of learning their friend and co-worker will no longer be with them.

Paul Coleman was not a great statesman or outstanding local leader, but his was the greatest of all gifts, a congenial, happy nature and the gift of friendship with all the people he knew. He was a devoted husband, a splendid and sympathetic father and a true friend.

Since we who knew him can now only offer inadequate words as our last tribute; therefore be it

Resolved, That with this resolution we commend Paul Coleman to the memory of his fellow men; and be it further

Resolved, The Secretary of the Senate transmit a copy of this resolution to the wife, children and brother of the deceased.

RESOLUTION

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE offered the following resolution which was twice read:

In the Senate, January 28, 1941.

Whereas, The Federal Government has enacted Social Security Laws to alleviate the need and wants in cases of unemployment and old age and,

Whereas, Such laws should operate with equality and justice upon all citizens of the United States of America, and

Whereas, Such laws now exclude from their operation large numbers of the citizenry who in youth and old-age are victims of unemployment and need, and

Whereas, Among these large numbers of the citizenry are included many thousands of citizens whose conditions have driven them to seek security in such employment offered by the cities, towns, townships, counties, boroughs, state and other municipalities of the United States of America, and

Whereas, It happens that the salary or remuneration of these public employes is now subjected to the payment of income taxes both State and Federal, and

Whereas, It is equitable and just that these public employes should receive the same protection as given to Americans employed in other walks of life,

Now Be It Resolved (if the House of Representatives concurs), That the Congress of the United States of America be memorialized to amend and enlarge the Federal Social Security Laws to the extent that such laws may operate to include within their benefits and aids the employes of cities, towns, townships, state and other municipalities of the United States of America, and

Be It Further Resolved (if the House of Representatives concurs), That the Chief Clerk of the Senate forward a copy of this resolution to the Congress of the United States of America.

Mr. CAVALCANTE. Mr. President, I move the immediate adoption of the Resolution.

On the question.

Will the Senate agree to the resolution?

Mr. EDMONDS. Mr. President, I object, and the reason for my objection is that Senator Wagner has introduced down in Washington a series of amendments to the Social Security law which would take in state employes. It has caused a great deal of difficulty in Pennsylvania, because it looks as if it might have some effect upon the Teachers Retirement Fund, which has been one of the great plans for social benefits in Pennsylvania.

Mr. President, I understand Senator Wagner has introduced a series of amendments to that act, in which he is seeking to see to it that no well-established agency of the state shall be interfered with by the new bill.

Mr. President, I think a committee ought to consider a subject as important and complicated as this and that is the reason why I object, not because I object to any point of view the Senator may be expressing here, but because it must fit into other legislation, and other legislation that is exceedingly complicated.

On the question,

Will the Senate agree to the resolution?

The resolution was referred to the Committee on Welfare, Public Assistance and Pensions.

Mr. CAVALCANTE. Mr. President, I should like to interrogate the gentleman from Montgomery.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, with reference to the remarks of the gentleman from Montgomery on the resolution I introduced a little while ago, do I take it from the remarks of the gentleman from Montgomery that it is his opinion that because this may interfere or there is some question of interference with the State Teachers Retirement Fund, that all of the other employes of county, municipalities, cities and so forth should not be protected or we should not do anything to see that they are included under the operation of the Federal Security Law.

Mr. EDMONDS. Mr. Presidnt, May I say in answer to the gentleman it is not only the Teachers Retirement Fund I had in mind but other well established pension funds that have been created by various municipalities throughout the state. Now, Mr. President, I think the intention is to have the Wagner amendment when it is finally presented, take these all together into a systematic plan.

That, Mr. President, indicates to me the need for committee study in order that it might be done. We might be understood as assuming to introduce the original plan, which original plan would have affected a number of our state agencies, and that original plan caused a great deal of concern to the people that are watching these things down in Washington.

Mr. President, I think something should be done along the line the Senator has in mind, but I do think it ought to be studied in order not to injure the agencies which we have already created and which are doing excellent work.

BILLS INTRODUCED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 100, entitled:

An Act making an appropriation to the Curtis Clinic Out-

Patient Department of The Jefferson Medical College Hospital Philadelphia, Pennsylvania, for maintenance.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 101, entitled:

An Act making an appropriation to The Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 102, entitled:

An Act making an appropriation to the hospital of the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, February 3, 1941 at 4:00 o'clock, P. M.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:43 o'clock, P. M. until Monday, February 3, 1941 at 4:00 o'clock, P. M.

HOUSE OF REPRESENTATIVES

TUESDAY, January 28, 1941.

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our Heavenly Father, since we have been privileged to see the light of this new day, may we be mindful of all the opportunities for service that come to us, and may we be ready to recognize the fact, that we are our brother's keeper not only within our beloved State but in our great nation as well.

Bless the coming together of these servants of the State. Be with those detained because of illness. May it please Thee to grant to each one a renewed measure of health and strength so as to enable them to meet with their colleagues in this Assembly.

This we ask in thy Holy Name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. GERARD the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. O'CONNOR. HOUSE BILL No. 50.

An Act to repeal section four hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to the Committee on Education.

By Mr. O'CONNOR. HOUSE BILL No. 51.

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

Referred to the Committee on Judiciary General.

By Mr. O'CONNOR. HOUSE BILL No. 52.

An Act to amend subsection (j) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, further regulating the taking of appeals by professional employees from the actions of the board of school directors or board of public education.

Referred to the Committee on Education.

By Mr. O'CONNOR. HOUSE BILL No. 53.

An Act providing for the acquisition of the Admiral Peary Memorial Park, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

Referred to the Committee on State Government.

By Mr. O'CONNOR. HOUSE BILL No. 54.

An Act to further amend section one thousand four hundred and fifteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further changing the provisions for compulsory attendance.

Referred to the Committee on Education.

By Mr. O'CONNOR. HOUSE BILL No. 55.

An Act to further amend subsection (b) of section four hundred twelve, of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by changing the compensation

of judges, inspectors, clerks, and machine inspectors at primaries and elections.

Referred to the Committee on Elections.

By Mr. O'CONNOR. HOUSE BILL No. 56.

An Act to reenact subsection twenty as amended, and to reenact and amend subsection twenty-five of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the amount of payments by the Commonwealth for the minimum salaries of members of the teaching and supervisory staffs of elementary schools, junior high schools and high schools.

Referred to the Committee on Education.

By Mr. O'CONNOR. HOUSE BILL No. 57.

An Act to add section one hundred fifty and one-tenth to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," empowering the county treasurer to appoint a solicitor and fix his salary, and defining his duties and qualifications.

Referred to the Committee on Counties.

By Mr. O'CONNOR. HOUSE BILL No. 58.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. O'CONNOR. HOUSE BILL No. 59.

An Act to amend subsection six and seven of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, changing the minimum annual compensation of the members of the teaching and supervisory staff in school districts of the third and fourth classes.

Referred to the Committee on Education.

By Mr. O'CONNOR. HOUSE BILL No. 60.

An Act validating compromise agreements and private sales made by the county commissioners of real estate purchased by them at county treasurers' sales, whether or not such agreements and sales were made in compliance with the acts of assembly relating thereto.

Referred to the Committee on Counties.

By Mr. O'CONNOR. HOUSE BILL No. 61.

An Act making appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Referred to the Committee on Appropriations.

By Mr. FINNERTY. HOUSE BILL No. 62.

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

Referred to the Committee on Cities First Class.

By Mr. VAN ALLSBURG HOUSE BILL No. 63.

An Act to further amend section four, and to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for refunds of taxes paid on liquid fuels consumed for purposes other than the operation of motor vehicles on the public highways of this Commonwealth, and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. WILKINSON and Mr. BOIES. HOUSE BILL No. 64.

Imposing regulations and restrictions upon persons, associations, partnerships and corporations owning, leasing or having control over electric light or power lines, conduits, telephone and telegraph wires located near certain public highways or near flying fields.

Referred to the Committee on Public Utilities.

By Messrs. REGAN and WILKINSON. HOUSE BILL No. 65.

To amend clause (g) as added to section one thousand one hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon the counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, by extending the time limit within which all electrically operated traffic signals shall be made to conform with provisions of said act and the regulations of the Secretary of Highways.

Referred to the Committee on Motor Vehicles.

By Mr. HOLLAND. HOUSE BILL No. 66.

Making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the cities of the Commonwealth for the maintenance of certain streets and roads; and providing for certification of mileage of public roads and streets by municipal authorities to the Department of Highways.

Referred to the Committee on Appropriations.

By Mr. HOLLAND. HOUSE BILL No. 67.

To amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws, "making the real estate of public service companies subject to taxation, and providing certain exceptions.

Referred to the Committee on Public Utilities.

By Mr. HOLLAND. HOUSE BILL No. 68.

Providing for payment by the Commonwealth, out of moneys derived from liquid fuels taxes, of the cost to cities, boroughs, towns and townships, of traffic regulation and safety, and other service attributable to automobile and motor truck usage of municipal and township streets and highways; prohibiting the payment of such costs out of taxes on real property; imposing duties on such municipalities and townships, and on the Department of Revenue, and the Pennsylvania Motor Police; and appropriating moneys in the Motor License Fund.

Referred to the Committee on Appropriations.

By Mr. BOORSE. HOUSE BILL No. 69.

Authorizing county commissioners to prepare and issue to justices of the peace and aldermen at the cost of the county, forms used in criminal proceedings before them.

Referred to the Committee on Counties.

By Mr. RONALD L. THOMPSON. HOUSE BILL No. 70.

To amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing for the compensation paid to township commissioners.

Referred to the Committee on Townships.

By Mr. HOLLAND. HOUSE BILL No. 71.

To further amend section two and clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to Mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," limiting relief to cash payments.

Referred to the Committee on Welfare.

By Mr. HOLLAND. HOUSE BILL No. 72.

Directing certain payments to cities out of the Motor License Fund for highway purposes; limiting the use thereof and requiring accounting therefor; imposing duties on the Department of Highways; and making appropriation.

Referred to the Committee on Appropriations.

By Mr. POWERS. HOUSE BILL No. 73.

To further amend clause seven of subsection (B) and the penalty clause of section eight hundred and twenty-eight of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and Legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the color scheme of school buses; prohibiting other vehicles from using the same; authorizing certain payments by school districts and providing a penalty.

Referred to the Committee on Motor Vehicles.

By Mr. POWERS. House Bill No. 74.

Requiring county commissioners to ascertain and forward to the Department of Military Affairs information concerning the location of abandoned coal-mines, tunnels, and other places which may offer shelter during an air raid, and land suitable for emergency landing fields; and imposing duties upon the Department of Military Affairs.

Referred to the Committee on Military Affairs.

By Messrs. COCHRAN and MORAN.
HOUSE BILL No. 75.

To promote the safety of travelers and employees upon railroads by compelling common carriers by railroad to properly man their trains.

Referred to the Committee on Railroads and Railways.

By Messrs. HIRSCH and McGRATH.
HOUSE BILL No. 76.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund

in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by making the provisions of said act mandatory, and abolishing actions at common law for damages resulting from occupational disease.

Referred to the Committee on Workmens Compensation.

By MESSRS. McCLANAGHAN and HERSCH.
HOUSE BILL No. 77.

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania, to allow all employees of state penal and correctional institutions twenty-four consecutive hours of rest each week; authorizing the Department of Welfare to provide additional employees.

Referred to the Committee on State Government.

By Messrs. MIHM and WILKINSON.
HOUSE BILL No. 78.

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from accepting a bond or judgment from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred.

Referred to the Committee on Welfare.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 79.

An Act prohibiting the recording of any broadcast performance or rendition without the permission and consent of the person or persons whose performance or rendition is so recorded, and the offering for sale, selling, leasing, licensing or possession of such unlawful recording; and providing penalties therefor.

Referred to the Committee on Judiciary Special.

By Mr. SNYDER. HOUSE BILL No. 80.

An Act to further amend section two thousand six hundred and twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' by avoiding the necessity for filing with the Department of Public Instruction more than one copy of the report of auditors of school districts of the fourth class.

Referred to the Committee on Education.

By Mr. BRETHERICK. HOUSE BILL No. 81.

An Act to amend section four hundred and twenty A of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing minors of the age of eighteen years and upwards to contract for policies of life insurance and annuities and giving them full rights, powers and privileges with regard thereto, whether heretofore or hereafter applied for or issued to them, with the same force and effect as if they were of age.

Referred to the Committee on Insurance.

By Mr. WINNER. HOUSE BILL No. 82.

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or, other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to apply license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

Referred to the Committee on State Government.

By Mr. WINNER. HOUSE BILL No. 83.

To further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resttlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the state; and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency therof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

Referred to the Committee on State Government.

By Mr. POWERS. HOUSE BILL No. 84.

To amend the second paragraph of section one thousand four hundred four, and section one thousand four hundred nine of the act, approved the eighteenth day of May, one

housand nine hundred eleven (P. L. 309), entitled "An Act o establish a public school system in the Commonwealth f Pennsylvania, together with the provisions by which it hall be administered, and prescribing penalties for the vio- ation thereof; providing revenue to establish and maintain he same, and the method of collecting such revenue; and epealing all laws, general, special or local, or any parts hereof, that are or may be inconsistent therewith," enlarg- ng the provisions for transportation of pupils; and provid- ng for the payment of the cost thereof by other districts in ertain cases.

Referred to the Committee on Education.

By Mr. TAYLOR. HOUSE BILL No. 85.

An Act to amend the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), ntitled "An act providing that appointive officers and em- loyees, employed by the Commonwealth of Pennsylvania n its civil service, or by any department, bureau, commis- ion, or office thereof, or by any county, municipality, town- hip, or school district, shall not be deemed or held to have esigned or abandoned their offices or employments by rea- on of enlistment, enrollment, or draft in the military or aval service of the United States or any branch or unit hereof, in time of war or contemplated war; prohibiting the emoval from their offices or employments of such officers nd employees during the period of their service in the Army or Navy; directing that one-half of the salaries or vages of such officers or employees as have dependent vives, children, or parents, and not exceeding two thou- and dollars per annum, be paid during the term of their ervice in the Army or Navy to such dependents; author- zing the employment during said term of substitutes to erform the duties theretofore performed by such officers r employees, respectively, and providing for the compen- ation of such substitutes," by providing for payment of alaries to such officers and employees as do not have de- endents.

Referred to the Committee on Military Affairs.

By Mr. TAYLOR. HOUSE BILL No. 86.

An Act authorizing the Armory Board of the State of ennsylvania to construct and erect in the County of Dau- hin, a memorial or monument in memory of the residents f Dauphin County who served in the forces of the United tates during the World War, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. TAYLOR. HOUSE BILL No. 87.

An Act providing for the erection, construction and equip- ent of new buildings at the Pennsylvania Soldiers' and ailors' Home; conferring powers and imposing duties upon ertain departments, and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. TAYLOR HOUSE BILL No. 88.

Making an appropriation to the Department of Penn- lvania, American Legion, for education and training he youths of the Commonwealth in conducting the rdinary function of government.

Referred to the Committee on Appropriations.

By Mr. TAYLOR. HOUSE BILL No. 89.

Authorizing the Department of Property and Supplies o allocate, or provide, rooms for State Headquarters of he United Spanish War Veterans, Veterans of Foreign ars of the United States, American Legion, and Disabled merican Veterans of the World War; and providing that xpenses for heat, light, water, and janitor services, shall e borne by the Commonwealth.

Referred to the Committee on Military Affairs.

By Mr. TAYLOR. HOUSE BILL No. 90.

Providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by desig- nating such organizations as United Spanish War Veterans, Inc.

Referred to the Committee on Military Affairs.

By Mr. TAYLOR. HOUSE BILL No. 91.

Making an appropriation to the State Veterans' Com- mission for expenses of the commission and for the assist- ance of needy Pennsylvania veterans of any war and their dependents, and of needy widows and orphans of deceased war veterans.

Referred to the Committee on Appropriations.

By Mr. SKALE. HOUSE BILL No. 92.

Requiring every person registering a motor vehicle in the Commonwealth to furnish proof of financial respon- sibility with respect to liability for personal injury or death arising from the ownership, operation or use of such motor vehicle on the ways of the Commonwealth by the registrant or by any other person with his express or im- plied consent; providing the nature of public liability policy which may be used as such proof; providing for the regulation of the risk, classifications, underwriting rules, premiums, rates and schedule or merit rating plans of insurance companies issuing such policies; providing penalties and repealing all inconsistent acts and parts of acts.

Referred to the Committee on Motor Vehicles.

By Mr. CHARLES H. BRUNNER. HOUSE BILL No. 93.

To amend subsection two of section one thousand seven hundred and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by extending the tax- ing power of the township; and providing for the disposi- tion of certain tax moneys.

Referred to the Committee on Townships.

By Mr. AUKER. HOUSE BILL No. 94.

To amend section fifteen hundred and nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to estab- lish a public school system in the Commonwealth of Penn- sylvania together with the provisions by which it shall be administered and prescribing penalties for the viola- tion thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," by providing that the board of directors of any school district may appropriate funds to pay for medical examinations for tuberculosis for pupils, teachers, janitors, or other employees.

Referred to the Committee on Education.

By Mr. WEINGARTNER. HOUSE BILL No. 95.

Requiring all public officers, tax collectors, and other persons charged with the collection of taxes for any County, City, Borough, Poor District, Township, and other municipal subdivision, to furnish upon demand to any person applying therefor a certified itemized statement of the kind and amount of all taxes recorded in his office or in his hands for collection; fixing the fee therefor and providing that payment thereof shall be a full and com- plete discharge; and repealing inconsistent legislation.

Referred to the Committee on Judiciary Special.

By Mr. WEINGARTNER. HOUSE BILL No. 96.

An Act to provide methods whereby any living person, who was born in the Commonwealth of Pennsylvania, without regard to the date of his or her birth, may have a record of his or her birth made in the office of the State Registrar of Vital Statistics, in all cases where, for any reason whatsoever, no record thereof exists in said office; providing for the issuing of certificates thereof and the effect and value of such certificates as evidence; providing for fees and penalties.

Referred to the Committee on State Government.

By Messrs. WILLIAMS and BURNS.
HOUSE BILL No. 97.

An Act requiring railroad companies to provide a flagman on all engines running without cars providing for the enforcement of the act by the Public Utility Commission fixing penalties and providing for the collection thereof by the attorney General.

Referred to the Committee on Railroads and Railways.

By Messrs. PETTIT and WILLIAMS.
HOUSE BILL No. 98.

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by further regulating the employment of females in certain establishments with respect to their hours of labor.

Referred to the Committee on Labor.

By Messrs. WILLIAMS and BAKER.
HOUSE BILL No. 99.

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by exempting clubs from such limitation.

Referred to the Committee on Liquor Control.

By Messrs. WILLIAMS and TARR.
HOUSE BILL No. 100.

An Act granting to representatives for collective bargaining designated by employees of anthracite or bituminous mines or collieries, the right to accompany mine inspectors on all tours of inspection of such mines.

Referred to the Committee on Labor.

By Mr. WILLIAMS. HOUSE BILL No. 101.

An Act to add rule ten A to article eleven, section one of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that cars or wagons used for transporting persons in or about mines and hauled by electric locomotives operated from trolley wires shall have bodies constructed of wood or other non-conducting material.

Referred to the Committee on Mines and Mining.

By Mr. WILLIAMS. HOUSE BILL No. 102.

An Act to add general rule twenty A to article twenty-five of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine operators to furnish gas masks or to construct safety chambers in gaseous portions of bituminous mines.

Referred to the Committee on Mines and Mining.

By Mr. SKALE. HOUSE BILL No. 103.

An Act to repeal the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on certain State and local officers and employees, and on charitable institutions, persons, copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed."

Referred to the Committee on Welfare.

By Mr. TAYLOR. HOUSE BILL No. 104.

To further amend section seven of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; providing the method of making payment to representatives or persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," extending the time during which application may be filed for veterans' compensation.

Referred to the Committee on Military Affairs.

By Mr. TAYLOR. HOUSE BILL No. 105.

To further amend section four hunndred and twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing that supporting rods of metal grave markers shall be of the same metal and composition as markers.

Referred to the Committee on Military Affairs.

By Mr. SKALE. HOUSE BILL No. 106.

Prohibiting State banks, trust companies, bank and trust companies, and private banks, from charging or collecting service charges in connection with the maintenance and use of accounts in, and other business transacted with such banking institutions, and imposing penalties.

Referred to the Committee on Banking.

By Messrs. NAGEL and PRESLEY N. JONES.
HOUSE BILL No. 107.

An Act to amend section eleven of the act, approved the twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure there-

or; providing for the reimbursement of the Commonwealth rom tolls and charges; and making an appropriation," as mended, by providing that such toll bridges heretofore r hereafter acquired by the Department of Highways shall e free bridges from the effective date of this act or from ne date they are so acquired.

Referred to the Committee on Highways.

By Mr. DIX. HOUSE BILL No. 108.

An Act to amend subsection seven of section one thou- and two hundred ten of the act, approved the eighteenth ay of May, one thousand nine hundred and eleven (P. L. 09), entitled "An act to establish a public school system n the Commonwealth of Pennsylvania, together with the rovisions by which it shall be administered, and prescrib- ng penalties for the violation thereof; providing revenue o establish and maintain the same, and the method of col- ecting such revenue; and repealing all laws, general, spe- ial, or local, or any parts thereof, that are or may be in- onsistent therewith," as amended, changing the salary of nd providing annual increments for teachers in districts f the fourth class.

Referred to the Committee on Education.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 109.

An Act to promote the safety of the traveling public and mployees on steam or electric railroads by regulating the onstruction of caboose cars and providing penalties.

Referred to the Committee on Railroads and Railways.

By Mr. GRYSKEWICZ. HOUSE BILL No. 110.

An Act to promote the safety of travelers and employes pon railroads by prohibiting carriers by railroad hauling rains excessive in length providing penalties and provid- ng for enforecement by the Public Utility Commission or ny other agency empowered to enforce the law.

Referred to the Committee on Railroads and Railways.

By Mr. MARKS. HOUSE BILL No. 111.

An Act to further amend clause thirty-four of section two housand four hundred three of the act, approved the wenty-third day of June, one thousand nine hundred and hirty-one (P. L. 932), entitled "An act relating to cities f the third class; and amending, revising, and consolidating he law relating thereto," by providing that appropriations hall be made in certain cases.

Referred to the Committee on Cities-Third Class.

By Messrs. NAGEL and McLANAHAN.
HOUSE BILL No. 112.

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), ntitled "An act relating to counties of the second, third, ourth, fifth, sixth, seventh and eighth classes; and re- sing, amending and consolidating the laws relating there- o," authorizing counties of the third, fourth, fifth and xth classes to acquire by lease, purchase or condemna- on, land within the county for the purpose of establishing nd maintaining airdromes and aviation landing fields; uthorizing the leasing of such facilities and the joint peration by said county of such facilities with other politi- al subdivisions; and authorizing appropriations for such urposes.

Referred to the Committee on Counties.

By Mr. KRISE. HOUSE BILL No. 113.

An Act to amend sections eighteen and twenty-two of he act approved the twenty-ninth day of April, one thou- and nine hundred and thirty-seven, (P. L. 487), entitled An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," permitting registrations before notaries public and justices of the peace.

Referred to the Committee on Elections.

By Mr. KRISE. HOUSE BILL No. 114

An Act to require persons holding judicial sales to obtain a list of the judgment creditors and mortgagees together with their addresses of the persons whose property is to be sold; and to require notice by registered mail to be given such persons; and to require the prothonotary and recorder of deeds to furnish the names of judgment creditors and mortgagees upon request by the person holding the judicial sale.

Referred to the Committee on Judiciary Special.

By Mr. KRISE. HOUSE BILL No. 115.

An Act to further amend clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of Assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund; and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," prohibiting requiring aged persons to give bond for repayment of assistance; and discharging such bonds theretofore given.

Referred to the Committee on Welfare.

By Mr. KRISE. HOUSE BILL No. 116.

An Act to add section nine and one-tenth to the act, approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled 'An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances." providing for the renting of real estate purchased by the county during the period of redemption and the redemption thereof out of rents.

Referred to the Committee on Judiciary Special.

By Mr. LONGO. HOUSE BILL No. 117.

To further amend the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for different classes of operators' licenses and learners' permits; prescribing the circumstances under which they shall be issued; requiring proof of financial responsibility in certain cases; denying operating privileges under certain circumstances and providing additional penalties.

Referred to the Committee on Motor Vehicles.

By Mr. POWERS. HOUSE BILL No. 118.

Permitting, licensing, regulating and controlling dog racing and betting and wagering on such races in this Commonwealth; creating a State Racing Commission with jurisdiction over the same; defining its powers and duties; imposing certain license fees and state taxes; imposing certain duties on the Department of Revenue; and providing penalties.

Referred to the Committee on Law and Order.

By Mr. O'CONNOR. HOUSE BILL No. 119.

To regulate nominations and elections for all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks; and providing penalties for the violation of the provisions thereof and the punishment of certain offenses.

Referred to the Committee on Elections.

By Mr. O'CONNOR. HOUSE BILL No. 120.

To restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof; restricting ownership in licensed places; imposing duties upon the Supreior Court, county treasurers, clerks of courts, quarter sessions courts, district attorneys and proper authorities of the counties of the State; providing penalties, rights of appeal; and repealing inconsistent acts.

Referred to the Committee on Liquor Control.

By Messrs. HOLLAND and TURNER. HOUSE BILL No. 121.

Approving, ratifying and enacting into law the Ohio River Valley Water Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto, creating the "Ohio River Valley Water Sanitation Commission," providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact.

Referred to the Committee on State Government.

By Mr. HIRSCH. HOUSE BILL No. 122.

Imposing a state emergency tax payable by those herein defined as distributors on fuel oil, used or sold, and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to give security to file reports, and to retain certain records; imposing duties on retail dealers, common carriers and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain state officers and departments; providing for refunds; imposing penalties; and making an appropriation.

Referred to the Committee on Ways and Means.

By Messrs. SKALE and HIRSCH. HOUSE BILL No. 123.

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing the classes of dependents entitled to compensation in case of death; increasing the amounts of compensation to be paid; reducing powers and duties of the board; reducing penalties; and generally amending, clarifying and changing the provisions of said act.

Referred to the Committee on Workmen's Compensation.

By Mr. HABERLEN. HOUSE BILL No. 124.

An Act to reenact and amend the title and the act, approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "'An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and procedures, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights,

uties and proceeding thereunder; and making appropria-ons," by substituting the term "handler" for the term "milk ealer"; defining the term "handle" and "handler"; extend-ig the provisions of the act to those who handle milk by ailment, brokerage, consignment or purchase and by giving ertain additional rights to producers' and farmers' unions organizations producing milk.

Referred to the Committee on Dairy-Industries.

By Messrs. MIHM and Shaffer. HOUSE BILL No. 125.

An Act to fix the number of Representatives in the Gen-al Assembly of the State; and to apportion the State into epresentative districts, as provided by the Constitution.

Referred to the Committee on Legislative Apportionment.

By Mr. HARKINS. HOUSE BILL No. 126.

An Act to further reenact and amend the act, approved e second day of June, one thousand nine hundred and fteen (P. L. 736) entitled as amended "An act defining the ability of an employer to pay damages for injuries re-eived by an employee in the course of employment; estab-shing an elective schedule of compensation; providing rocedure for the determination of liability and compensa-on thereunder; and prescribing penalties, "changing maxi-um and minimum rates, periods, total amounts and aggre-ate of compensation; changing the system of computation wages for compensation purposes; changing the classes dependents entitled to compensation in case of death; creasing the amounts of compensation to be paid: reducing owers and duties of the board; reducing penalties; and enerally amending, clarifying and changing the provisions said act.

Referred to the Committee on Workmen's Compensation.

By Mr. POWERS. HOUSE BILL No. 127.

A joint resolution proposing an amendment to article eight the Constitution of the Commonwealth of Pennsylvania adding thereto section eighteen.

Referred to the Committee on Constitutional Amend-ents.

By Mr. HOLLAND. HOUSE BILL No. 128.

A joint resolution proposing an amendment to section ghteen, article three of the Constitution of the Common-ealth of Pennsylvania.

Referred to the Committee on Constitutional Amend-ents.

ESOLUTIONS INTRODUCED AND REFERRED

By Messrs. PETROSKY, LOVETT and LESKO.
RESOLUTION No. 1.

In the House of Representatives, January 27, 1941.

Whereas, In the mining industry many thousands of es have been needlessly lost because of inadequate fety controls and these deaths might have been pre-nted by the passage of a law providing for the federal spection of mines; and

Whereas, A federal mine inspection bill has been passed the Senate of the United States but blocked in the use Committee of Mines and Mining; and

Whereas, During the time this measure has been blocked re have been some 1,530 miners killed in mine disasters, ving behind them their widows and orphans; and

Whereas, In the Commonwealth of Pennsylvania during time this measure has been blocked a number of mine asters have occurred which are directly attributable lack of adequate mine inspection; now therefore be it

Resolved, That the House of Representatives of the ate of Pennsylvania hereby memoralize the Congress the United States to approve the Federal Mine Inspec-n bill; be it also

Resolved, That one copy of this resolution be forwarded each of the following:

The President of the United States, Franklin D. Roosevelt.
Vice President, Henry A. Wallace, President of the United States Senate.
Speaker Rayburn, House of Representatives.
Senator Joseph Guffey.
Senator James P. Davis.
All members of the House delegation from Pennsylvania.

Referred to the Committee on Mines and Mining.

By Mr. CORDIER. RESOLUTION No. 2.

In the House of Representatives, January 27, 1941.

Whereas, The Department of Public Assistance, by virtue of the general power given to it under the Public Assistance Law to make rules and regulations, requires applicants for assistance, before receiving the same, to give a bond to the Commonwealth conditioned for the repayment to the Commonwealth of all amounts received as public assistance; and

Whereas, The giving of such bond has become greatly unpopular, and has caused considerable confusion in the minds of persons whose circumstances make it necessary for them to avail themselves of the benefits of public assistance, whether the same results through a lack of understanding of the ultimate effect of such bonds or because of a feeling on the part of those who own property that they are being unjustly discriminated against; and

Whereas, There is some question as to whether these bonds have in measure justified themselves during past experience, or whether the practice is worth continuing; therefore be it

Resolved, That the Speaker of this House appoint a committee of five members to make a careful and thorough investigation of the practical operation of the bond requirement system established by the Department of Public Assistance, with special reference to the number of such bonds on which judgments have been entered, the total cost of entering them and enforcing collections thereon, and the total amount recovered. The committee shall proceed with such dispatch as to enable them to report to the House their findings and recommendations thereon not later then than the first day of April, one thousand nine hundred and forty-one.

Referred to the Committee on Rules.

By Mr. FINNERTY. (Concurrent) RESOLUTION No. 3.

In the House of Representatives, January 27, 1941.

Whereas, In the past two years considerable confusion has been caused by uncertainties of the people of the Commonwealth relative to the date the Governor would proclaim for the observance of Thanksgiving; and

Whereas, The business men of the Commonwealth are extremely desirous of eliminating such uncertainty; and

Whereas, These men of affairs are desirous of observing the holiday on the date proclaimed by the President of the United States; therefore be it

Resolved, (if the Senate concur), That the Governor be directed to proclaim such date for the observance of Thanksgiving in this Commonwealth as the President of the United States may set for observance by executive proclamation.

Referred to the Committee on Rules.

PETITION

The SPEAKER laid before the House the following petition:

SCHOOL CODE

Members of the Amish Menonite Church of the county of Somerset advocating modification of the Act of Assembly of 1937 "so that compulsory school attendance be not required beyond one hundred sixty days" and certain exemptions.

Referred to the Committee on Education.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Habbyshaw for Mr. TAYLOR for today's session.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker I rise to a question of Parliamentary inquiry.

The SPEAKER. The gentleman will state his question of Parliamentary inquiry.

Mr. TURNER. Mr. Speaker, are we under the order of business of reports from committees?

The SPEAKER. We are under that order of business.

Mr. TURNER. Mr. Speaker and members of the House, the Joint State Government Commission has been working through a subcommittee since the summer of 1939 on that great question of relief which has plagued not only this State but the whole nation since 1931. There have been a great many different committees and commissions that have studied the question of relief but the Joint State Government Commission felt that we should continue the study and that we should ascertain as far as possible the basic facts, not only which reference to the adminstration of relief but also as to the cost of relief in Pennsylvania and in other states of the United States, as well as the laws pertaining to relief in this state and the nation. Through the sub-committee of which the gentleman from Erie Mr. Van Allsburg is the chairman, an intensive study has been carried on. I do not believe there has been a week since the summer of 1939 that either the whole committee or a part of the committee, which was termed the Sub-Committee on Data, was not at work.

The report is now ready for presentation to the House. It is comprehensive, it is quite extensive and, Mr. Speaker, I really believe it will form a text book for the members of the House, that it will provide them with a tremendous amount of information, and that the suggestions made by the Commission are constructive. During the 1939 session the chairman of the Committee on Welfare in this House was the gentleman from Erie Mr. Van Allsburg, and he was the natural Chairman for the Committee under the Joint State Government Commission on this question of relief.

He has given a tremendous amount of time and effort in the prepartion and working out of this report, and I would like to yield to the gentleman from Erie Mr. Van Allsburg and ask that he be given the privilege of making a statement and submitting the report.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Van Allsburg.

Mr. VAN ALLSBURG. Mr. Speaker and members of the house, the occasion of presenting the report of the sub-Committee on relief today is a source of great pleasure to this Committee because it is the last act in the performance of a long, arduous and very responsible task. It is also a pleasure to anticipate hopefully the good this study may accomplish in promoting a more intelligent and comprehensive understanding of the whole relief problem.

Public relief during the past decade has been the most perplexing problem the Legislature has had to face and although the present upswing in employment has somewhat eased the situation, nevertheless relief is still Pennsylvania's "Problem Number one."

The sole aim of the Committee from beginning to end has been to learn the facts about the present system of relief, its organization, it's policies, and its methods, and to evaluate them in terms of efficiency to administer relief to those who through no fault of their own are in need and at a minimum cost to those who pay the bill, and last but not least to this in such a spirit and in such a manner as will not destroy the moral fiber of relief recipients, but rather will promote self-reliance, good character, and good Citizenship.

The report of the Committee as has been said by the previous speaker, is voluminous. This can be readily understood when one considers the magnitude and many aspects of the subject. This is due in part to the appendix which contains a wealth of information in the form of charts and tables which the members will find exceedingly helpful, and without which the text of the report can not be fully comprehended. The arrangement of it's contents, however, is simple. A table of the contents appears among the very first pages of the report, and may I point out specifically that the recommendations to the Legislature appear on page one of the report.

As Chairman of the sub-Committee on Relief of the Joint State Government Commission, for their untiring efforts, diligence and spirit of cooperation, I wish to thank the gentleman from Delaware, Mr. Turner, the gentleman from Dauphin, Mr. Woodside, and the gentleman from Monroe, Mr. Achterman, on the part of the house; also Senators Geltz, Homsher and Woodward on the part of the Senate.

Mr. Speaker, I now formally offer the report of the Committee on Relief as prepared for the General Assembly by the Joint State Government Commission.

The SPEAKER. The Clerk will read the report of the Committee on Relief.

The report was read by the Clerk.

(For report see Appendix)

POINT OF INQUIRY

Mr. TURNER. Mr. Speaker I rise to a point of inquiry.

The SPEAKER. The gentleman from Delaware will state his point of inquiry.

Mr. TURNER. Mr. Speaker, may the Page boys now distribute the reports which are here ready for distribution?

The SPEAKER. The Chair will direct the page boys to distribute the Reports at once.

SENATE MESSAGE

The Sergeant-at-Arms being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unnanimous consent to address the House.

Mr. Speaker, the page boys are distributing the report just offered by Mr. Van Allsburg. Some members are getting more than one copy and they are being laid on vacant desks. We have only two hundred and eight copies of the report and if more than one copy is taken by a member there will not be enough to supply all the members. Will the members, therefore, who have more than one copy of the report please surrender them to other Members of the House or to the Page boys.

RESOLUTION

SUPPLEMENTAL REPORT OF COMMITTEE ON COMMITTEES

Mr. READINGER offered a resolution and asked and ob

ed unanimous consent for its immediate consider-
n.
he resolution was read by the Clerk as follows:

In the House of Representatives, January 28, 1941.
esolved, That the following changes are hereby made
he Standing Committees of the House of Representa-
s:

AGRICULTURE

dd—Joseph H. Vogt.

BUILDING AND LOAN ASSOCIATIONS

dd—Woodring, V. Chairman.

CITIES—FIRST CLASS

dd—Modell, V. Chairman.

NGRESSIONAL AND JUDICIAL APPORTIONMENT

trike out—Modell.
dd—Monks.

FISHERIES

trike out—Komorofski.
dd—Lewis Harris.

FORESTRY

dd—Nunemacher, Komorofski.

GAME

trike out—Charles R. Reagan.
dd—Haines.

JUDICIARY GENERAL

dd—Modell.

JUDICIARY SPECIAL

dd—Petrosky, Rosenfeld.

LABOR

dd—Mooney, Melchiorre, McFall, Harmuth, Shepard.

LEGISLATIVE APPORTIONMENT

rike out—Monks.
dd—Cullen, Mihm.

LIQUOR CONTROL

rike out—Levy, Falkenstein.
dd—D'Ortona, Shaw, Reuben E. Cohen

MILITARY AFFAIRS

rike out—Kenehan, Mihm.
dd—Reynolds.

MOTOR VEHICLES

rike out—Mihm.
dd—O'Brien, Knoble.

RAILROADS AND RAILWAYS

rike out—Reuben E. Cohen.
dd—Falkenstein.

WELFARE

rike out—Haines.
dd—Charles R. Reagan.

PUBLIC UTILITIES

Add—Boney, Finestone, Petrosky.
On the question,
Will the House adopt the resolution?
It was adopted.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, of the report of the Commission on Unemployment Compensation we did not have a sufficient number to take care of all of the Members of the House last night as the Printer only sent down a limited number of copies.

We now have additional copies and if the Members will come to this corner of the room they can get their copies.

CONDOLENCE RESOLUTION

Messrs. O'NEILL and REAGAN offered the following privileged resolution which was twice read, considered and adopted:

In the House of Representatives, January 28, 1941.

The angel of death has removed from our immediate surroundings Paul Coleman, brother of Honorable Edward J. Coleman, Senator from Lackawanna County.

To the citizens of Scranton his passing leaves a profound sense of sorrow, for his place in the community life cannot be filled; to his fellow workers on the Delaware, Lackawanna and Western comes the great shock of learning their friend and co-worker will no longer be with them.

Paul Coleman was not a great statesman or outstanding local leader, but his was the greatest of all gifts, a congenial, happy nature and the gift of friendship with all the people he knew. He was a devoted husband, a splendid and sympathetic father and a true friend.

Since we who knew him can now only offer inadequate words as our last tribute; therefore be it

Resolved, That with this resolution we command Paul Coleman to the memory of his fellow men; and be it further

Resolved, The Chief Clerk of the House transmit a copy of this resolution to the family of the deceased.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Banking today at 2 p. m. in Room 329.
Cities-First Class today at 2 p. m. in Room 330.
Dairy Industries today at 2 p. m. in Room 331.
Education today at 2 p. m. in Room 326.
Game today at 2 p. m. in Room 346.
State Government today at 2 p. m. in Room 521.
Ways and Means today at 2 p. m. in House Conference Room.

ADJOURNMENT

Mr. TATE. Mr. Speaker, I move that this House do now adjourn until Monday, February 3, 1941, at 9 p. m.

The motion was agreed to, and (at 1:42 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, FEBRUARY 3, 1941. No. 5.

SENATE

MONDAY, February 3, 1941.

The Senate met at 4:00 o'clock, p. m.

The PRESIDENT. (Lieutenant-Governor Samuel S. ewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the llowing prayer:

Quicken the hearts of us all, O Lord, this day unto the :avity of the situation which confronts us as a nation. Lay it be according to Thy Divine Providence that we se to the solemn task and sacred duty of national defense ith the same zeal with which America has always re- onded in similar times of emergency.

Enlighten the minds of our leaders in these days of na- onal stress that our policies be rightly formed. Guide e minds of our Congress and members of our several gislatures that the laws which they formulate and enact ay always portray the right. Give to our judges and agistrates and justices the wisdom rightly to interpret em that withal and Thy will might be done and Thy ngdom come more perfectly among men.

Confound the avarice of men. Confuse the designs for rsonal aggrandizement. Annul the contracts of ignoble igin intended to operate at the further expense of our ople. Make of no avail the unpatriotic operations of ose who would obstruct the furtherance of national de- nse and hasten the day when nations shall again live aceable together, the dictartorships of the day with their ng brains and suffering, subjugation and death having ng since perished from earth.

Send us each one forth into days of this week to do Iy will and may we deal with others as we would have ers deal with us. We pray in the name of the Father o created us, the Son who redeemed us and the Holy Spirit who enlightens us both now and evermore. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present l Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding ession, when, on motion of Mr. CHAPMAN and Mr. ELY, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. EDMONDS asked and obtained leave of absence for r Senator from Philadelphia, Dr. WOODWARD, who is ay on account of sickness.

Mr. GELTZ asked and obtained leave of absence for the Senator from Bucks, Mr. JAMES.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION OF LEGISLATURE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

If it meets with approval of the General Assembly, I should like to address the members in Joint Session this evening at nine-thirty o'clock.

ARTHUR H. JAMES.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS MAGISTRATE IN COURT NO. 21, CITY OF PHILADELPHIA

John C. Morlock, 1427 East Duval Street, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 21 in and for the City of Philadelphia, until the first Monday of January, 1942, vice James Dougherty, deceased.

APPOINTMENT AS MAGISTRATE IN COURT NO. 28, CITY OF PHILADELPHIA

Michael R. Kerwick, 2205 Madison Square, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 28 in and for City of Philadelphia, until the first Monday of January, 1942, vice E. David Keiser, removed from office.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF STATE BOARD OF PUBLIC ASSISTANCE LEBANON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. George T. Spang, 729 Cumberland Street, Lebanon, Leb-

anon County, for appointment as a member of the State Board of Public Assistance, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS JUSTICE OF PEACE IN FRANKLIN COUNTY

Edgar Z. Mann of Rouzerville, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, vice C. S. Kugler, resigned.

APPOINTMENT AS ALDERMAN IN WASHINGTON COUNTY

R. M. Weirich, 996 Jefferson Avenue, Washington, Washington County, for appointment as Alderman in and for the Seventh Ward of the City of Washington, Washington County, until the first Monday in January, 1942, vice W. D. McCarrell, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS ALDERMAN IN ERIE COUNTY

Thomas M. McCarty, 404 Lighthouse Street, Erie, Erie County, for appointment as Alderman in and for the First Ward of the City of Erie, Erie County, until the first Monday in January, 1942, vice James Lonergan, resigned.

APPOINTMENT AS ALDERMAN IN LEBANON COUNTY

Walter I. Glassmoyer, Sr., 425 North Partridge Street, Lebanon, Lebanon County, for appointment as Alderman in and for the Seventh Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1942, vice Ray A. Bixler, deceased.

APPOINTMENT AS JUSTICE OF PEACE IN WARREN COUNTY

Tracy M. Greenlund, 511 Pennsylvania Avenue, East, Warren, Warren County, for appointment as Justice of the Peace in and for the Borough of Warren, Warren County, until the first Monday in January, 1942, vice Clark E. Nelson, resigned.

ARTHUR H. JAMES.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public which were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Eleanor M. Grady, Pittsburgh, 2220 Oliver Bldg.
Mrs. Agnes G. Joyce, McKeesport.
Mrs. Dorothea S. Kreiter, Pittsburgh, 2020 W. Liber Avenue.
Albert Lockhart, Pittsburgh, 1509 Muriel St., Carso Station.
Miss Gladys M. Morgan, Pittsburgh, 4233 Murray Ave.
Miss Roberta E. Munn, Pittsburgh, Benedum Trs, Bldg 221 Fourth Ave.
Edward L. Stuckrath, Wilkinsburg.

BEAVER COUNTY

Miss Louise Allison, Conway.

BLAIR COUNTY

Kenneth B. Vaughn, Altoona.

BUTLER COUNTY

Miss Hazel E. Dufford, Butler.

CARBON COUNTY

Samuel A. Lockwood, Banks Twp., Tresckow.

CHESTER COUNTY

Mrs. Marjorie B. Chambers, West Chester.
Miss Dorothy P. Cochran, Coatesville.

COLUMBIA COUNTY

Miss Mary Homan, Berwick.

DELAWARE COUNTY

Carl C. Eggart, Springfield Twp., Media.

ERIE COUNTY

Miss Nina E. Steiner, Erie.

LACKAWANNA COUNTY

Mrs. Sarah R. Jacobs, Scranton.

LANCASTER COUNTY

Miss Jeannette F. Ranck, Lancaster.
Mrs. Sara A. Wolfersberger, Columbia.

LAWRENCE COUNTY

Maurice A. Boyd, New Castle.

McKEAN COUNTY

William W. Milks, Bradford.

MONTGOMERY COUNTY

Mrs. K. A. W. O'Neill, Lower Merion Twp., 1405 Dors Lane, Overbrook Hills, Phila.
Miss Dorothy M. Rodebaugh, Norristown.

NORTHUMBERLAND COUNTY

Irvin F. Rhoads, Shamokin.

PHILADELPHIA COUNTY

Herman Greenspan, 2623 North 31st St., Phila.
Herman C. Horn, 804 Stephen Girard Building, Phila.
Chas. S. Littleton, 2310 South 15th St., Phila.
Leopold Mamolen, 424 South 4th St., Phila.
Anthony M. Massing, 114 East Girard Ave., Phila.
Miss Anna M. Moss, Kensington National Bank, Girard Frankford Avenues, Phila.
Harry E. Negley, S. E. Cor. 13th and Green Streets, Ph
Victor H. Stanford, Jr., 6036 Webster St., Phila.
Mrs. Helen Williams, 5933 Torresdale Ave., Phila.

SCHUYLKILL COUNTY

John A. Becker, Pine Grove.

WESTMORELAND COUNTY

P. W. Boley, Hempfield Twp., Five Point Road, Greensburg.

YORK COUNTY

William G. Allen, Shrewsbury.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

FAYETTE COUNTY

Leightty Steen, Belle Vernon, February 4, 1941.

PHILADELPHIA COUNTY

Miss Caroline K. Kenworthy, 1507, Finance Bldg., Phila., February 7, 1941.

WARREN COUNTY

George A. Thomson, Tidioute, February 7, 1941.

BLAIR COUNTY

Miss Margaret M. Hartsock, Hollidaysburg, February 13, 1941.

PHILADELPHIA COUNTY

Raymond E. Adams, 3534 Cottman St., Phila., February 15, 1941.
Mrs. Ethel D. Gilbert, 1304 Lincoln-Liberty Bldg., Broad and Chestnut Streets, Phila., February 15, 1941.
J. Ellis Shipman, Earle Bldg., 1028 Market Street, Phila., February 15, 1941.

ALLEGHENY COUNTY

Miss Hilda R. Unrath, 319 Third Ave., Pittsburgh, February 16, 1941.

PHILADELPHIA COUNTY

James E. Valentine, 1600 Packard Bldg., Phila., February 3, 1941.

CAMBRIA COUNTY

Mrs. Eliza Jones Davis, Johnstown, February 19, 1941.

CRAWFORD COUNTY

William A. Clark, Conneaut Lake, February 19, 1941.

FOREST COUNTY

James A. Foreman, Tionesta, February 19, 1941.

MONTGOMERY COUNTY

Miss Emma C. Beyer, Norristown, February 19, 1941.

NORTHUMBERLAND COUNTY

I. A. DeWitt, Sunbury, February 19, 1941.

PHILADELPHIA COUNTY

William F. Lahner, 5710 Master St., Phila., February 19, 1941.

WESTMORELAND COUNTY

Howard H. Whitehead, Greensburg, February 19, 1941.

PHILADELPHIA COUNTY

Harry Hecht, 2418 North 29th St., Phila., February 23, 1941.
Miss Margaret C. Malcomson, 1100 Provident Trust Building, Phila., February 23, 1941.

BUCKS COUNTY

Harry W. Kelly, Chalfont, February 25, 1941.

LANCASTER COUNTY

S. A. Myers, Ephrata, February 25, 1941.

SCHUYLKILL COUNTY

Miss Madeline B. Bercher, Pottsville, February 25, 1941.

PHILADELPHIA COUNTY

Rowland Coats, 597 Drexel Bldg., Phila., February 26, 1941.
William H. Porter, 501 East Erie Ave., Phila., February 27, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Alexander L. Suto, 126 Denniston Avenue., Pittsburgh.

BERKS COUNTY

Miss Miriam Kelsey, Reading.
Miss Margaret Ketterer, Reading.

DELAWARE COUNTY

William G. Benham, Upper Darby Twp., Wycombe and Marshall Roads, Lansdowne.
Miss Alice F. Dyson, Chester.

ERIE COUNTY

Miss Katherine McDonnell, Erie.

LUZERNE COUNTY

Mrs. Armeda Petrini, Newport Twp., 85 Railroad St., Glen Lyon.

MONTGOMERY COUNTY

Mrs. L. Mae Coughlan, Lower Merion Twp., N. E. Cor. City Line and Rockglen Rd., West Park.

PHILADELPHIA COUNTY

Emanuel J Carr, 5013 Baltimore Ave., Phila.
Louis I. Edelman, 4216 Lancaster Ave., Phila.
Wm. Gold, 1212 Market St., Phila.
John E. Greipp, c/o The Enterprise Mfg. Co. of Pa., 3rd and Dauphin Sts., Phila.
John J. McCauley, 862 North 12th St., Phila.
T. A. Reilly, 6241 Elmwood Ave., Phila.
Miss Matilda Smith, 1616 Walnut St., Phila.
Miss Dalida Sonzogni, 821 Christian St., Phila.
Miss Mildred I. Swank, 1716 Arch St., Phila.
Harry J. Topolsky, 1601 P. S. F. S. Bldg., Phila.
Theodore A. Zalles, 31st and Jefferson Sts., Phila.

YORK COUNTY

Richard N. Shultz, York.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

WASHINGTON COUNTY

Miss Helen L. Minton, Washington, February 15, 1941.

WARREN COUNTY

Mrs. Nelle S. Ansell, Clarendon, February 21, 1941.

BERKS COUNTY

Lewis G. Early, Reading, February 23, 1941.

PHILADELPHIA COUNTY

Isadore Martin, 15 North 40th St., Phila., February 23, 1941.

WASHINGTON COUNTY

Roy S. Craft, Canton Twp., Box 32, Washington, February 23, 1941.

DAUPHIN COUNTY

C. Dudley Conrad, Middletown, February 25, 1941.

TIOGA COUNTY

E. A. Butler, Lawrenceville, February 26, 1941.

ALLEGHENY COUNTY

Merrill W. Cribbs, Verona, February 27, 1941.

ARTHUR H. JAMES.

SENATE ADVISES AND CONSENTS TO NOMINATIONS FOR NOTARIES PUBLIC

Mr. GELTZ. Mr. President, I move that the Senate do advise and consent to said nominations.

Mr. EALY. Mr. President, I second the motion.

On the Question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Letzler,	Stiefel,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McCreesh,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Reed,	Watkins,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,	Lanius,	Stevenson,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM SECRETARY OF DEPARTMENT OF PUBLIC ASSISTANCE

The PRESIDENT. The Secretary of the Senate announcess receipt of the following communication from the Secretary of the Department of Public Assistance, dated February 3, 1941:

The Honorable George Holmes
Secretary of the Senate
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Holmes:

I have the honor to present, herewith, for the information of the members of the Senate, a "Report on the Property Liability Provision of the Support Law and Methods of Obtaining Reimbursement of Assistance Granted to Property Owners."

This report is based on a study and investigation undertaken last year in accordance with the request contained in Senate Concurrent Resolution No. 104, adopted in the Senate May 16, 1940. The report complies with that resolution, which was not concurred in by the House, and also with the resolution adopted by the Senate January 27, 1941.

Sincerely yours,

HOWARD L. RUSSELL,
Secretary.

The PRESIDENT. Copies of the report referred to in the communication just read from the Secretary of the Department of Public Assistance will be distributed to the members of the Senate, and receipt of the report will be noted in the Journal.

PETITION FROM PLAIN PEOPLE OF PENNSYLVANIA

Mr. HOMSHER. Mr. President, I am in receipt of a communication addressed to the Senate by the Plain People of Pennsylvania. It is dated January 2, 1941, and in view of the fact that it is very short, I would ask permission to read it at this time. It is as follows:

To the Esteemed Members of The General Assembly of the Commonwealth of Pennsylvania:

January 2, 1941.

Greetings:

Whereas, we, the Plain People of Pennsylvania, in humble recognition of the Grace of Almighty God, do herewith petition you, to accept our appreciation for your previous action in behalf of the rural school districts, in complying in part to pleas made for the continuance and fuller enjoyment of human rights. However, we would be gratified if we were extended a renewal of consideration on certain matters that are urgent.

Throughtout time past we have chosen and do yet choose to be a farming people. Farming is one of the tenets of our religion. We wish to have our children educated by the best available means including Scripture in the home and church, the three R's in school and actual experienced training under parental supervision at home on the farm.

To this end, we, the Plain Churches petition you to give our position serious consideration to the end that children in rural districts be not compelled to attend school beyond a 160-day term, (which term after this present school year, automatically changes to 180 days, unless action is taken by your body in this next Legislative session). We also petition that the children of Plain People be granted exemption from school attendance upon request of parent or guardian and upon completing primary studies of the elementary grades or after attaining the age of fourteen years.

May God give you every blessing and success in your position to lead you in respect to your calling.

With sincere regards, we, the undersigned, testify an approval of the aforesaid through council of this, our Church District, in care of—

AMISH CHURCH LEADERS OF PENNSYLVANIA.

Mr. HOMSHER. It is signed by sixteen denominations of Amish Church members in Lancaster County; by the Old Order of Mennonites of Lancaster County; as well as Mennonites from Mifflin, Lawrencec, Crawford and Mercer Counties.

BILLS INTRODUCED

Mr. EDMONDS. Mr. President, I rise in my place and ask unanimous consent to make a brief statement in connection with the bill I am at this time presenting.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. Mr. President, this first bill is a bill to amend paragraphs fifteen and seventeen of Section 2 of the Public Utility Law, by bringing municipal authorities under the jurisdiction of the Public Utility Commission. It was with some surprise, Mr. President, I found under the terms of the Act of 1937 there had been no effort made to provide this method, and it seems to me that it certainly is within the expectations of the people of Pennsylvania, following the tradition of the past that where disputes arise concerning the cost of utilities or rates of utilities that the people shall have an opportunity to present their case to the Public Utility Commission.

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 103, entitled:

An Act to amend paragraphs fifteen and seventeen of section two of the act, approved the twenty-eighth day of May, one thoussand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violation of the provisions of this act, and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by placing Municipal Authorities under the control and regulation of the Pennsylvania Public Utility Commission.

The PRESIDENT. Referred to Committee on Municipal Government.

Mr. MALLERY. Mr. President, I am not looking for business for my committee but it seems to me this bill should be referred to the Committee on Public Utilities.

The PRESIDENT. The bill is referred to the Committee on Public Utilities.

Mr. EDMONDS. Mr. President, our colleague Dr. Woodward has asked me to present in his name certain bills. I have therefore signed these bills: "George Woodward by S. C. E." and I ask leave to present the bills in this manner.

Mr. EDMONDS on behalf of Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 104, entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

Which was committed to the Committee on Appropriations.

He also on behalf of Dr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 105, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. SHAPIRO. Mr. President, I had intended to ask permission to interrogate the Senator from Montgomery but now I am informed that my question will be answered by the introduction of a bill which will amend the Act of 1937, the Authority Act, which I was going to inquire about, to follow the other act.

Mr. WALKER. Mr. President, may I suggest that we are falling over one another in our anxiety to do business here.

Mr. PRESIDENT, I desire to introduce a bill, and like the Senator from Montgomery, Mr. Edmonds, I should like permission to briefly explain that this bill will in effect, we hope, amend the Municipal Authorities Act so that it will be more properly put under the jurisdiction of the Public Utilities Commission.

I therefore, Mr. President, rise and read in my place and present to the Chair the following bill.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 106, entitled:

A Supplement to the act approved the twenty-eighth day of June, one thoussand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing

for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," requiring approval of the Pennsylvania Public Utility Commission of the acquisition of property and rights and of financing in connection with public utility projects.

Which was committed to the Committee on Public Utilities.

Mr. BARR. Mr. President, I have to present to the Chair bills of the same order, amending the Acts of 1839 and 1937 with regard to Municipal Authority Act and also the Public Utility Act, changing the definition of "corporation" to include municipal authorities engaged in granting public utility service and regulating such municipal authorities.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 107, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

Which was committed to the Committee on Public Utilities.

He also read in his place and presented to the Chair Senate Bill No. 108, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued. assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies. and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violation of the provisions of this act, and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by changing the definition of corporation to include municipal authorities engaged in rendering a public utility service, and regulating such municipal authorities.

Which was committed to the Committee on Public Utilities.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 109, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 110, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Dainel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 111, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 112, entitled:

An Act to establish as a State Highway a certain section of public road in the county of Berks; and providing for

s construction and maintenance at the expense of the ommonwealth.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair enate Bill No. 113, entitled:

An Act to establish as a State highway a certain sec- ion of public road in the county of Berks; and providing or its construction and maintenance at the expense of ne Commonwealth.

Which was committed to the Committee on Highways.

Mr. FARRELL read in his place and presented to the hair Senate Bill No. 114, entitled:

An Act making an appropriation to the Jeanes Hos- ital, Hasbrook and Hartel Avenue, Fox Chase, Philadel- hia, Pennsylvania.

Which was committed to the Committee on Appropria- ons.

He also read in his place and presented to the Chair enate Bill No. 115, entitled:

An Act making an appropriation to the Northeastern ospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropria- ons.

He also read in his place and presented to the Chair enate Bill No. 116, entitled:

An Act making an appropriation to the Frankford Hos- ital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropria- ons.

Mr. ZIESENHEIM read in his place and presented to ne Chair Senate Bill No. 117, entitled:

An Act to further amend the act, approved the seven- enth day of June, one thousand nine hundred and irteen (P. L. 507), entitled "An act to provide revenue r State and county purposes, and, in cities coextensive ith counties, for city and county purposes; imposing xes upon certain classes of personal property; provid- g for the assessment and collection of the same; pro- iding for the duties and compensation of prothonotaries nd recorders in connection therewith; and modifying xisting legislation which provided for raising revenue r State purposes," removing annuities from the classes personal property taxed.

Which was committed to the Committee on Judiciary eneral.

Mr. CROWE read in his place and presented to the hair Senate Bill No. 118, entitled:

An Act making an appropriation to the General Hospital Monroe County, East Stroudsburg, Pennsylvania.

Which was committed to the Committee on Appropria- ons.

He also read in his place and presented to the Chair enate Bill No. 119, entitled:

An Act prohibiting the issuance of any license, regis- ation or permit, except licenses to marry, without a eclaration that the applicant, or its members, officer and rectors have paid their per capita school taxes; and rescribing penalties for issuing the same without such eclaration and for making false declarations.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 120, entitled:

An Act providing for payment of damages to motor vehicles caused by deer on the public highways out of the Game Fund; and appropriating moneys therein for such purpose.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. FREY read in his place and presented to the Chair Senate Bill No. 121, entitled:

An Act making an appropriation to the Saint Francis' Hospital, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 122, entitled:

An Act to amend subsection (b) of, and to add subsection (e) to, section twenty-eight of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," authorizing executors of a will with the approval of orphans' court, to sell at private sale the real and personal estate of the decedent although the will directs such sale to be public, and to purchase real and personal estate of the decedent when sold at private sale.

Which was committed to the Committee on Judiciary General.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 123, entitled:

An Act to amend section one of the act, approved the twenty-eighth day of May, one thousand eight hundred fifty-eight (P. L. 622), entitled "An act regulating the rate of interest," by reducing the lawful rate of interest

to five per cent until June first, one thousand nine hundred forty-three.

Which was committed to the Committee on Judiciary General.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 124, entitled:

An Act to further amend section two, and to amend sections fourteen and twenty-five of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties," further amplifying the provisions of said act requiring proof of financial responsibility by prescribing additional kinds of evidence of ability to respond in damages, and providing for the issuance of a limited or restricted operator's license in certain cases.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 126, entitled:

An Act to further amend section four of the act, approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by providing that the provisions of the act shall not be limited in certain cases.

Which was committed to the Committee on Judiciary General.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 127, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The Senator from Warren will state his question of personal privilege.

Mr. CHAPMAN. Mr. President and members of the Senate, I have been rather wondering where we are drifting during this session; where are we going and what is the duty of the Legislature?

Mr. President, it seems to me we ought to act not as thirty-four Republicans and sixteen Democrats but as fifty Senators, voting on the benefits of good will and what might result for the Commonwealth and the people of Pennsylvania.

Mr. President, it seems to me one of the most important items is defense—what Pennsylvania will contribute to the defense of the nation. According to the newspapers Canada is doing great work. Pennsylvania has a larger population than Canada; we have as large a population as Australia; we have a population of two millions more than Belgium, and the Netherlands, and we have as large a population as Argentina. All of these nations, Mr. President, have been contributing to the defense of the nation. We have more sinews of war, we have more industrial organizations for defense, and it seems to me, Mr. President, that the present is no time for playing politics; I do not think, Mr. President, that the present is any time for this Senate to rock the boat.

RESOLUTION REQUESTING SECRETARY OF COMMONWEALTH TO ADVISE SENATE RELATIVE TO MUNICIPAL AUTHORITIES

Mr. EDMONDS. Mr. President, I offer the following resolution calling for information and as it is a privileged resolution I move its immediate adoption.

Mr. CROWE. Mr. President, I second the motion of the gentleman from Montgomery.

In the Senate, February 3, 1941.

Resolved, That the Secretary of the Commonwealth is hereby requested to advise the Senate as follows:

First—What Municipal Authorities have been established in Pennsylvania under the Act of 1937 and its supplements

Second—What projects have been approved by the various Municipal Authorities and the estimated cost of each

Third—What is the amount of the borrowings of each Municipal Authority and what is the rate of interest paid for the same.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

RESOLUTION REQUESTING GENERAL STATE AUTHORITY TO ADVISE SENATE

Mr. EDMONDS. Mr. President, I offer a second resolution calling for information from the Executive Secretary of the General State Authority and move its immediate adoption.

Mr. CROWE. Mr. President, I second the motion of the gentleman from Montgomery.

The Resolution was twice read, considered and agreed to:

In the Senate, February 3, 1941.

Resolved, That the Executive Secretary of the Genera

State Authority be requested to advise the Senate as follows:

First—What projects have been approved by the General State Authority and what is the estimated cost of each,

Second—What bonds have been issued by the General State Authority and for what purpose and what is the rate of interest upon each.

RESOLUTION CALLING ON DEPARTMENT OF PUBLIC ASSISTANCE TO DISCONTINUE REQUIRING CANCELLATION OF LIFE INSURANCE POLICIES

Mr. HALUSKA. Mr. President, I wish to offer a resolution and I would like to explain the purpose of it very briefly. I might state, Mr. President, I have been reading the report as presented by Mr. Russell, but it will take quite some time, of course, to study the nature of it. At a later time I shall make my comment but at this time I have a resolution pertaining to the practice now continued by the Department of Public Assistance with reference to any relief recipient who applies for relief, that he must cancel his life insurance policy if it reads in excess of five hundred dollars.

Now, Mr. President, it is not my intention, bluntly speaking, to get into the hair of my colleagues or get up here and act smart, but it is my intention to fight a cause that I think is worthy of fighting.

Very few of my colleagues know that today under the ruling of the Department of Public Assistance persons who have carried life insurance policies for twenty or thirty, yes, forty years today must cancel that policy and their dependents must be deprived of that money after the death of that person, even going so far that if a child residing within a family has a life insurance policy almost paid up, we will say, if that mother or father should apply for assistance they compel that child to cancel that policy.

Mr. President, I believe all my colleagues, Democrat or Republican, will agree that there we have a worthy cause to fight and I am offering this resolution calling upon the Department of Public Assistance to immediately discontinue such practice, so that the needy of our Commonwealth, after being properly investigated, shall receive relief if they are found to be in need without the canceling of any life insurance policy that they might have carried for a quarter of a century or more.

Mr. President, I ask immediate consideration.

The Resolution was read as follows:

In the Senate, February 3, 1941.

Whereas, The Department of Public Assistance has and is at the present time compelling all persons that apply or are receiving Public Assistance cancel any Life Insurance Policy whether held by the relief recipient or by any member of his family in excess of $500, and

Whereas, Many persons have paid premiums on such Life Insurance Policies for as long as thirty-five years and now are compelled to cancel these policies at a great loss and thereby depriving their dependents from any recovery after death in excess of $500,

Therefore, Be It Resolved, That the Department of Public Assistance be notified at once to discontinue this practice and grant relief to the needy persons of our Commonwealth without compelling the recipient or applicant to cancel any Life Insurance Policy before any Public Assistance shall be granted.

The PRESIDENT. Is there objection?

Mr. GELTZ. Mr. President, I object to immediate consideration of this resolution, not because I am in favor of the continuance of that which is complained about, because I do not know what the real, true facts are, but because I think some study should be made of it before we take any radical or rash action.

Mr. President, I believe this report which is submitted to us is the beginning of an intelligent approach to this problem in connection with the Depatrment of Public Assistance and I think to follow through that intelligent approach would be the right thing to do in connection with this resolution offered by the Senator from Cambria.

Mr. HALUSKA. Mr. President, I agree with the Senator from Allegheny, Mr. Geltz, that might be the right approach but nothing in the report submitted by the Secretary of the Department of Public Assistance contains any part of cancelling life insurance policies.

Mr. President, I should like to interrogate the Senator from Allegheny, Mr. Geltz.

The PRESIDENT. Will the Senator from Allegheny, Mr. Geltz, permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the Senator from Allegheny tell me whether or not he knows of any law that gives the Department of Public Assistance the right to continue that procedure that I spoke of a moment ago?

Mr. GELTZ. Mr. President, I do not know of any law, and further than that I might add that I do not know the public assistance law as I would like to know it. That is one of the reasons I object to immediate adoption of the resolution introduced by the Senator from Cambria, because I think we should go into this matter intelligently, so that we do not make some mistake at this time.

Mr. HALUSKA. Mr. President, may I ask the Senator from Allegheny what he proposes to do when he says, "Go into it."

Mr. GELTZ. Why, Mr. President, the same thing as is done with anything else, which is to refer such a matter to committee and endeavor to make an intelligent study of the resolution or the bill and then take some action on it.

Mr. HALUSKA. Mr. President, I might state I am very much impressed by the remarks of my colleague from Allegheny, Mr. Geltz, and I believe he is sincere.

MOTION WITHDRAWN

Mr. HALUSKA. Mr. President, for the reasons I have just stated I will withdraw my motion asking for immediate consideration of my resolution and permit the resolution to be sent to committee.

The PRESIDENT. The Resolution is referred to the Committee on Welfare, Public Assistance and Pensions.

RESOLUTION REQUESTING SECRETARY OF REVENUE TO REVISE REGULATIONS

Mr. DENT. Mr. President, I have here a resolution to present to the Senate but before presenting this resolution I would ask permission to make a few brief remarks relative to its contents.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President and members of the Senate, I sort of hesitate to talk upon this subject because in the past it has always been a habit of mine to be on the side

that is not so popular with the common thought, on matters pertaining to safety and so forth.

Mr. President, I want to ask the members of the Senate to indulge me for a few moments to discuss the problem of highway safety as I see it and its relationship to depriving a man of his method of earning a livelihood when he violates some rule or regulation of the Commonwealth.

Mr. President, the department under the existing Motor Vehicle Code has the right to grant a restricted license to a person who violates the traffic code and the department has been very lenient, as I understand it in many instances, in allowing certain drivers to receive restricted licenses in order that their suspension might not interfere with the earning of their livelihood.

However, Mr. President, I have had a few cases up before the department and have been unsuccessful in getting restricted permits for two men that I want to speak particularly about tonight.

In both cases, Mr. President, the men violated the law, or were supposed to have violated the law, at times when they were driving their own pleasure vehicles.

One man is a truck driver and was involved in a fatal accident; this fatal accident became the issue of a court case; the court exonerated the man from any blame and acquitted him.

Mr. President, the department takes the position that even though the court had decided the man was not guilty, they themselves thought he was and therefore they suspended his driver's permit.

Mr. President, that may be all right and it may be a penalty that may be justified in the matter of trying to create a more safe condition on the highways but why don't they just take from this man his right to drive a pleasure car, if that is what he was doing when the accident occurred?

The man is a truck driver and must drive a truck in order to earn a living for his family. Mr. President, they have taken away not only the right to drive a car for pleasure but they have also taken away from him the right to drive his truck in order to earn a living.

Mr. President, suppose you had to drive a truck for a living; would you not see the point as I see it—because this man's family is absolutely dependent upon his ability to earn a living. He is a driver of a truck. He has driven a car or truck for over sixteen years and this is the first time he was involved in any accident; and the court found he was not guilty, and yet, Mr. President, the department has taken away from him his driving privilege. That is perfectly all right if they so desire, as I see it, for pleasure driving, but it is not proper to take away from him the right to operate a truck when he must do that in order to earn a living.

The second case I have in mind, Mr. President, is that of a man who was a chauffeur and on one occasion he was taking a little drive with his family and in driving along something happened—whether he had been drinking or not I do not know; they say he was but there was nobody to prove it. However, Mr. President, an accident occurred, two cars were forced off the road but nobody was injured. When the man saw the police coming, Mr. President, he ran away from the scene of the accident and left his wife there to take the blame. That is the thing the department did not like, and I do not like it myself, but the man knew if the department found him guilty of reckless driving under those circumstances he would lose his job as a chauffeur, which he has already lost.

Mr. President, what he is doing on his own time is his own business. If he does something when he is driving for a living then let that be taken up before the proper tribunal and justice meted out according to the merits of his case.

This resolution, Mr. President, only asks that the department not deprive the man of his driving privilege when the privilege is to be used in order for him to earn a living; it is all right if he violates the law or has an accident at any time other than at a time he is driving in order to earn a living.

Mr. President, I ask that this body give immediate consideration to this resolution. It is simply something the department already has the right to do and in many, many cases they have given restricted licenses, as many Senators have already told me, that they have interceded for persons and have gotten restricted licenses for them.

All I ask, Mr. President, is that a restricted driver's license be granted to those who earn a living by driving and I ask this body to give immediate consideration to the resolution because if you do, the department might grant this person a restricted license and allow him to continue to earn a living rather than compel him to lose his job which he will do by Wednesday of this week.

The Resolution was read as follows:

In the Senate, February 3, 1941.

Whereas, The General Assembly has enacted a provision in the Motor Vehicle Act giving certain persons the right to a "restricted" operator's permit; and

Whereas, It was the intention of the General Assembly by so doing to allow certain persons a restricted operator's privilege, so that they would not lose their livelihood, and make themselves and their families public charges; and

Whereas, It is now extremely difficult because of regulation by the Secretary of the Department of Revenue for a person entitled to a restricted operator's permit to obtain one; and

Whereas, Unless such regulation is relaxed, many individuals will lose their jobs and means of livelihood therefore be it

Resolved (if the House of Representatives concur) That the Secretary of the Department of Revenue be informed of the intention of the General Assembly, and be further requested to revise his regulations so that no hardship may result to the citizens of the Commonwealth

On the question,

Will the Senate agree to the Resolution?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Westmoreland, Mr. Dent.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. With apprehension, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Westmoreland if Senate Bill No. 22, which is now in the Committee of Finance, will not correct the hardships referred to in his resolution?

Mr. DENT. Mr. President, I have not read the bill. It is not on the Calendar nor have I a printed copy on my desk as yet, but if the gentleman from Allegheny, Mr. Walker, says it will, I will take his word.

Mr. WALKER. Mr. President, may I suggest that in my humble opinion it will, and may I ask for the ad-

assistance, the power and enthusiasm of the gentleman
m Westmoreland in getting Senate Bill No. 22 success-
ly passed in the Senate and sent over to the House so
t it can be enacted into legislation and correct the so-
led hardships mentioned in the resolution introduced
the gentleman from Cambria.

am of the opinion, Mr. President, Senate Bill No. 22
l do all the correcting that is necessary in instances
sing from cases such as are mentioned in the resolu-
n introduced by the Senator from Westmoreland.

Mr. President, it is a bill that has been very enthusi-
ically received by drivers, by truck operators, by truck-
companies and by trucking associations, as well as
msters' unions, and I think it will correct the difficul-
s expressed in the resolution.

Mr. President, I sympathize with the gentleman from
stmoreland and if we together can get some action out
the Department of Revenue I would cheerfully volun-
r to go over with him and see if we cannot get the
tter straightened out; see if we cannot work something
t.

Mr. DENT. Mr. President, I wish to thank the gentle-
n from Allegheny and I will state I will give him
t as much cooperation on his bill as he gives me on
e resolution.

Mr. EALY. Mr. President, I sympathize with the Sen-
r from Westmoreland but it seems to me it would be
ong for us to pass a resolution of this character without
ling in a representative of the department.

Mr. President, the Senator has a couple of cases which
feels were hard ones, but to pass a general resolution
this kind without having heard from the department
not good practice, and I would suggest that the reso-
ion be sent to the Committee on Highways and that
immediately have a meeting, tomorrow or tonight,
l ask a representative of the department to come over.

The PRESIDENT. For the information of the Senator
m Somerset the Chair does not believe the resolution
perly should be submitted to the Committee on High-
ys. According to the understanding of the Chair this
is enforced by the Secretary of Revenue and there-
re the Chair is of the opinion the resolution should be
rred to the Committee on Judiciary General.

Mr. EALY. Very well, Mr. President, but I object to
mediate passage of this resolution in its present form.

The PRESIDENT. Will the Senator from Westmoreland
ree to withdraw his request for immediate considera-
n?

Mr. DENT. Mr. President, I am willing to do anything,
t I just want to say to the members of this body that
n serious when I say this man is going to lose his job.
Now, Mr. President, if it does not matter to you, it does
tter to me and it does matter to him, because he will
se his job.

Mr. President, if we are going to hold the resolution
ver let us have an early meeting and allow me to pre-
ent the facts, but I would like to point out to the Presi-
ent that I have here a court case in which a man was
xonerated and yet he is found guilty by the department.
This does not make sense, Mr. President.

However I am willing to allow it to go over without
ny fight.

Mr. SHAPIRO. Mr. President, for the information of
myself and also possibly for some other Senators could
I hear the prayer of that resolution; I would like to hear the prayer as to what it seeks to do.

The PRESIDENT. The Chair is of the opinion it only asks the Secretary of Revenue to use his discretionary power.

Mr. DENT. That is all, Mr. President.

The PRESIDENT. The resolution says: "Resolved if the House of Representatives concur, that the Secretary of the Department of Revenue be informed of the intention of the General Assembly, and be further requested to revise his regulations so that no hardship may result to the citizens of the Commonwealth."

Mr. DENT. Mr. President, might I say that in drafting the resolution I had in mind not doing anything or calling for anything that might raise any objections on the Senate floor.

The Secretary is now empowered under the law to do that and what I am trying to do is to call his attention to the fact that it is a hardship when a man loses his job. If the Secretary gives a restricted license to one person then I say he is in duty bound to give it to another person, if the reasons are the same.

Mr. EALY. Sometimes Mr. President, we do have a miscarriage of justice. In one of the cases cited by the gentleman from Westmoreland, there was a man killed. I do not know just what the situation is here but it does seem to me we ought not to take snap judgment on a respresentative of the department without having heard him.

The PRESIDENT. For the information of the gentleman from Somerset I believe the gentleman from Westmoreland has agreed that the resolution be referred to the Committee.

Mr. DENT. Yes Mr. President, I have.

The PRESIDENT. The resolution is referred to the Committee on Judiciary General.

BILLS INTRODUCED

Mr. McGINNIS. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS read in place and presented to the Chair Senate Bill No. 128, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 129, entitled:

A Joint Resolution proposing an amendment to section eight, article four of the Constitution of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE read in place and presented to the Chair Senate Bill No. 130, entitled:

An Act prohibiting judges of courts of record from engaging in political activity, except in furtherance of their own candidacy for the office of judge of any court of record; and imposing penalties.

Which was committed to the Committee on Judiciary General.

Mr. CAVALCANTE. Mr. President, this bill is what might be called a Judiciary Hatch Bill.

He also read in his place and presented to the Chair Senate Bill No. 131, entitled:

An Act to amend section four hundred forty-one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers theerof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" requiring members of the Workmen's Compensation Board to be learned in the law.

Which was committed to the Committee on State Government.

Mr. EDMONDS, on behalf of Dr. WOODWARD. Mr. President, I ask unanimous consent to introduce a bill (bills) at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS read in place and presented to the Chair Senate Bill No. 132, entitled:

A Joint Resolution proposing an amendment to Article nine, Section eight of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

JOINT SESSION IN THE HOUSE TO HEAR HIS EXCELLENCY, THE GOVERNOR

Mr. BECKER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That the Senate and House of Representatives meet in joint session Monday evening, February 3, 1941, at 9:30 o'clock in the Hall of the House of Representatives for the purpose of hearing the budget message of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE TO ESCORT HIS EXCELLENCY, THE GOVERNOR, TO THE HALL OF THE HOUSE

Mr. SNOWDEN offered the following resolution, which was twice read, considered, and agreed to:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to present his budget message to the Members of the General Assembly in Joint Session this day at 9:30 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. CRIDER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, February 10, 1941, at 4:00 o'clock, p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, February 10, 1941, at 9:00 o'clock, p. m.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

Mr. DENT. Mr. President, I desire to be recorded as voting "no".

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The statements of the Senator from Westmoreland, Mr. Dent, and the Senator from Philadelphia, Mr. Stiefel will be noted in the Journal.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, as follows:

An Act to amend section one of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" changing the number of members and extending the power to employ assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" as amended by the act approved the twenty-sixth day of June one thousand nine hundred and thirty-nine (P. L. 1084) is hereby further amended to read as follows

Section 1 Be it enacted et cetera That the Speaker of the House of Representatives shall appoint twelve members of the House and the President pro tempore shall appoint twelve members of the Senate who together with the President pro tempore of the Senate and the Speaker of the House of Representatives shall constitute a continuing joint legislative commission to be known as the Joint State Government Commission The members of the commission shall be appointed during each odd-numbered year and shall continue as members of the commission until the first day of February of the next odd-numbered year Said commission shall organize by the selection of a chairman The commission shall have power to employ such professional technical clerical and other assistance as may be deemed necessary Said com-

mission shall have power to call upon any department or agency of the State Government for such information as it deems pertinent to the studies in which it is engaged

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I desire to interrogate the sponsor of this bill, Mr. Dent.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. REED. I just want to ask a very simple question, as to whether this bill as amended will increase the operating expenses of the commission and if so by how much.

Mr. DENT. Mr. President, I do not know whether it will increase the operating expenses of the commission because I do not know what the operating expenses of the commission are to date.

I do believe, Mr. President, it will have a tendency to reduce the operating expenses of the commission because it will set up a commission which to my mind will be more efficient.

Mr. President, any commission set up on a bi-partisan basis will give the Commonwealth more for the money spent in the way of work done. I think the commission as composed up to the present time has been very one-sided. The Commission has a membership of nineteen, four Democrats and fifteen Republicans and the committees that have been named under that Commission have been very one-sided and their legislative recommendations, we may assume from that, will also be one sided.

Mr. President, to my mind the Commission must either be abolished or be bi-partisan. It is absolutely no good to the people of Pennsylvania today nor will it ever be so long as it is constituted and made up by the same method as it is made up today.

Mr. President, I feel that those who believe in good government will vote for the bill.

Mr. REED. Mr. President, I desire to ask one further question.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be further interrogated?

Mr. DENT. I will, Mr. President.

Mr. REED. Mr. President, would the provision in the bill which provides for professional, technical and other workers of assistance, increase the expenditures of the Commission or would those professional or technical workers work free of charge?

Mr. DENT. Mr. President, in answer to the query of the gentleman from Washington, I might say that the Commission now employs technical and statistical experts. All I am doing is putting that provision into the act. I do not know whether they received authority so to do under the previous act but I am making sure this act is legal.

Mr. SHAPIRO. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Westmoreland state whether it is true a similar bill has been sponsored by the gentleman from Westmoreland at previous sessions of the Legislature.

Mr. DENT. Under another name, Mr. President. I never called it a Joint State Government Commission but I always introduced bills, from the time I first started to study tax matters, to set up a commission to study legislative problems in order that the Legislature when confronted with such problems would have the thoughts of its own membership instead of the thoughts of the department heads as we have today.

Mr. SHAPIRO. Mr. President, does that bill provide for equal representation of both parties?

Mr. DENT. Mr. President, if I am not mistaken, they sat up a committee of fifteen at that time and made the President Pro Tempore of the Senate and the Speaker of the House ex-officio members, which would have been seventeen, so that it would not have been a bi-partisan proposition; I agree with that.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Bartlett,	Dent,	Letzler,	Thomas,
Becker,	Ealy,	Mallery,	Tyler,
Carr,	Edmonds,	McQuiddy,	Wade,
Cavalcante,	Farrell,	Miller,	Walker,
Chapman,	Geltz,	Snowden,	Watkins,
Crider,	Heyburn,	Stevenson,	Wilson, H. I.,
Crowe,	Homsher,	Tallman,	Wilson, T. B.,
Deitrick,	Kephart,	Taylor,	Ziesenheim,

NAYS—15

Barr,	Frey,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Jaspan,	Mundy,	Stiefel,
DiSilvestro,	Lanius,	Reed,	

A constitutional majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. WILSON, from the Committee on Education, reported as committed Senate Bill No. 4, entitled:

An Act to amend and reenact section five hundred and twenty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

MOTION TO READ BILL THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 4, entitled:

An Act to amend and reenact section five hundred and twenty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

MOTION FOR RECESS

Mr. GELTZ. Mr. President, I intend to move that the Senate do now take a recess but before making such a motion I would like to ask my colleagues to report promptly in the Senate chamber at the time to which we recess.

I move, Mr. President, that we do now recess until 9:15 o'clock this evening. We are supposed to leave the Senate Chamber at 9:20 in order to assemble in the House and for that reason we particularly request that the Senators be on time tonight.

Mr. President, at this time I might also say we are going to do everything possible to be on time in this session and to convene at the time to which we have recessed and we ask the co-operation of our colleagues on the other side of the House, that the same be done in so far as they are concerned.

On the question,

Will the Senate agree to the motion?

QUESTION OF INFORMATION

Mr. SHAPIRO. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Philadelphia will state his point of information.

Mr. SHAPIRO. Mr. President, I rise to a point of inquiry, as to when the Committee on Education met to report out Senate Bill No. 4. I think I am a member of that committee and I had no notice of a meeting of that committee.

Mr. HOMSHER. Mr. President, the committee met at 3:45 p. m. today. For the information of the Senator from Philadelphia, Mr. Shapiro, it was at about that time I opened the door of the room in which the Democratic Senators were holding their caucus.

Mr. SHAPIRO. Mr. President, I think the members of the Senate should get more notice of committee meetings. I never had any notice of this meeting.

Mr. HOMSHER. Mr. President, for the information of the Senator from Philadelphia, Mr. Shapiro, I had notices of this meeting placed in all the mail boxes this morning.

The PRESIDENT. For the information of the Senator from Philadelphia the Secretary of the Senate advises the Chair he put notices of this meeting in every Senator's mail box.

Mr. SHAPIRO. Mr. President, I never go to my mail box until the next day.

QUESTION OF INFORMATION

Mr. WALKER. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Allegheny, Mr. Walker, will state his point of information.

Mr. WALKER. Mr. President, I would like to find out from the members of the Senate who are on the Judiciary General Committee if the notice just given that there will be a meeting of the Judiciary General Committee at 8:45 p. m. is sufficient. Also, Mr. President, I suggest to the members of that committee that they please be prompt and meet in Room 536 on E floor at the time stated.

And the question recurring,

Will the Senate agree to the Recess?

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 9:15 o'clock.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

JOINT SESSION TO HEAR HIS EXCELLENCY, THE GOVERNOR

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That the Senate and House of Representatives meet in joint session Monday evening, February 3, 1941, at 9:30 o'clock in the Hall of the House of Representatives for the purpose of hearing the budget message of His Excellency, the Governor of the Commonwealth.

APPOINTMENT OF COMMITTEE TO ESCORT GOVERNOR TO THE HOUSE

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to present his budget message to the Members of the General Assembly in Joint Session this day at 9:30 o'clock.

The PRESIDENT. On behalf of the President Pro Tempore the Chair announces the appointment of a committee to escort the Governor to the Hall of the House as follows; the Senator from Lycoming, Mr. Snowden, the Senator from Schuylkill, Mr. Watkins, and the Senator from Westmoreland, Mr. Dent.

COMMITTEE TO ESCORT SENATORS TO HALL OF HOUSE

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The Sergeant-at-Arms escorted to the rail of the Senate a committee appointed by the House to escort the Senators to the Hall of the House of Representatives.

The PRESIDENT. On behalf of the Senate the Chair thanks the committee appointed by the House for performing its duty.

(The committee retired.)

(Escorted by the committee the Senators proceeded to the Hall of the House.)

(The Governor having delivered his budget message to the Joint Session, the Senate reconvened.)

REPORTS FROM COMMITTEES

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED from the Committee on Judiciary General reported as committed, Senate Bill No. 79, entitled:

An Act to amend subsection (a) of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedent and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

With the desire of the Committee that it be reported for two readings and then returned to committee for further consideration.

Mr. THOMAS WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS WILSON. from the Committee on Judiciary General reported as committed, Senate Bill No. 38, entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth; or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS from the Committee on Judiciary General reported as committed, Senate Bill No. 39, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department; board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice.

Mr. McGINNIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS from the Committee on Judiciary General reported as committed, Senate Bill No. 41, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 38, entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof; including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth; the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officers of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or an agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 79, entitled:

An Act to amend subsection (a) of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM SLATE COMMITTEE

Mr. CHAPMAN, reports from the Slate Committee with favorable recommendation, the following person to be elected as an employe of the Senate.

In the Senate, February 3, 1941.

Resolved, That the following person be elected an employe of the Senate:

PAGE

Robert Weiss.

Mr. CHAPMAN. I move the immediate adopted of the Resolution.

Mr. EALY. Mr. President, I second the motion.

It was agreed to.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 10, 1941, at 4:00 o'clock, p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, February 10, 1941, at 9:00 o'clock, p. m.

BUDGET MESSAGE

The PRESIDENT. The Governor's budget message has been placed on the desks of the Senators, and will be noted in the appendix to the Journal.

ADDITIONAL COPIES OF REPORT OF RELIEF COMMITTEE

Mr. GELTZ. Mr. President, I understand because of the absence of some Senators last week, they have not received their copy of the report of the Relief Committee. If such Senators will give their names to the clerk they will receive the copy they did not get last week.

APPOINTMENT OF TEMPORARY PRESIDING OFFICER

The PRESIDENT. Last Tuesday the Chair had the pleasure of attending a banquet in honor of one of your members, the Senator from Dauphin, Mr. M. Harvey Taylor. At that time we got a history of his life, from the cradle to the Senate, and he told us how, when he was a clerk here, he envied the presiding officer and how he envied the diamond ring—not the present presiding officer; he does not have a diamond ring—but the then presiding officer's diamond ring. Those who gave the testimonial dinner to Mr. Taylor presented him with a diamond ring.

It only requires one thing to make his life complete and in order that he may realize his highest ambition which is to wield the gavel, the Chair is now asking the Senator from Dauphin to come to the rostrum and wield the gavel.

APPOINTMENT OF COMMITTEE TO ESCORT SENATOR TAYLOR TO ROSTRUM

The PRESIDENT. The Chair appoints as a committee to escort the Senator from Dauphin to the rostrum, the gentleman from Washington, Mr. Reed, and the gentleman from Chester, Mr. Scarlett.

(The committee escorted Mr. Taylor to the rostrum.)

The PRESIDENT. The committee is discharged with the thanks of the Chair.

Show them the diamond, Senator.

The Chair (HONORABLE M. HARVEY TAYLOR): The Senate will be in order. Here he is telling me what to do. Can you imagine that?

I want to tell you fellows something. I know you paid five dollars for this dinner, and know that three dollars is coming back to me. If any of you fellows have any regrets about it, just step over to my desk in a few minutes and I will be glad to refund your three dollars. Wait a minute. I have a six hundred dollar check here, maybe all of you have one of them, and I think I can make it.

Is there any further business before the Senate?

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, February 4, 1941 at 11:00 o'clock a. m.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agred to.

The Senate adjourned at 10:05 o'clock p. m. until Tuesday, February 4, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, February 3, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our heavenly Father, Father of us all and of all mankind, we seek thy blessing this night because we need thee. Grant that thy Spirit may be permitted to guide the affairs of this great Commonwealth.

We realize, Our Father, that a three-fold responsibility challenges us each day that thou dost give us life, and health, and an opportunity for service, We well know, O God, that our first obligation is to thee-the Creator and Ruler of the universe. Our next duty is to others. May we never fail to help our neighbor, not only at home but across the sea. Our final commission is to be true to ourselves no matter what the cost may be.

Help us to do all our work in the spirit of being co-partners with thee in forwarding thy great purpose in the world today.

Hear our prayer, we beseech thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, January 28, 1941.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. TAYLOR., the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941

To the Honorable, the General Assembly of the
Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session this evening at nine-thirty o'clock.

ARTHUR H. JAMES.

GOVERNOR INVITED TO ADDRESS JOINT SESSION

Mr. MUNLEY. Mr. Speaker, I move that His Excellency, the Governor of the Commonwealth be invited to the Hall of the House to address the General Assembly at a time to be fixed by concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That the Senate and House of Representatives meet in joint session Monday evening, February 3, 1941, at 9:30 o'clock in the Hall of the House of Representatives for the purpose of hearing the budget message of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to present his budget message to the Members of the General Assembly in Joint Session this day at 9:30 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee on the part of the House to act with a similar committee on the part of the Senate to escort the Governor to the Hall of the House, Messrs. Moul, Reuben E. Cohen and Norman Wood.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE

Mr. GERARD offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, February 3, 1941.

Resolved, That the Speaker appoint a committee of two to escort the Members of the Senate to the Hall of the House this day at 9:30 o'clock, for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to escort the Senate to the Hall of the House, Messrs. Gerard and Charles H. Brunner.

BILLS INTRODUCED AND REFERRED

By Mr. DOLON. HOUSE BILL No. 129.

An Act to add sections three hundred and fourteen and three hundred fifteen to article three of the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities including, to a limited extent, municipalities engaged in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the

exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, Companies, Corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," prohibiting certain public utilities from imposing penalties by reason of the late payments of service charges by consumers, and prohibiting certain public utilities from imposing minimum or meter charges.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 130.

To further amend the first paragraph and clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," prohibiting the requiring of aged persons to convey or encumber property to the Commonwealth as a prerequisite to receiving assistance.

Referred to the Committee on Welfare.

By Mr. DOLON. HOUSE BILL No. 131.

Requiring the county treasurer to adjourn county treasurers' sales of seated and unseated lands for non-payment of taxes in all counties except counties of the first class, and preserving the lien of all taxes on such lands.

Referred to the Committee on Judiciary Special.

By Mr. DOLON. HOUSE BILL No. 132.

To amend section seven hundred twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that a child may not be required to institute a prosecution for abandonment or non-support against it's parent or other person charged with it's care.

Referred to the Committee on Welfare.

By Mr. DOLON. HOUSE BILL No. 133.

To provide for the inspection of meters used by certain public utility companies; prohibiting certain public utility companies from using false meters; imposing duties upon the Public Utility Commission; and providing penalties.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 134.

To amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the real estate of public service companies subject to taxation.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 135.

To amend subsection (c) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure", by providing that no child may be required or coerced to institute proceedings for the attachment of its parent or parents for non-compliance with a court order for support.

Referred to the Committee on Welfare.

By Messrs. WILLIAMS and LOVETT. HOUSE BILL No. 136.

To further amend section four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and per-

manent injunctions in case of labor disputes; and providing for payment of costs; and repealing all acts or parts of acts inconsistent herewith," by extending the provisions thereof to certain additional cases.

Referred to the Committee on Labor.

By Messrs. HELM and GATES. HOUSE BILL No. 137.

To further amend clause (a) of section six hundred and seventeen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," permitting contracts for repairs or replacements to school plants without public notice in case of emergencies happening at any time.

Referred to the Committee on Education.

By Messrs. HELM and GATES. HOUSE BILL No. 138.

To further amend subsection seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries of school teachers in school districts of the fourth class.

Referred to the Committee on Education.

By Messrs. WEISS and BOORSE. HOUSE BILL No. 139.

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

Referred to the Committee on Judiciary Special.

By Mr. FLEMING. HOUSE BILL No. 140.

An act to add section eleven and one-tenth to the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing further procedure after claims are filed.

Referred to the Committee on Judiciary Special.

By Mr. STAMBAUGH. HOUSE BILL No. 141.

An Act to amend section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," authorizing the various county boards of election to waive the fees required for filing nomination petitions for certain officers.

Referred to the Committee on Elections.

By Mr. STAMBAUGH. HOUSE BILL No. 142.

An Act establishing as State highways all existing township roads in townships of the first and second class which have not heretofore been established as State highways and highways hereafter established by the proper court of quarter sessions; authorizing their construction, maintenance and improvement under certain conditions and restrictions, and authorizing the Secretary of Highways under certain conditions to petition the court of quarter sessions to vacate certain of said roads.

Referred to the Committee on Highways.

By Mr. STAMBAUGH. HOUSE BILL No. 143.

An Act to further amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," as amended, exempting wholesale and retail venders and dealers from paying such tax on goods, wares and merchandise sold to the Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. COOK. HOUSE BILL No. 144.

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof as may be necessary as a historical memorial; providing for the control, managment, supervision, improvement, restoration, and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf; and making an appropriation.

Referred to the Committee on State Government.

By Mr. HEWITT. HOUSE BILL No. 145.

An Act validating county treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgment was taken before a judge of the county.

Referred to the Committee on Judiciary Special.

By Mr. D'ORTONA. HOUSE BILL No. 146.

An Act to add sections four and five to the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 369), entitled "An act providing for the appointment by the district attorney, in counties having a population of over one million five hundred thousand in-

habitants, of a chief county detective, an assistant chief county detective, and special county detectives; defining their duties; defining their authority; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses, by the county," prohibiting political activity; and providing penalties.

Referred to the Committee on Cities—First Class.

By Messrs. HELM and GATES. HOUSE BILL No. 147.

An Act to further amend subsection (a) of section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing the dismissal of female teachers becoming married after July first, one thousand nine hundred and forty-one.

Referred to the Committee on Education.

By Mr. FRENCH. HOUSE BILL No. 148.

An Act making an appropriation to the Department of Public Assistance for the purpose of contributing to the support of the Works Project Administration Sewing Project in Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ROSENFELD. HOUSE BILL No. 149.

An Act to further amend sections two and sixteen of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decendent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the rate of tax in certain cases.

Referred to the Committee on Ways and Means.

By Mr. ROSENFELD. HOUSE BILL No. 150.

To amend sections ten, twelve and seventeen of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," limiting the heirs or next of kin of an intestate entitled to take from his estate.

Referred to the Committee on Ways and Means.

By Mr. ECKELS. HOUSE BILL No. 151.

To further amend section twenty-five, and to amend section twenty-nine of the act approved the second day of May, one thousand nine hundred and twenty-nine, (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising and consolidating the law relating thereto," by providing for notice by registered mail when it proves impossible to secure personal service of the subpoena in divorce.

Referred to the Committee on Judiciary General.

By Mr. ECKELS. HOUSE BILL No. 152.

To amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

Referred to the Committee on Judiciary General.

By Messrs. GILLETTE, FISS and STANK. HOUSE BILL No. 153.

To further amend the appropriation act, approved the fifth day of June, one thousand nine hundred thirty-seven (Appropriation Act, No. 51-A), entitled "An act making an appropriation out of the Motor License Fund, to the Department of Highways, for expenditure in the various second class townships of the Commonwealth, for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine; apportioning the funds to the several counties on the basis of the maintenance costs for the year one thousand nine hundred thirty-two; permitting the use of any surplus funds for construction and reconstruction and resurfacing of township roads and bridges; requiring townships to exclude provision for maintenance of roads and bridges from their annual budget and tax levy for road and street purposes for said years; authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the provisions of this act; and lapsing the unexpended or unencumbered balance of the appropriation remaining on January first, one thousand nine hundred forty," by further providing that the unexpended and unencumbered balances of such appropriation at the time this act become effective, shall be allocated to and apportioned among the various second class townships on the basis of the amount of road mileage in such townships; authorizing the township supervisors to expend the moneys allocated to the township for the prupose prescribed, under the approval and supervision of the Department of Highways; and excluding the provision for expenditure by the Department of Highways of such balances, the taxing and budgeting limitations on townships of the second class, and the right of the Department of Highways to rent road-building machinery and equipment belonging to such townships.

Referred to the Committee on Appropriations.

By Messrs. GILLETTE, FISS and STANK. HOUSE BILL No. 154.

Making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions, and providing for the method of payment to townships.

Referred to the Committee on Appropriations.

By Mr. CORDIER. HOUSE BILL No. 155.

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town,

township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Referred to the Committee on Judiciary Special.

By Messrs. SCHWAB and O'NEILL.

HOUSE BILL No. 156.

An Act to further amend section four hundred eleven of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15-1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold.

Referred to the Committee on Liquor Control.

By Messrs. REYNOLDS and PROSEN.

HOUSE BILL No. 157.

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Referred to the Committee on Legislative Apportionment.

By Mr. FALKENSTEIN. HOUSE BILL No. 158.

An act to further amend sections two hundred and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officersffi fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employes Retirement Board from the Department of State to the Treasury Department.

Referred to the Committee on State Government.

By Mr. FALKENSTEIN. HOUSE BILL No. 159.

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employes' Retirement Board from the Department of State to the Treasury Department; and transferring certain appropriations.

Referred to the Committee on State Government.

By Mr. HABBYSHAW. HOUSE BILL No. 160.

An Act to further amend sections six and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds, imposing penalties; and making an appropriation," requiring additional information on reports of distributors and the furnishing of copies thereof to counties; and changing basis for distribution of Liquid Fuels Tax Fund among counties.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WEISS. RESOLUTION No. 4.

In the House of Representatives, January 28, 1941.

Whereas, For the past ten years, it has been increasingly difficult for the municipalities of this Commonwealth to proceed to collect delinquent taxes; and

Whereas, During this time many acts have been passed and many bills have been introduced having a single purpose, to provide for the abatement of penalties and interest in whole or in part on delinquent taxes, in order that such taxes might be paid; and

Whereas, The purpose of these acts and bills have been to encourage the taxpayers to pay their taxes so that government may function; and

Whereas, The enactment of such legislation has not altogether remedied the situation in that the delinquent tax accounts of these municipalities are still very large; and

Whereas, It is apparent that confusion and doubt exists with respect to the type of measure to be adopted in order to relieve the municipalities of this condition; therefore be it

Resolved, That the Speaker appoint a committee of seven members of the House, whose duty it shall be to investigate the reasons and the causes for the amount of delinquent taxes and that it be directed to make an immediate report and to suggest remedies in order that remedial legislation may be adopted at the present session to relieve these municipalities of their delinquent tax burden; be it further

Resolved, That it shall be the duty of this committee to hold hearings through the State and that an appropriation of five thousand dollars ($5,000) be made available to it for this purpose.

Referred to the Committee on Rules.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 5.

In the House of Representatives, January 28, 1941.

Whereas, The appropriation last approved to meet all the needs of the Public Utility Commission was insufficient to provide adequate funds and an adequate field force to investigate the many petitions by the Public Utility Commission for changes in gas and other utility rates; and

Whereas, The people of this Commonwealth will suffer as a result of increased rate or rates that are in effect presently and which should be reduced; and

Whereas, Any expenditures made by the Public Utility Commission for these purposes would be returned by the moneys collected by assessment from the utilities which pay the costs of such investigations; and

Whereas, These moneys would not come from the taxpayer nor would it place a hardship on the Commonwealth by increasing its budget; therefore be it

Resolved, That the House of Representatives hereby urge the Governor, when he considers the budget submitted by the Public Utility Commission, to provide sufficient funds for the maintenance of an adequate field force to protect the interests of the consumer before the Commission in order to prevent undue increases in utility rates and to order decreases in proper cases; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to His Excellency the Governor.

Referred to the Committee on Appropriations.

By Mr. WEISS. RESOLUTION No. 6.

In the House of Representatives, January 28, 1941.

Whereas, The Commonwealth of Pennsylvania appropriates large sums to various hospitals in this Commonwealth so that the poor and unfortunate may receive adequate hospital care; and

Whereas, Many of the poor and unfortunate citizens of this Commonwealth complain of the treatment they receive at such hospitals; therefore be it

Resolved, That a committee of five members of the Houses of Representatives be appointed by the Speaker to investigate the possibility of the maintenance of free clinics in such state-aided hospitals; and be it further

Resolved, That said investigating committee inquire into the treatment of the charity patients at such hospitals; and be it further

Resolved, That said investigating committee report to the House of Representatives, as speedily as possible, with appropriate recommendations.

Referred to the Committee on Appropriations.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 7.

In the House of Representatives, January 28, 1941.

Whereas, It has been stated from time to time that there are many married women gainfully employed in the various administrative departments in the Commonwealth of Pennsylvania; and

Whereas, There are thousands of unmarried women unable to find any kind of employment in this Commonwealth; and

Whereas, If such married women employes who have other income or whose husbands are employed, could be replaced, gainful employment would be available for many of the unemployed and the relief rolls of the Commonwealth would be diminished accordingly; therefore be it

Resolved, That the Governor be required to conduct a survey and that he be directed to transmit to the House of Representatives as early as possible during the present session, a complete list setting forth the names, addresses, the departments in which they work, and the salaries of:

(a) Wives and husbands both of whom are employed by the Commonwealth of Pennsylvania;

(b) Married women employed by the Commonwealth of Pennsylvania who have other sources of income or whose husbands are otherwise employed; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to His Excellency, the Governor.

Referred to the Committee on State Government.

By Mr. RONALD L. THOMPSON, (Concurrent) RESOLUTION No. 8.

In the House of Representatives, January 28, 1941.

Whereas Many of the operations and activities necessary in the mining industry are extremely hazardous to persons employed in or about the mines and

Whereas In the past many mine disasters have needlessly occurred and many thousands of lives have been unnecessarily lost because of inadequate or neglected safeguards and precautions and

Whereas A Federal mine inspection bill has been passed by the Senate of the United States but has been blocked in the Committee on Mines and Mining in the House of Representatives of the United States and

Whereas In the Commonwealth of Pennsylvania a number of mine disasters have occurred during the pendency of this Federal mine inspection bill which caused the death of some 1500 miners many of whom left behind them families without means of support and

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States to approve the Federal mine inspection bill be it also

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt

Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James P Davis

All members of the House delegation from Pennsylvania

Referred to the Committee on Mines and Mining.

By Mr. PRESLEY N. JONES RESOLUTION No. 9.

In the House of Representatives, January 28, 1941.

Whereas Don Wilkinson of 73 Bedford Street, Forty-Fort is at present a member of the House of Representatives being duly elected at the general election held November 5 1940 from the VI Legislative District of Luzerne County and was duly sworn in as a member of the House of Representatives on its convening in January 1941 and

Whereas The said Don Wilkinson was duly elected a member of the House of Representatives from the said legislative district at the general election held November 7 1938 and was duly sworn in as a member of the said House of Representatives at its convening in January 1939 and

Whereas The said Don Wilkinson while serving as a member of the House of Representatives as aforesaid introduced and sponsored legislation specifically an act defining the rights powers and duties of county tax collectors etc which act is now known as Act Number 277 approved the 20th day of June 1939 Pamphlet Laws 508 and

Whereas It is believed at the time the said Don Wilkinson introduced the bill aforesaid his purpose and intent was to derive a private pecuniary profit for himself as a collector of such taxes he then being engaged in the collection of similar obligations and was not in furtherance of his sworn obligation as a member of the House of Representatives and

Whereas It is believed at the time the said Don Wilkinson voted on this legislation he was engaged in negotiating contracts with school districts townships and borough officers etc for the collection of taxes thereunder for his own private interest and

Whereas At the time of his voting on such legislation he did not state he was interested privately in such legislation in contravention of Article 3 Section 33 of the Constitution of Pennsylvania which reads

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member and shall not vote thereon" and

Whereas If the said Don Wilkinson was interested and so conducted himself he would be guilty of such misconduct as would require his expulsion from the House of Representatives under the provisions of Article 2 Section 11 of the Constitution of Pennsylvania which reads as follows

"Each House shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence to enforce obedience to its process to protect its members against violence or offers of bribes or private solicitation and with the concurrence of two-thirds to expel a member but not a second time for the same cause and shall have all other powers necessary for the Legislature of a free State A member expelled for corruption shall not thereafter be eligible to either House and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense"

therefore be it

Resolved That the House of Representatives authorize the Speaker to appoint a committee of five members of the House of Representatives to inquire into and concerning the official conduct of the said Don Wilkinson and to further inquire whether he has been guilty of such misconduct as could be grounds for his expulsion from the House of Representatives and be it further

Resolved That the said committee speedily report to the House of Representatives with appropriate recommendations

Referred to the Committee on Rules.

By Mr. RONALD L. THOMPSON (Concurrent) RESOLUTION No. 10.

In the House of Representatives, January 28, 1941.

Whereas All countries of the Western Hemisphere particularly the United States are in great and imminent danger from the spreading conflict between various European nations and from the increasing spread of undemocratic philosophies of government and

Whereas The future of the United States and the perpetuation of its established political and economic system require that the European conflict and all its manifestations be kept from the Western Hemisphere and from this country and

Whereas Great Britain on land and sea and in the air is now engaged in a valiant and determined struggle to halt the de-civilization of Europe and the World as a result of the general establishment of the pagan Nazi philosophies and

Whereas The furnishing of aid to Great Britain by the United States has already and will in the future greatly facilitate the conduct of the various operations designed to maintain the British Empire and suppress the present conflict and

Whereas The need for increasing such aid to Great Britain is imminent and imperative if the British Empire is to continue as the active and militant opposition to the Nazi plans of world conquest and if any immediate and direct attack upon the countries of the western hemisphere by the axis powers is to be prevented and

Whereas There is now pending before the Congress of the United States a bill (H R 1776) known as the "lease-lend" bill the basic purpose of which is to permit the President of the United States to increase coordinate and expedite the aid to be given Great Britain by the United States and

Whereas The passage of this bill is being unduly delayed partly because of partisan and petty political considerations and partly because of subversive activities of various organized groups in this country with the result that much valuable time is being lost in furthering the activities of Great Britain and with the result that aid which might be effective now may be ineffective in the future now therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to adopt with all possible dispatch the "lease-lend" bill (H R 1776) in substantially the form introduced and be it further

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt

The Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James P Davis and

All members of the House delegation from Pennsylvania

Referred to the Committee on Federal Relations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, January 13, 1941.

The demand on the part of the people of this Commonwealth for adequate and reasonable pensions to be granted by the Federal Government to aged persons has become one of the major political and economic issues of the present generation.

The cost of the maintenance of our aged persons has, in most cases, been borne by relatives who are frequently unable to asume such burden without seriously affecting their ability to properly provide for their immediate families.

The care of the aged is more a part of the Nation's responsibility than the care of the unemployed. Age is never deliberately assumed, and unemployment is frequently preferred.

Proper care of all aged persons by the Federal Government would assist in creating jobs for the unemployed, therefore be it

Resolved (if the House of Representatives concur), That this General Assembly does hereby memorialize the Representatives in Congress to immediately consider some form of adequate and reasonable allowance to be paid to aged persons, and be it further

Resolved, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Speaker of the House of Representatives of Washington, the Chairman of the House Ways and Means Committee and the President of the United States Senate, and a copy be forwarded to the President of the United States.

Referred to the Committee on Welfare.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Robert M. Fisher, Indiana, Pennsylvania

February 1, 1941.

Hon. Thomas J. Callahan,
Chief Clerk,
House of Representatives,
Harrisburg, Pa.

Dear Mr. Callahan:

This will express to you, to Mr. Kilroy, Mr. Hewitt and all of the members of the House of Representatives the very warm appreciation of the family of the late John S. Fisher for the resolution adopted on his death.

The very sincere tone of the resolution and the appreciative and sympathetic appraisal of his life will always be gratefully remembered.

Sincerely yours,

ROBERT M. FISHER

COMMUNICATIONS

The SPEAKER laid before the House the following communications:

OCCUPATIONAL DISEASE

From Local 607 U.E.R. and M.W. of A. of Greensburg requesting deficiency appropriation to cover claims and liabilities under Occupational Disease Act of 1937.

Referred to the Committee on Appropriations.

PHILADELPHIA STATE HOSPITAL

Mr. Charles A. McBride, Philadelphia, requesting an investigation of Philadelphia State Hospital, known as Byberry.

Referred to the Committee on Appropriations.

PHILADELPHIA CITY CHARTER

Mr. Thomas H. Ringgold, Philadelphia, urging careful consideration of Philadelphia City Charter.

Referred to Cities First Class.

MOTOR FUND

Mr. Henry K. Bauman, Director Department of Streets and Public Improvements, requesting that consideration be given to legislation known as the Perry-Rogers Bill, relative to allocation of motor fund for use of communities.

Referred to the Committee on Cities Third Class.

SCHOOL CODE

Pennsylvania Federation of Teachers submitting copy of legislative program.

Referred to the Committee on Education.

Unmarried teachers who are considering marriage urging adoption of plan whereby married teachers may continue working unless their husbands earn forty dollars weekly.

Referred to the Committee on Education.

Alma Wohlgemuth representing elementary teachers in fourth class districts requesting that consideration be given to increased salaries.

Referred to the Committee on Education.

CIVIL LIBERTIES

Philadelphia Lawyers Guild condemning recommendations "to bar from recognition as political parties any groups which seek to tear down our form of government by force or other methods" and "a special appropriation of $100,000 for secret investigations of so-called fifth columnists".

Referred to the Committee on Elections.

GAME

Mr. H. O. Kammerdiener, Brookville, requesting amendment of Game Laws to prohibit use of high powered guns during deer season.

Referred to the Committee on Game.

UNEMPLOYMENT COMPENSATION LAW

Supplee-Wills-Jones Milk Company, Philadelphia, requesting amendment of State Unemployment Compensation Law.

Referred to the Committee on Labor.

LABOR

United Mine Workers of America, Local No. 1190, Ellsworth, presenting legislation program: Liberalization of Unemployment Compensation Law; Amending School per capita tax; Restoring Workmen's Compensation Law to 1937 status; Guaranteeing protection for military service draftees and volunteers when they return from camps.

Referred to the Committee on Labor.

TOWNSHIP SUPERVISORS

Earl E. Fry, Glen Campbell, requesting amendment of township supervisors acts.

Referred to the Committee on Townships.

TAXES

Miss Clara Miller, Williamsport, requesting certain exemptions of personal property tax law.

Referred to the Committee on Ways and Means.

UNEMPLOYMENT INSURANCE

Ingber and Company, Philadelphia, requesting relief to employers under the Pennsylvania Unemployment Compensation Insurance Act.

Referred to the Committee on Welfare.

Edward L. Caldwell, Philadelphia, requesting amendment of Unemployment Compensation Law.

Referred to the Committee on Welfare.

PETITIONS

The SPEAKER laid before the House the following petitions:

SCHOOL CODE

The Plain People of Pennsylvania advocating amendments to School Code "to the end that children in rural districts be not compelled to attend school beyond one hundred sixty day term and granting certain exemptions."

Referred to the Committee on Education.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. FINNERTY.

Mr. Edwin F. Thompson for Mr. ALLMOND for tonight's session on account of business.

REPORT AND DISCHARGE OF COMMITTEE

Mr. GERARD. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the Hall of the House for the Joint Session has performed that duty and the Senate is now present.

The SPEAKER. The Committee is discharged with the thanks of the House.

The President of the Senate is invited to preside over the Joint Session of the General Assembly and the President pro tempore is invited to a seat on the rostrum.

The Members of the Senate and House will remain

standing until called to order by the President of the Senate.

JOINT SESSION

LIEUTENANT-GOVERNOR SAMUEL S. LEWIS PRESIDING

LIEUTENANT-GOVERNOR LEWIS. The Joint Assembly will be in order pending the arrival of the Governor.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President I present to you the Committee appointed to escort the Governor to the Hall of the House.

Mr. SNOWDEN. Mr. President, We have the pleasure and the honor of presenting to you His Excellency, the Governor of the Commonwealth, the Honorable Arthur H. James.

LIEUTENANT-GOVERNOR LEWIS. Mr. Speaker, Members of the Joint Session, I have the honor and pleasure of presenting the Governor of the Commonwealth of Pennsylvania, the Honorable Arthur H. James who will lay before the Joint Session his budget message and address you thereon. The Governor.

MESSAGE OF ARTHUR H. JAMES, GOVERNOR OF PENNSYLVANIA

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I wish to thank you for this opportunity of summarizing Pennsylvania's financial program for the next two years.

Tonight there is being laid on your desks our suggested budget for the biennium which begins in June. You will find also a formal message outlining the program step by step.

In some ways, the budget will be the most important matter to come before this session. Sound finances are the foundation for all else you do. Economy, good administration, remedy of imperfections, improvements of our social structure, the vital needs of defense—all these and others must be built upon financial stability.

Let me say at the outset that this is not a "must" budget. The bills which will be introduced to carry out its provisions will not be "must" bills.

From a multitude of suggestions and plans, we have chosen those which present themselves as the best in sight. If new ideas are brought forward, I will receive them with open mind. If they prove better than those embodied in this message, I shall be pleased to incorporate them.

I ask only that you, of both parties, in your deliberations measure this program solely by the yardstick of public welfare, and I have every confidence and assurance that such is your intention.

I am recommending the program now being placed before you because its enactment and successful completion would give Pennsylvania the following benefits:

It would, without tax increases, furnish money for the full two-year period for all current needs of the State, including expansion of activities in several urgent fields.

It would maintain our present high standard of relief for those who need it.

It would provide for taking our full part in rearmament and in any military developments.

It would absorb all inherited debts and unfinanced obligations.

It would balance Pennsylvania's books.

Enacted and successfully carried out, it would give the next Chief Executive a House of government with the mortgage paid off—a household in which the cost of living would be reduced to many millions of dollars below the present level of tax income.

Two principal objections can be found to the program. It can be argued that we have over-estimated relief needs and that we have under-estimated the effects on our tax incomes of the present industrial expansion due to rearmament.

By lowering relief appropriations and raising tax estimates it would be possible to create an apparent spread between income and needs which would permit cutting taxes during this session. In my judgment, that would be to count chickens not yet hatched.

However, I wish to assure both this Legislature and the men and women of the Commonwealth that the taxpayers will receive the full benefit of any such improvement in financial conditions. If at any time during my term as Governor it becomes clear that our estimates are too conservative, and that our tax receipts will substantially exceed our needs, I will take immediate steps to correct our financial program and cut taxes accordingly, even if a special session for that purpose should be necessary.

On the basis of the estimates now in hand, and disregarding the special funds which have their separate budgets, continuing the present taxes would give the State an income of $413,000,000 during the next biennium.

What are the state's needs for that period?

The largest single item, and the first to consider, of course is public assistance.

The burden of unemployment, which is the combined totals of persons supported by WPA and general assistance, today is less than half what it was a year ago. Three-fourths of that reduction came before the rearmament program was announced last May, and only one-fourth has occurred since then.

Without going into discussion of how much of the reduction was due to the state's changed attitude toward industry, the work of the Job Mobilization campaign, or the excellent service of our Secretary of Public Assistance, I believe it is evident that the effect of rearmament on relief is only beginning to be felt.

How much unemployment will defense work wipe out? In some quarters we are told that rearmament will find jobs within a few months for every man and woman able to work.

If such predictions are true, our relief needs will become a nominal sum, easy to provide without budget complications.

Several plans are under discussion which would further reduce the state costs by guaranteeing us our fair share of Federal funds and by encouraging local participation through some form of state-operated work relief.

Such factors would be of tremendous help to the taxpayers of this Commonwealth. All of them paint a rosy picture of lowered needs and broadened help in carrying the burden which would reduce relief far below its present cost. Further we face the obvious comparison of two years ago, when none of these factors was at work

and when unemployment was twice as large. If rearmament will continue to reduce relief as rapidly as Pennsylvania was able to reduce unemployment before the defense program began, half the expenditures of the current two years, or about $100,000,000, should be ample for the biennium.

Nevertheless, I do not believe it would be prudent for us at this time to count on an average relief cost of less than $5,000,000 a month.

I therefore recommend that the sum of $120,000,000 be fixed as the minimum for relief appropriation, and further recommend that we add to that amount, as a cushion, all funds left over after other needs have been met. This represents a sum of $11,000,000 at present. By June, however, unless defense gets in higher gear, this surplus may be reduced, since some relief costs of the present biennium may have to be charged against it. We are asking a new appropriation of fourteen and a half million dollars to continue relief when present appropriations are exhausted. It is not yet certain how much relief funds are needed to last until June.

To return to the budget program: Deducting $120,000,000 relief appropriations from tax incomes of $413,000,000 leaves $293,000,000 for other purposes. We have next to consider the general state operations.

Following the pattern laid down during the last two years, and expanding State activities only where there is imperative need, our program calls for expenditure in State functions outside of relief of $211,000,000. Deducting that sum leaves a balance of $82,000,000. From this we must pay back moneys borrowed during the current biennium from various funds, including the motor license fund.

As promised, this money is being returned next June, in time for its use for the purposes intended without delay to any program now in operation or in contemplation. Borrowing this money has permitted us to maintain relief without tax increases and with a minimum of inconvenience.

The total of such refunds under the budget is $66,000,000. Deducting this amount leaves a balance of $16,000,000. Out of this we are recommending nearly $5,000,000 in deficiency appropriations for use in the current biennium. The great bulk of these appropriations are to relieve distressed school districts.

The balance is the $11,000,000 mentioned, all of which I recommend be made available for relief.

Earlier I referred to an increase in governmental operations to permit us to meet certain vital needs. The total of such new items and increases is about $12,000,000. Let me very briefly call attention to some of these matters.

The Health and Welfare appropriations are substantially increased, to permit opening buildings constructed or planned by the General State Authority, and thus take care of the institutional waiting lists.

Health activities such as the control of pneumonia and other diseases, will be greatly enlarged, and provision will be made to increase our work of helping supervise the health of our new soldiers now being inducted into service.

An appropriation has been made to permit Pennsylvania soldiers on active duty to vote in our elections, wherever their service calls them.

Another appropriation is recommended to bring teachers' salaries in fourth-class school districts up to a minimum of one thousand dollars a year.

The Budget calls for an increase of one-third in funds available for parole supervision.

I am suggesting that a fund be set aside to permit the Department of Justice to conduct the secret investigations which are the only means of discovering secret subversive activities.

I am suggesting also that an appropriation be made available to permit a commission to undertake a survey of school needs and of the subsidies being granted to school districts on a basis of more than $70,000,000 dollars a biennium.

An appropriation is recommended to pay the State's share of occupational disease claims.

A large increase is recommended for vocational training and retraining of the unemployed, and for other types of rehabilitation.

In general I consider all of these increases, and various other smaller ones which I have not listed, to be fully warranted. They permit us to extend the State's helping hand to many who badly need it. They meet the new rob'ems of changing times.

You will not find in the budget a lump appropriation earmarked for general defense or wartime purposes. However, this has been provided for. The budget calls for the customary appropriation for our National Guard, now being mustered into service.

It is my suggestion that the appropriation bill covering this appropriation be so changed as to permit the reallocation of those funds for any emergency defense needs which arise.

If it should happen that the present international crisis abates within the near future, and the National Guard is returned to state service, funds for them will thus be available. On the other hand, if the present emergency continues, and it becomes advisable to set up a Home Guard, a State Council of Defense and other similar defense agencies, the money not needed for the National Guard will be available for these purposes.

In conclusion, let me thank the members of this Legislature for the harmony and cooperation which have marked your deliberations.

Grave as are the responsibilities before us, serious as are the dangers confronting our nation, urgent as are our state and national need, laborious as are some of the tasks we face—the time has not yet come when Pennsylvanians cannot sit down together to work out their destiny.

The sons and daughters of our state have never sought the easiest way, but always the best way.

Permit me to assure you that you have my best wishes, my help and my full cooperation in the working out of the tasks before us.

LIEUTENANT-GOVERNOR LEWIS. In behalf of the General Assembly I want to thank you for your address. I believe it has given us much food for thought and something to do.

The purpose for which the Joint Session was called has been consummated. The Joint Session is now adjourned. The Senators will return to the Senate Chamber and resume their duties.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The message of the Governor as delivered to the Joint Session will be spread upon the Journal in the proceedings of the Joint Session. The Budget and Supplement thereto will be printed in full in the Appendix to the Legislative Journal.

(For Budget and Supplement see Legislative Journal)

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 10, 1941, at 4 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 10, 1941, at 9 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. Pursuant to the provisions of House Resolution adopted the twenty-eighth day of February, 1941, providing for a committee to arrange suitable services in the House of Representatives in memory of the birthday of Abraham Lincoln, the Chair appoints, Messrs. Shepard, Chairman, O'Connor, Harkins Rhea and Reagan.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, it was with mingled emotions that I listened to the address of the Governor just a few minutes ago, and at the same time endeavored to scan briefly his printed message to this House as it was contained in the biennial budget. I say "mingled emotions"——emotions both of fear and elation. Those are all emotions to be produced by a budget. I believe that possibly I am not alone in that feeling.

Let us discuss the fear that pervaded me, and just fleetingly, of course. I had visions before me when I heard the Governor say that we could accomplish all of this without any new taxes and I turned to his printed words not delivered to this House, in which he recommended the reenactment of all the emergency taxes. It caused fleeting emotions, or fleeting visions, to me of the Curtis Publishing Company which jumped across the river into New Jersey, and I could see that long list of manufacturers that he was so prone to tell us about just a few years ago leaving the State of Pennsylvania. Why? Because of the taxes enacted by the Democrats.

Of course, I realize the alibi that was given; I realize that just two years ago when this same Governor and this same Republican Party reenacted the taxes that they had gone throughout the State condemning, and they said, "Well, the reason for it is that conditions were so bad we cannot do away with them now, but we have given our word and our promise that you need only wait two years and the tax reduction will be given to you."

You remember, don't you, just the same as I do, that two years ago your alibi was that the Democrats had left you a deficit as I recall of twenty-six million dollars; then last year, when you ran out of money your alibi was fifty million dollars which you said the Democrats had left you in the hole.

Now, turn to page five of this printed address which was not delivered over the air and look for your alibi. It seems as though Arthur is good in alibis. Just look at it; he has found another eight million dollars deficit which the Democrats left to him. Now it is fifty-eight million dollars, and just to be on the safe side, he says that the WPA short-changed him. The figures as I recall at the moment are thirty seven million dollars. It took him two years to find out about all this short-changing. First twenty six million dollars; then when he needs more money a fifty million dollar alibi, and now he needs some more, some sixteen million dollars more. He is now up to fifty-eight million dollars, and incidentally in his printed message he does not hesitate to tell you that it may be more than he will need. Alibis, nothing but alibis. Cannot your party, cannot this leader of yours bring something more substantial before this House and before the people of Pennsylvania then plain ordinary alibis? I could understand very well, after this course of treatment why the Curtis Publishing Company, why Walter Ford and why all of the other Republican manufacturers might decide that they ought to leave Pennsylvania, because haven't they elected, and haven't they put into office one of their own, one who had been trained as an executive? Oh, yes one from that group who was born to rule and all that he can produce for you is deficits. His deficits, mark you, run well over eighty million dollars. No wonder, this alibi claims an inheritance of a fifty-seven million dollar deficit, and the short-changing of another thirty-seven million dollars. He is not fooling anyone; he is not fooling you, he is not fooling the people of Pennsylvania.

Let us turn to some of the things he is talking about in his printed message, not the delivered message, in which he tries to say that this is the smallest budget that Pennsylvania has had in some considerable length of time. He is trying to say it is seventy-three million dollars less than in the preceding two years, meaning the last two years of the Democratic Administration.

May I read to you the record?

What he is asking for is four hundred thirteen million seven hundred ninety-four thousand dollars in the 1937-1939 biennium. If we forget the special appropriations the same as he has you will find the amount is four hundred and fourteen million one hundred and fifty-five thousand dollars, a difference of some four hundred thousand dollars, relief cut in half. Has he economized? Is he trying to economize? That is the story.

May I point out to you when he is talking of a deficit the record of the Democratic Administration for its four years. In the 1935-1937 biennium the Democratic Party had no deficit; it had a surplus of eleven million dollars. In the 1937-1939 biennium it had a deficit of twelve million dollars, a difference in the four years of one mililon dollars in an operation of four years, and that in spite of the fact that during that length of time the Democratic party paid off ten million dollars of bonds owing by the Common-

wealth of Pennsylvania which had not been incurred by the Democratic party.

Speaking of deficits, not in dollars and cents, but speaking of a deficit that is more vital to you, more vital to me, far more vital to the people of Pennsylvania, the Governor of Pennsylvania did not mention this particular deficit that I am about to mention, he did not call to your attention in his speech, his printed message, what he wished you to delay in doing. He did not state in his spoken word over the air that he was asking you to defer for another two years the obligation on the part of the Commonwealth to take over the County mental hospitals. He did not say to you that now for the first time he was going to endeavor to open the mental hospitals and the tubercular hospitals for that long waiting list. Can you think of a deficit that Pennsylvania incurred in human life and in human suffering, aside from the eighty million dollars which he has squandered? Every man here in the Hall tonight knows of the waiting lists of individuals in his county who are insane, who should be placed in the mental hospitals; every man also knows of the tubercular individuals confined in their beds at home or walking the streets, a menace to the rest of the people, who should be in institutions today, and should have been in the institutions two years ago. Two years ago, we pleaded with the Governor and with the Republican party to furnish the funds and the finances to take care of them. Is that a deficit? It would be a very marked and a very large deficit if it occured to someone in your family; and it occured in many families throughout the Commonwealth. Why did not the Governor, when he was naming the deficits put that at the head of his list, instead of now after two years of dilatory action toward the insane say "Now I am asking you to do it." Then, if you follow on in this printed address of the Governor of Pennsylvania his anticipated receipts, you will find that he is banking largely on increased revenue to make possible the balancing of this budget. He is hoping that improved conditions brought on for one reason alone, our National defense will make it possible to balance the budget in the coming two years. I have called this a budget. I suggest that every member read it, try to analyze it and see if you do not say it is "bridge-it" and not a budget.

I have heard an old expression, an old Biblical expression about Faith, Hope and Charity, and it ends with the greatest of all of these is Charity." I cannot help to some extent compare this budget with that Biblical expression, except this, there is little faith, a lot of hope and no charity.

Now, Mr. Speaker, as to the elation. I was indeed elated to hear the leader of the Republican party in his spoken word and in his printed message exhort the Republican party to again reenact the tax legislation passed six years ago, initiated by the Democratic party. Oh, I know how you men on the other side condemned those taxes, how onerous they were to you and how you complained they were destroying Pennsylvania, the entire Commonwealth was going to rack and ruin, and how you could do it so much better. Now we have had four years of your demontration. With all the knowledge that you have in your party, with all the vaunted ability that you have maintained to the people of Pennsylvania, with all the vast resources that you have in the manufacturers to come and help you out, without mentioning your millionaires, you have been unable to solve the problem. You cannot improve on that which I in a small way, together with my colleagues did for you six years ago, and I am beginning to think that, yes, the brains of this Commonwealth, the ability of this Commonwealth, the power to rule vests in the Democrats. You have disclosed your inability; after condemning us you have disclosed your inability to improve on this system that we established, the system that has met not only with the approval of the people of Pennsylvania but with the approval of the Republican party and its Governor.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been endeavoring to follow very carefully the studied remarks of the leader of the majority in reference to the budget. Unfortunately I have had no opportunity to study the budget, therefore, I am not familiar with the figures other than those given by the Governor here tonight. I might say however that I think from past experience I have some familiarity with the general finances of the Commonwealth, and I think that I have listened to a number of budget discussions, in the past, where deficits were juggled into the right side of the ledger in order to create a balance, but I never have heard quite so adroit a juggling as that which was engaged in by the leader of the majority tonight.

I am reminded of a story and I would just like to reply to the gentleman by relating it. I heard it in Washington last week. On behalf of Sidney Hillman, one of the members of the Defense Council, appeared a man by the name of Lubin, who in his discussion before the assemblage said that one time a friend of his who was a manufacturer of clothing with mills in Boston and in New York, had a number of his New York employees come to him and ask him for a twenty percent increase in wages on account of the living costs in New York being twenty per cent higher than they were in Boston. This man called in Mr. Lubin as a statistician and economist to take it up and figure it out for him. After taking into consideration everything that entered into the cost of living, he figured that the cost of living in New York was five per cent higher than it was in Boston. So he called in his employees and he said," Boys, why are you asking a twenty per cent increase?" They said that the costs of living in New York was twenty per cent higher." He said, "well they are not, they are only five per cent higher." The spokesman for the employees got up and said, "Mr. So and So, if you are talking statistics while we talk facts, I cannot see why we should try to go any further."

I can only say to you that if the leader of the majority is going to talk statistics while the Governor talks facts,—and the facts are that there was an inherited deficit, that there were people that had to be put upon relief, that there were functions of the State Government which had to go on, that there is a deficit which has to be paid for,—if he wants to juggle those into some kind of a political declaration there is no use discussing on the floor of the House those statistics while we talk facts.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, approximately a week has passed since the Joint State Government Commission appointed by this General Assembly rendered its report to the membership of this House. Of such magnitude is the entire relief problem to the citizens of the Commonwealth of Pennsylvania and of such importance is the problem to each and every member of the General Assembly that I personally waited very anxiously for this important Committee to render its report.

However, Mr. Speaker in the foreword of this report I found a very interesting statement made by the Committee, which in my opinion should be quoted. Speaking of the serious problem of relief with its "ramifications" and "implications," the Committee had this to say and I quote "we aproached this task on a non-partisan and non-political basis."

I might say, Mr. Speaker, that I have the utmost confidence in the integrity and honesty of the members of the sub-committee assigned to this particular subject and yet, Mr. Speaker, it is with the greatest reluctance that I must disagree with the statement made by the committee relative to the non-partisanship and non-political attitude with which they profess to have been guided in their approach to this problem.

Throughout the pages of this report I found no assemblance of non-partisanship. On the contrary, however, the deeper one studies the various investigations referred to and the ultimate recommendations cited in this report as a result of the sub-committee's studies and deliberations, one becomes convinced that the recommendations are not the result of non-partisan and non-political study, but apparently are conclusions based on the policy of a few of its members, or they must represent the voice of the Republican leadership in this state on the subject of relief.

It might be well in passing to mention a word relative to the recommendation of the committee pertaining to what they call the "liberalization of the social security act." I cannot fully understand why the committee recommended to this Legislature the liberalization of the social security act as passed by an act of Congress and subsequently amended, because they know very well that no action of this Legislature could possibly change one clause in the Federal act enacted by the Federal Congress.

On January 7th the Governor addressing a Joint Session of this Assembly referred also to the Social Security Board and I quote from his address. "I ask that this Legislature memorialise the Social Security Board to ask more generous interpretation of its regulations covering both pensions to the blind and to the aged so that Pennsylvania be not penalized for exceeding the standard set up by the Federal Agency."

Mr. Speaker, I would ask the Governor of the Commonwealth to clarify this statement, and by the same token I ask the Joint State Government Commission to clarify their recommendations concerning the liberalization of the Social Security Act. What imposition, if any has the Federal Social Security Agency placed upon the State Department of Public Assistance with regard to the liberalization of old age assistance in Pennsylvania? I regret to say that if the Governor and the sub-committe on relief had studied the Federal Social Security Act and its amendments, they would have not made such a meaningless recommendation to the Legislature. Anyone who is familiar at all with the Federal Social Security Act knows that it is mandatory on the part of the State to determine the eligibility of old age assistance on a "needs" basis and this has been the rule ever since the Department of Public Assistance was created by the 1937 Legislature.

Mr. Speaker, I would ask that the Joint State Government Committee appointed by this Assembly to study relief be urged to write to the Federal Social Security Board, and I believe it is in Section 1 or Section 2 which states that assistance is granted on the basis of need and this is a regulation of every state of the Union. I would say to the Joint State Government Commission, which is Republican controlled, that they find out what provision on the part of the Federal Social Security Act hampers the officials of the Department of Public Assistance relative to old age assistance. I issue the challenge to the Republican membership of this House that if they wish to make it more liberal, if they wish to discontinue receiving federal assistance, they place on the statute books of this Commonwealth a liberal old age pension.

The reference made by the Joint State Government Committee to amend the Federal Social Security Act which permits the matching of Pennsylvania payments to the blind, which is on a liberal basis, is also a meaningless gesture on the part of this Committee. We who served in the last session are well acquainted with the attitude of the Republican party toward the blind of Pennsylvania, because it was only after insistence by a small Democratic minority in the House at that time that the amendment repealing the liberal blind pension act in Pennsylvania was taken out of the Van Allsburg bill of 1939. The members of the 1939 session will recall quite vividly that it was only after we had read into the record of this House, and reminded the Governor of his promise to the blind of Pennsylvania in October 1938, that we saved for another two years the liberal blind pension which was enacted in the 1937 Department of Public Assistance Act under the term of George H. Earle as Governor.

However, Mr. Speaker, the recommendation of the committee regarding Social Security is not the serious aspect of this report, because I feel the recommendation affecting the entire state set-up as it is presently constituted, is the real danger which might develop, because in the very next recommendation which this committee offers, it asks the Legislature to adopt and enact legislation which would place the granting of assistance and the control of relief in the hands of a local county board. I would say to the Joint State Government Commission that in this request they not only disturb their relations with the Federal Government, because in the Federal act under Section 2, subsection A, it distinctly states that this sort of a procedure is a direct violation of the Federal Social Security Act.

The committee also recommends that the county board should be a autonomous. The committee further recommends that they should be granted full power to operate their county organization. Just what does this mean? To me, it means nothing more nor less than a decentralization of relief in Pennsylvania, and the absolute control of its operations and disbursements through local county boards. Can the sub-committee of that committee deny to this House that that has been the policy of the Republican party regarding relief and is the policy today. Does that sound like recommendations made by a committee who has made a careful non-partisan and non-political study? I challenge tonight, Mr. Speaker, that in all the investiga-

tion and study made by this sub-committee that there is nothing in this report that leads one to believe that the road to Utopian relief in Pennsylvania is the return of the control of relief to politically inspired county boards.

Mr. Speaker, I desire in passing, and I address my remarks to the Committee that if this be the case I would like to know what is the real basis for such a recommendation. Can it be that the Republican party in Pennsylvania is admitting that the appointment of the Secretary of Public Assistance has been a bad one? Can it be true that this committee suggests that the Secretary of Public Assistance and his state office has been derelict in their respective duties? Can it be true that the policies, rules and regulations emanating from the State Department of Public Assistance have not been in accord with the policies of the Republican party and their attitude toward relief? I challenge the committee to answer in all or in part some of these inferences that must be inevitably drawn from their recommendations made to the Legislature regarding autonomy of the local boards.

Mr. Speaker and members of the House, because the city of Philadelphia commands probably the greatest amount of funds for relief comparable to any given combination of counties, it might be well for the members of the Legislature to know something about the complex of the local board in Philadelphia and its executive director to whom this committee wishes to transfer the authority relative to the disbursement of relief.

First, let me mention that the board in Philadelphia is not at present a non-partisan board but is a board composed chiefly of Republicans. The majority of them have never had any previous experience in relief work. It is my understanding that in other counties the boards are more impressively Republican and I have reliable information that in one county the board is composed of six coal operators who have never had any experience regarding matters pertaining to relief and special assistance. However, coming back to Philadelphia it might be well to bring to the attention of this House that the executive director in Philadelphia elected by the local board and who incidentally is the chief administrator of relief in Philadelphia, prior to his assuming this office, never had any theoretical or practical training regarding relief problems. Because of his ignorance in relation to problems of this kind, he has caused chaotic conditions in the relief set-up in Philadelphia and in fact it is now a matter of record that practically all the qualified, efficient and matured personnel surrounding him in the executive offices have voluntarily left their employment. I wonder why the sub-committee investigating the relief problem did not include this information in their report to the Legislature. I also would like to know why the committee in its condemnation of the visitor personel did not also place into the report the information that in New York City, a comparable city to Philadelphia the case load per visitor is fifty to sixty-eight, whereas in Philadelphia county the case load per visitor averages from one hundred seventy-five to two hundred. I wonder why the committee in its report did not inform the Legislature that the conditions under which the visitors work has necessitated a twenty-five per cent personel. I wonder why the committee did not stipulate how much it cost the administrative Department of Public Assistance to hire new personel every six months or every year. From authoritative sources I have learned that it costs the Commonwealth of Pennsylvania six hundred dollars every time they replace a new visitor or investigator, because for the first six months a new visitor or investigator carries only about one third of his or her regular work.

Mr. Speaker, I might hesitate in objecting to the decentralization of relief set-up in Pennsylvania so that control might be placed in the hands of the local boards, if it were not for the fact that since the inception of the James administration we have had unqualified men and women who do not possess the slightest knowledge of the very difficult problem of relief.

In Philadelphia the executive director is not at all competent to perform his duties, nor has he in the majority of cases followed the instructions laid down by the 1937 Public Assistance Law, nor has he subscribed fully to the intent and purposes of the Act in its relation to the authority vested in the State Department of Public Assistance.

Mr. Speaker, this Joint State Government Commission asks the members of this House to adopt legislation by taking authority out of the State government and placing it in the hands of local boards, and it will be placed back into the hands of political constituted boards who are neither non-partisan or competent. I say to you, Mr. Speaker and members of the House, that if these recommendations were to become law, the entire program of the Goodrich Committee whose work resulted in the great Public Assistance law of 1937 would be destroyed, and be supplemented by sixty-seven boards far worse than the local poor boards which were denounced by every decent citizen of the Commonwealth and also a majority of the press in the Commonwealth.

Mr. Speaker, this subject is a large one. It requires a great deal of thought. I intend in later days of this session to continue my criticism of the Committee.

I will say to the Committee that if they studied this subject on a non-partisan and non-political basis, then certainly the findings of the Committee would not have brought back the recommendations which I have discussed and if they had looked at the situation in a non-partisan and non-political basis, then they would not have requested this Legislature to go back to the old local poor boards, and that is exactly what they intend to do.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I am conscious of the fact that the hour is growing late and that the membership of the House has been treated to quite a bit of discussion this evening, and therefore it is more than likely tired and not anxious to hear a lot more. But, Mr. Speaker, I cannot, as the Chairman of the Joint State Government Commission, permit the remarks of the gentleman from Philadelphia to go unanswered, insofar as they pertain to any question of partisanship.

I do not think it is either a fair statement or a proper statement for a Member of this House to make on purely a survey of some recommendations of this report with which he does not agree. I want to say to you, Mr. Speaker, that the membership of the sub-committee on

relief worked diligently from the summer of 1939, and I know of no instance in the deliberations of that sub-committee, or later in the deliberations of the Joint State Government Commission, in considering this report, when there was any discussion of politics in relation to relief.

The gentleman from Philadelphia said he is going to study this report and have some further remarks. It seems to me that the remarks of the gentleman from Philadelphia should have been preceeded by a further study before he made his opening remarks. It seems to me he should have taken the time and the trouble to have interviewed some of the members of the sub-committee on relief, and the gentlemen of the Joint State Government Commission in order to ascertain just exactly how this investigation was made and how this report was made up. True there may be some parts of this pertaining to relief and some of the program on which there may be no comment within this report, but it was not humanly possible for this committee or any other committee, with the funds that were available and the time which was available, to go into every ramification of relief in New York state or Wisconsin or California, although there are tables of comparative statistics from other states which it was possible to gather. I do not believe that there has been a week since the summer of 1939 that the sub-committee on relief has not in some way met, and many times it met possibly two or three days that particular week, and, remember, these members of the Commission received no additional compensation or remuneration for their services.

I do not object to any member of this House having a difference of opinion with the committee or with its conclusions or its recommendations. I do not object that any member of the House feels that the committee has not investigated some form of relief which he feels should have been investigated. But for a member of this House to say, and after the arduous work that the Committee did, and I say that, notwithstanding the fact that I was a member of that Committee, for any member of this House to pick up a report and then charge partisanship to the Committee is neither a proper statement nor a correct statement, and I would be derelict in my duty and in my responsibility to my fellow members on that committee if I did not arise upon the floor of the House to make this statement.

I do not intend to answer all of the criticism of the gentleman from Philadelphia, because it went on so long, touching so many points, that it reminded me of a Mother Hubbard dress which covered everything but touched upon nothing.

Nevertheless, there are two or three points which I want to answer. First, the question of autonomy for the local boards. If the gentleman from Philadelphia will study the report, if he will go back and study other reports made by other commissions and committees of the House he will find almost invariably that every legislative committee we have ever had has recommended that there be some form of local control over relief, that there be more power placed in the local board. He has only to turn to page eleven of the report and he will find that in 1935 a committee created by House Resolution 110—and by the way possible it would be improper for me to inject politics, but it seems to me in my dim recollection that in the session of 1935 the majority of this House was a Democrat majority, and the majority of the Committee that was appointed under that resolution was a Democratic committee. That committee had this to say: "Relief administration should be decentralized and the local boards should be given authority to make such rules as will provide reasonable relief at a minimum expense to the taxpayers."

Although there have been something like twenty committees, including the Goodrich Committee, which were appointed to study this question of relief, almost invariably every committee which has ever been appointed by this Legislature to study this question of relief, has recommended that it be returned to the County insofar as the administration of relief is concerned, in order that we might secure the best administration, in order that the cost of relief might be reduced to a minimum, and that only those who were deserving of relief might receive it.

For the past year I have been a member of the committee appointed by the Council of State Governments to study this question of relief on a nation-wide basis, and on that committee sat both Democrats and Republicans. They were Democrats of the calibre of the Speaker of the House of Representatives of Virginia, whom I recall very clearly. I also recall a Senator from the state of Indiana and another from the state of Arkansas, and I might go on down the line naming men who were on that committee, to show that it was a by-partisan committee and not selected because of their political affiliations or persuasions. I want to say to you that in the first meeting of that group, notwithstanding the fact that many of us had never met each other and that we came from different parts of the country, notwithstanding the fact that we were of different political faiths, the unanimous opinion of that committee was that relief to be properly administered and in order to see that only those entitled to relief might have it, should be returned to the counties and put as close to local administration as possible.

The gentleman from Philadelphia cited the Social Security Act, to show that you cannot take it back to the Counties. I say to you that Pennsylvania is one of the very few states of the Union that pays all the relief and administers it from a central point. In the deep south they do not have direct relief as we have it. They have only WPA there. In some other states they have a combination which leaves the relief problem in the hands of the local community to administer it and to provide the funds for relief. In some other states like New York, it is done on a sharing basis. That State pays forty-five per cent of the cost and the local community pays fifty-five per cent. When the gentleman from Philadelphia made the statement that we must have known that we could not do these things, or that if we had made a study of the act we would have known we would not do these things, I say to him the answer is that the facts as shown by the statistics of the different states refute the argument of the gentleman from Philadelphia.

The gentleman from Philadelphia seems to have taken quite some umbrage about a statement and recommendation in reference to the liberalization of the Social Security Act. The Joint State Government Commission did not consider that this report was being made to a group of morons; they considered it was being made to a group of

legislators who would of course know the sphere in which we could legislate and the sphere in which the Federal Government must legislate. We, of course, knew that it would take some memorializing of Congress, that it would take action on the part of Congress and of the Social Security Board in order to secure the necessary amendments. The Board says clearly that the Federal Social Security Act should be amended to permit Pennsylvania to make payment to the aged on a more liberal basis. If the gentleman from Philadelphia would study the Social Security plan, he would know that the plan says that we must allot to the blind and the aged on the basis of need, and because of the fact that Pennsylvania gives so liberally to the blind it is penalized to the tune of four million dollars every biennium. That four million dollars every biennium could help the distressed school districts of the Commonwealth. The gentleman from Philadelphia certainly ought not to oppose any request that says to the Federal Security Board "Liberalize your laws to bring them up to the standard of Pennsylvania in reference to the blind, liberalize them in reference to the aged." I say this because they put the amount which they are to receive not on the question of need alone but also on the question of family budget. The members of the Joint State Government Commission felt that should be reduced, and we feel that if the Social Security Act were to be liberalized so that we would not be penalized on the aged as we are on the blind, we might have an opportunity to do something more for the aged than we are able to do now in Pennsylvania.

Therefore, Mr. Speaker, I will not take up any further time of the House other than this answer which I have attempted here to make. I would suggest, however, that the gentleman from Philadelphia give more critical study to this whole problem, and if he will come to the offices of the Joint State Government Commission I am sure they will sit down with him and explain away many of the foggy points which he talks about as being non-partisan, but which are the result of the efforts of the Joint State Government Commission to secure the best system of relief we could, and to secure it for the people who really need it and to prevent those who have no right to be on the relief roll from being there.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, I regret very much that the gentleman from Delaware has taken more or less personally the criticism, not to his chairmanship, but to the committee. I hoped at the outset that I would impress on the gentleman from Delaware that this was not a personal attack upon the committee, but an attack upon its recommendations, and when I stated on this floor that the Joint State Government Commission in my opinion had not rendered a non-partisan and non-political report, I meant that they distinctly and I meant every word I said, not as a matter of personal feeling toward any member of the committee, but gentlemen, it is only natural that a committee composed of Republicans should naturally infuse into their findings the policies of the Republican party on relief.

The gentleman from Delaware, Mr. Turner, says that it is natural that we should ask for the liberalization of old age assistance relative to the Federal Social Security Act My challenge was very clear. Mr. Turner mentioned something about family budgets. There is nothing in the Federal Social Security Act that makes it mandatory upon the state to consider family budgets in old age assistance, and I challenge the gentleman from Delaware to show me the provision in that act which makes it mandatory. I did not mean anything personal, but I know that the Department of Public Assistance through its local boards especially, and probably the executive director, especially in Philadelphia, feels that that should be included, they have made it a policy in Philadelphia. That is one of the fallacies I want to bring before this legislature. The Federal Social Security Act about which the Governor screams aloud and which is made an issue by the State Government Commission, does not stipulate at any time that there shall be grants computed on the budget plan in regard to old age assistance.

The Federal Social Security Board, however, which is created by the act suggests to the State, it does not make it mandatory, it suggests that where an applicant is a member of a family and where there are additional funds available for his or her use, then and only then shall the State take into consideration the fact that they might include a family budget, and that gentlemen, is merely a suggestion.

What has the State Department of Public Assistance done under this liberal Governor? I shall tell you what they have done; they have interpreted the policy of the Federal Social Security Board to mean that it is mandatory and they do not even take the mandatory provision but they say that if the applicant has a son or daughter or any legally responsible relative in Pennsylvania or in any other state in the Union, and they in some manner through some court of law obtain a support order on that person, then immediately the State Department of Public Assistance cuts down the grant to the individual applicant and in most cases takes it away entirely.

There is no provision in the Federal Act for such an instance and the Chairman of the Joint State Government Commission, and I believe the members of the State Government Commission know it because they could not have studied the Federal Act and still not know its provisions. I would say to the gentleman from Delaware, Mr. Turner, that in addition to the liberalization of old age assistance I wonder what the Joint State Government Commission meant when in Section 8, Article E on page 6 of the recommendations they had this to say: "Organizations of employees under civil service should not be affiliated with labor unions. Employees subject to civil service have the right to form any organization within their own department." I ask you, gentlemen of the House, has not this been the policy of the Republican party in Pennsylvania, to attempt to stamp out affiliated unions and replace them with company unions and that is exactly what this section says.

I challenge the gentleman from Delaware to answer that statement.

I thank you.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, my father always taught me that anybody who would take a dare would steal sheep, but in this

instance I feel that I cannot let the gentleman from Philadelphia get away with his challenge when he dared me to answer that question. I could possibly keep the membership of this House here for the next hour and I am confident Mr. Levy would keep you here for the next one after that and then throw out another challenge which if I would answer would take up another hour.

Having served in the House with the gentleman, I am quite familiar with his proclivities in answering at length. The committee made a careful investigation and the committee gave careful consideration to this question and that was the deliberate opinion of the committee nothwithstanding all of the other issues which the gentleman from Philadelphia has indicated. It has nothing to do with the union question. The Committee was not opposed to labor unions. It did not say that it was, and it isn't. I believe that every member of the Committee believes that labor unions have their proper place and their proper function. The laws of Pennsylvania which have been passed in the last forty years, it seems to me, have recognized that. I recall voting for a lot of bills that passed in recent years that definitely recognized the rights of labor unions to do certain things.

Mr. Speaker, I cannot get past the fact that I do not believe we should have an organization among civil service employees who are working for the state to have affiliations with an organization that has outside affiliations involved in other problems that do not involve these people in the state employ. We know the report states very distinctly and very clearly what the ill effects have been, and we made that recommendation, and we stand by that recommendation. We will not make any apology for that recommendation because it has nothing to do with the problems involved in the ordinary principles, ideals and aspirations of labor insofar as they pertain to unions.

Our employees in the state who have civil service have a perfect right to belong to any organization they may care to form within their own group for their own advancement, but there are too many insidious things that enter into it when a group such as that with which some of our departmental employees are affiliated extend their tentacles into the department that has something to do with relief.

No relief client needs the help of any agency to get relief. Relief should be known to be free and open. The investigator and the person dealing with it should be as far away as possible from any partisanship away from any affiliation with any group of any kind and especially with any subversive group that has for its object the destruction of our form of government. That is the thing that persists in some departments and among some employees, and should be voted out. That is the kind of thing this committee is aiming at.

REPORT FROM COMMITTEE

Mr. READINGER from the Committee on Rules, reported as amended, House Resolution No. 2.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

My dear Mr. Rush:

May I express, through you, my thanks and appreciation to the Members of the House of Representatives for the resolution in tribute to my father, Colonel Campbell. It means much to me that he was so respected and admired, and I am proud and deeply grateful for your recognition of his Christian character.

Sincerely yours,
MARGARET CAMPBELL SWENEY

515 East 22nd Street,
Chester, Pennsylvania.
January 27, 1941.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday at 11 A.M. in Room 329.
Fisheries, Tuesday at 10:30 A.M. in Room 324.
Forestry, Tuesday at 2 P.M. in Room 522.
Judiciary General, Tuesday at 10 A.M. in Room 330.
Judiciary Special, Tuesday at 11 A.M. in Room 330.
Highways, Tuesday at 11:15 A.M. in Room 324.
Townships, Tuesday at 10 A.M. in Room 329.
Insurance, immediately in Room 330.
Motor Vehicles, immediately in Room 324.
Education, Tuesday at 2 P.M. in Room 324.

ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 4, 1941, at 1 P.M.

The motion was agreed to, and (at 11:10 P.M.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, FEBRUARY 4, 1941. No. 6.

SENATE

TUESDAY, February 4, 1941.

The Senate met at 11:00 o'clock a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the Chaplain, Rev. Burleigh A. Peters, Doctor FRANK W. RUTH, offered the following prayer:

Mr. RUTH. Almighty God, our Heavenly Father, we thank Thee for this new day and for all the opportunities which it will present to us to render service to Thee and to our fellow man. Thou has called us to a duty to which few men are called; Thou has given us opportunities and responsibilities such as few men have and we pray for Thy divine guidance and help so that we may use these opportunities for Thy glory and for the good of our fellow man. We ask this in the Master's Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BECKER and Mr. EALY, the further reading was dispensed with, and the Journal was unanimously approved.

LEAVES OF ABSENCE

Mr. STIEFEL asked and obtained leave of absence for the Senator from Philadelphia, Mr. SHAPIRO.

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD, on account of his health.

Mr. GELTZ asked and obtained leave of absence for the Senator from Bucks, Mr. JAMES.

Mr. GELTZ asked and obtained leave of absence for the Senator from McKean, Mr. THOMAS B. WILSON.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public which were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Florence H. Brown, Pittsburgh, 1406 Berger Bldg.
Robert H. Ireland, Aspinwall.
Walter S. Klemans, Pittsburgh, 527 Park Bldg.
Miss Edna Wild, Pittsburgh, 13 Southern Ave.

CLINTON COUNTY

C. P. Albright, Loganton.

CRAWFORD COUNTY

Miss H. E. Remler, Meadville.

CUMBERLAND COUNTY

Ralph C. Crow, Lemoyne.

DELAWARE COUNTY

Arthur N. Taylor, Jr., Upper Darby Twp., 4 Copley Road, Upper Darby.

LUZERNE COUNTY

George F. Williams, Kingston.

McKEAN COUNTY

L. C. Robey, Port Allegany.

MONTGOMERY COUNTY

John M. Yerger, Norristown.

NORTHAMPTON COUNTY

Miss Bessie G. Frankenfield, Wilson.

NORTHUMBERLAND COUNTY

Joe F. Oyster, Sunbury.

PHILADELPHIA COUNTY

Bernard Babis, Phila., Drexel Bldg.
R. S. Hauber, Phila., 1835 Arch St.

WESTMORELAND COUNTY

Wayne R. Donahue, New Kensington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public,

for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

James J. Malone, Phila., 3236 Lancaster Avenue, February 9, 1941.

Abraham A. Goldman, Phila., 13 North 13th Street, February 15, 1941.

ALLEGHENY COUNTY

D. J. Walter, Carnegie, February 19, 1941.

MERCER COUNTY

M. L. McBride, Grove City, February 23, 1941.

LEBANON COUNTY

W. L. Gelbach, Lebanon, February 25, 1941.

ALLEGHENY COUNTY

Jacob Greenberger, Pittsburgh, 803 Jones Law Bldg., Fourth Ave. and Ross Street, February 25, 1941.

Mrs. Hilda Barr Murphy, Pittsburgh, Mercy Hospital, 1400 Locust Street, February 28, 1941.

ARTHUR H. JAMES.

MOTION TO ADVISE AND CONSENT TO NOMINATIONS OF THE GOVERNOR

Mr. EDMONDS. Mr. President, I move that the Senate do now advise and consent to the nominations just read.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Edmonds,	McCreesh,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS INTRODUCED

Mr. HALUSKA. Mr. President, last week I arose to a point of information with reference to a number of bills that I introduced, that might be known as tax revenue measures.

Mr. President, I have revamped these bills. One of them is known as a bill to legalize and regulate bingo games in the Commonwealth of Pennsylvania; another is to legalize and regulate slot machines, and another to legalize and regulate pin ball games. I have changed them, Mr. President, from revenue measures to measures to regulate these certain forms of amusement.

Mr. President, I am making this statement so that the committees might know they are almost the same type of bills, with the exception of new titles.

Mr. HALUSKA read in his place and presented to the Chair, Senate Bill No. 133, entitled:

An Act to legalize and regulate bingo games for profit played in the Commonwealth, imposing a license fee on the owners of all places where bingo games are played for profit; providing for the collection of said fee and imposing certain duties upon mercantile appraisers, county treasurers, and the Department of Revenue, and appropriating the proceeds from such fee to the Department of Public Assistance for the purpose of assisting persons over sixty (60) years of age, authorizing charitable and non-profit organizations to conduct bingo games upon the payment of a permit fee.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair, Senate Bill No. 134, entitled:

An Act to legalize and regulate the playing of slot machines and other similar devices of skill or chance for the successful operation of which money or the equivalent thereof is paid; imposing a license fee on each such machine; providing for the collection of said fee and imposing certain duties upon mercantile appraisers, county treasurers, and the Department of Revenue, appropriating the proceeds from such tax to the Department of Health for crippled children's hospitals; and imposing penalties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair, Senate Bill No. 135, entitled:

An Act to legalize and regulate the practice of playing pin-ball games, hi-score games or other games or devices of skill; imposing a license fee on all keepers of such games; providing for the collection of said fee; and imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue; and appropriating the proceeds from such fee to the Department of Welfare.

Which was committed to the Committee on Judiciary General.

Mr. WATKINS read in his place and presented to the Chair, Senate Bill No. 136, entitled:

An Act to amend section four of the act, approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127), entitled "An act relating to adoption," permitting natural parents in certain cases to retain their rights as natural parents.

Which was committed to the Committee on Judiciary General.

Mr. McCREESH read in his place and presented to the Chair, Senate Bill No. 137, entitled:

An Act making an appropriation to the University of Pennsylvania Graduate Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair, Senate Bill No. 138, entitled:

An Act making an appropriation to the University of Pennsylvania Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WADE read in his place and presented to the Chair, Senate Bill No. 139, entitled:

An Act to further amend section one of the act, approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by increasing the salary of prothonotary in counties of the sixth class.

Which was committed to the Committee on County Government.

Mr. FARRELL read in his place and presented to the Chair, Senate Bill No. 140, entitled:

An Act to provide reimbursement for hospitals on account of expenses of the care of indigent persons injured in motor vehicle accidents; imposing powers and duties upon certain State departments; and making an appropriation from the Motor License Fund.

Which was committed to the Committee on State Government.

Mr. REED read in his place and presented to the Chair, Senate Bill No. 141, entitled:

An Act providing that a juvenile court adjudication against a juvenile shall not bar his appointment to a position with the Commonwealth or its political subdivisions.

Which was committed to the Committee on Judiciary General.

RESOLUTION PROPOSING SENATE INVESTIGATION OF STATE ATHLETIC COMMISSION

Mr. JASPAN. Mr. President, my colleague from Philadelphia, Mr. DiSILVESTRO and myself offer the following resolution:

The Resolution was twice read and considered:

In the Senate, February 4, 1941.

Whereas, The function of the State Athletic Commission is to supervise all paid exhibitions of athletics in the Commonwealth so that the citizens of Pennsylvania shall be fully protected and all the participants shall be free of corruption and physically able to participate in such exhibitions; and

Whereas, It is now publicly and privately charged that the said Athletic Commission, and particularly its chairman, Leon L. Rains, have failed to properly carry out such a function; and

Whereas, Among such charges it is alleged that open connivance with gamblers now exists; and

Whereas, It is also alleged that fighters physically unfit for athletic contests have been ordered to participate in contests over the protest of the State Athletic Commission's own physicians; and

Whereas, It is also alleged the sole reason fighters physically ill were ordered to participate was for the profit of the promoters, and in some instances the profit of professional gamblers; and

Whereas, It is further alleged the present contest between Gus Dorazio and Joe Louis, champion of the world, now approved by the State Athletic Commission is a flagrant violation of the duty of the State Athletic Commission by its chairman, Leon L. Rains, to the public of Pennsylvania because of the unequal ability of the participants and the probable severe physical injury of Gus Dorazio; be it further

Resolved, That the President Pro Tempore of the Senate appoint a proper committee of the Senate to investigate into the truth or falsity of such charges and report speedily to the Senate with appropriate recommendations.

Mr. JASPAN. Mr. President, I would like to make a few remarks concerning this resolution, sponsored by my colleague, Senator DiSilvestro, and myself.

Mr. JASPAN. Mr. President, sports, if I remember my history correctly, originated in the days of the ancient Greeks. Needless to say, sporting events and athletic feats were performed at the Acropolis and on Mt. Olympia. In fact, our modern Olympic races had their beginning with the ancient Greeks. The Romans who followed participated, among other sports, in chariot races and the battle of the gladiators with the lions.

Primarily, Mr. President, sports then had for their purpose a sound body. They were participated in by many, and while they were hard fought no blows were struck below the belt. There was fair play both as to the contestants and the audience.

Today, Mr. President, we are engaging in some of the sports then played. some as amateurs and others as professionals. I dare say, Mr. President, that every Senator has participated in some sport, and having been so engaged, played in a clean manner. Notwithstanding that a dangerous condition exists today in the realm of sports. I refer specifically to boxing and wrestling.

You all know that today boxing and wrestling have joined the ranks of big money business. Recognizing this fact, the Commonwealth, in keeping with similar activities in other states, has created a Boxing Commission to regulate the business. The Commissioner for the Philadelphia area is Commissioner Rains. He is not only Chairman of the Commission, but by virtue of Philadelphia's prominence in the fighting and wrestling world, he has the most important job on the Commission. All the fans in this area who pour hundreds of thousands of dollars into supporting this business look to Commissioner Rains for protection against fraudulent practices and for promotion of the highest type of sportsmanship in the business. The paying fan does not want to be fooled when he lays down a good price for a ticket any more than the housewife wants to be tricked in the quality or weight of the meat she buys. He doesn't want "fixed" bouts run for the benefit of the gamblers or gambling interests.

It is the duty of the Boxing Commissioner to see that all bouts are on the level; that the fighters or wrestlers are in the best of physical condition at the time of the bout; that gamblers, like money changers in the Temple, are driven far from the arena of combat; that the decisions of the officials be fair and beyond needless criticism; and that the public gets its money's worth out of every show. In short, the Commissioner, like Caesar's wife, should be above reproach.

I can mention a number of incidents lately that convince me, as I should convince you, that the best interests of the public are not being looked after by Commissioner Rains and he should not be reappointed to the Commission. In telling you these incidents, I want you to remember, first of all, that I am no stranger to sports. I have, like most other American men, been interested in sports the

better part of my life. I feel safe in saying that you will find me at the ringside as often as any average fan and more often than some. Secondly, in telling you these things, I have no desire to harm anyone whose connection with the matter is purely coincidental, and for this reason I will not mention the names of any fighter or wrestler, except in one instance. My quarrel is with Commissioner Rains, who is seeking reappointment.

Sometime ago, I learned that a certain fight was not on the level. I attended that fight and heard Commissioner Rains roundly condemn the promoter and referee. I commended him for his zeal and public interest.

A minute or so later the referee was fired by Mr. Rains for participating in this fake fight. Newspaper men approached me and asked what I thought of the fight. I agreed with the commissioner and said I thought it was a fake fight.

But, Mr. President, next morning the newspaper account had it that it was a fair fight and Rains said so. I had three men with me at the time he said it was a fake fight, and yet the next morning he made a statement to the press it was not a fake fight; it was on the level.

That is one incident, Mr. President.

On another occasion I witnessed a fight when he let a fighter, a young man about nineteen years of age, enter the ring with a broken arm. The gamblers realized that; they made him a top-heavy favorite, but they took the short end, making hundreds of dollars. He knew about that and was advised by the doctor but nevertheless he let the fight go on.

On another occasion he let a young man fight with a severe cold who was running a temperature, or rather a fever, and he knew that his manager had doped him up in order to fight. He did not want to disappoint the fans.

On another occasion he let a fighter enter the ring suffering from a disease that would bar him from society and a certain doctor who notified Commissioner Rains of this fact that night was told to shut up or else—meaning he would not get work in the future; since then he has gotten very little work.

Commissioner Rains recently sanctioned a bout between Champion Joe Louis and Gus Dorazio for February 17th of this year. I don't have to tell you that that is no match and the only value it has is to serve the gambling interests. It would be nearer the truth if we called it a slaughter that should never be allowed under any circumstances.

I charge here that the gambling interests more or less control boxing in the City of Philadelphia, with the knowledge of Commissioner Rains. The gamblers are advised as to the condition of the fighters before they enter the ring and bet accordingly. They are well acquainted with the Commissioner, the judges and the referee. Commissioner Rains has absolutely no control over the wrestling force that permits Jim Londos and his cronies to run the whole business with an iron hand.

No man can serve two masters at the same time. Commissioner Rains is no exception. He has placed his personal interests above that of the Commonwealth and in this conflict of interests, the Commonwealth must necessarily suffer. There are men in this Commonwealth who can fill that job as it ought to be filled. Common sense and common decency demand that he be set aside and a man measuring up to proper standards be selected. The good name of the sport ought to be preserved.

In the meanwhile, I deem it necessary that, in view of the fact appointments are made by and with the consent of the Senate, an investigation be made of the Boxing Commission, particularly of its Chairman who, as I stated above, has conducted himself in a manner prejudical to the best interests of the public.

Again, I repeat, he is not suited by temperament for the job. The sporting fans are entitled to a square deal, but under Leon Rains, the Boxing Commissioner, they have not gotten it, and I dare say will not get it if he continues as Boxing Commissioner. He has not been fair and honest with the public. I am ready to prove these charges. To me this is not a political matter, and further, there is nothing personal in it. I have no personal score to settle with Leon Rains. I take it that when a man is appointed to an office by the Governor, by and with the consent and advice of the Senate, he should perform his duties conscientiously and capably. It is difficult for me to say but some of his acts, as stated above, border on crime.

Again, I repeat, the public is not being protected. He is lending aid and comfort to the gamblers who are more or less controlling the boxing game today. As to the wrestling game, the less said the better. In my mind, Mr. Rains has no defense. However, we do not convict, at least until after the accused has been given an opportunity to be heard. Let us give him this opportunity.

The PRESIDENT. The resolution is referred to the Committee on Judiciary General.

REPORT FROM EXECUTIVE NOMINATIONS COMMITTEE

Mr. CHAPMAN from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

APPOINTMENT AS ALDERMAN IN THE CITY OF ERIE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1941.

Thomas M. McCarty, 404 Lighthouse Street, Erie, Erie County, for appointment as Alderman in and for the First Ward of the City of Erie, Erie County, until the first Monday in January, 1942, vice James Lonergan, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS SECRETARY OF MINES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 4, 1941.

Richard Maize, Uniontown, Pennsylvania, who was nominated by the Governor for appointment as Secretary of Mines, from December 3, 1940, until the third Tuesday in January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. EDMONDS and Mr. MILLER,

That Rule 38, which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. EDMONDS and Mr. MILLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisinos of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Edmonds,	McCreesh,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EDMONDS. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. MILLER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Luzerne will state his question of personal privilege.

Mr. MILLER. Mr. President, my attention has been directed to a news article appearing in the Philadelphia Evening Bulletin under date of January 25th, which I desire to read into the record and to make a few brief remarks. I quote:

"RUSSELL ASSAILS PREFERENCE ACT

"Hits Veterans' Law and Experience Ratings in Civil Service

"The Veterans' Preference Act and the tendency to emphasize experience ratings in Civil Service were assailed today by Howard L. Russell, State Secretary of Public Assistance.

"He spoke at a luncheon conference held jointly by the Pennsylvania Political Science and Public Administration Association and the American Society for Public Administration, in the Sylvania Hotel.

"Citing a case in the Public Assistance Department, Russell said an employe of five years' experience who attained an average of 91 in a Civil Service test for a higher position lost it to a war veteran whose average was only 72, including the ten points credit allowed for military service.

"But where will you find a group of people or a member of the Legislature who will stick their necks out by sponsoring a bill to repeal the vicious Veterans' Preference law?" demanded Russell. "They would be accused of running counter to public opinion."

"If the present Legislature enacts a general Civil Service Law as advocated in Governor James' message, Russell expressed the hope it would not contain provisions emphasizing experience ratings.

"Chairman T. Henry Walnut, of the Philadelphia Civil Service Commission, discussed promotions as a factor in building a career service, saying that the Veterans' Preference Act had caused 'considerable difficulty' in grading papers in examinations for police detectives.

"About 60 of the patrolmen who took this examination held honorable discharges from the Army, Navy and Marine Corps," said Walnut, "and although Public Safety Director Malone had given experience ratings to a number of other men whom he desired to make detectives, the final result was that the 60 war veterans were at the top of the eligible list by reason of the 10 point credits to which they were entitled."

Mr. President, as a war veteran, I personally resent this publication, and acting in an official capacity as legislative chairman of the Department of Pennsylvania, American Legion, I believe I voice that organization's sentiments in saying that they likewise resent this statement.

Mr. President, it is very apparent to me that some deserving war veteran has stepped on the toes, so to speak, of some professional social worker, and I would like to say that the veterans of Pennsylvania have labored hard and long in the legislative halls of Pennsylvania in order to acquire this meager preferential in civil service examinations, and I believe it is the consensus of opinion of this honorable body that the Veterans Preference Act as it appears on the statute books today should not be disturbed. I would like to advise the gentleman, Mr. Russell, the Executive Director of the Department of Public Assistance, that if it is his desire, from his administrative standpoint, to attempt to make a change in this veterans preference, that the veterans as a whole in the State of Pennsylvania, as well as many civic bodies, will protest that procedure.

Mr. President, I also believe that the legislators of this great Commonwealth feel that the individual, the veteran who served his country in time of need, is entitled to this small preference, and I hope that if any legislation is presented along the line of civil service, it will include every department under the operation of the Commonwealth.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a point of personal privilege.

The PRESIDENT. The Senator from Fayette will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, this is my second term as a member of this body. I do not know how my conduct has been regarded by the other members of this Senate, but I have—and I say this sincerely—tried my best whenever another member of this Senate was on the floor speaking, to show the utmost courtesy by keeping quiet and not making any noise or doing anything that would distract attention from the talk or speech that my colleague was making, and I will continue to carry that conduct on.

Mr. President, I think that a member of this Senate, when he is given the floor to speak on personal privilege or on any other matter, deserves the undivided attention of every other member of this Senate; at least he is entitled to that courtesy.

I have noticed, Mr. President, much to my chagrin and annoyance at times, that the very members of this Senate who should show that courtesy to the member speaking, did not show that courtesy but walked about the floor, engaged in conversations and distracted the attention of the other members who might be interested in what the speaking member was saying.

Mr. President, I sincerely believe that the decorum of

this Senate should at least require that the members of the Senate themselves should preserve some degree of quietness when another member is speaking, and if the members themselves do not preserve decorum, do not preserve quietness, so that we may hear what the member has to say, what right have we to expect silence from the spectators who are here, who are not members of this body.

I say, Mr. President, that my words should apply to everybody who is here in attendance upon this session, and I do not exclude the members of the press. I think that when a member of this Senate is speaking they ought not to be slamming telephone receivers around, handling papers and making noises, so that we can not hear and keep our attention on what is being said.

Mr. President, the page boys and the other members of the Senate staff should not be rushing up and down the aisles, making noises and distracting attention when we are seriously trying to listen to what our colleague is saying. As the gentleman was speaking on his question of personal privilege a little while ago, Mr. President, to say the least I was disturbed by members of my own party affiliation here back of me, without any necessity whatsoever, engaging in conversation and making noise unnecessarily, distracting our attention and keeping us from distinctly hearing what our colleague to the right was saying on his question of personal privilege.

Mr. President, it is not my intention to censure my colleagues or anyone else, but I say sincerely that this body is entitled to the respect, and each member of this body is entitled to the respect, to the right to hear and listen to what is being said without this ado and without this unnecessary conversation. The alarming part of this matter, Mr. President, is that members of this Senate who have been here several sessions have not yet acquired the dignity to know that when another member is on the floor on a question of personal privilege, he is entitled to our undivided attention.

Of course, Mr. President, I know the status here. I can speak for myself, and the others who are now listening to me can say they will do as they darn please, but I say that if they have any respect or any regard for the dignity of the Senate, the right of a member to speak and be heard without interference should also be respected.

Mr. President, I do not intend my talk here to be a lecture to anybody, but I do appeal to my colleagues, to all of them, that when a member of this Senate is on the floor speaking he is entitled to our courtesy and our attention, and we ought not to be making noise and engaging in conversation, running about the floor of the Senate one way or another, distracting him. If we do that I say then, Mr. President, we have no right to expect the members of the press, or the members of the public who are here, to show any greater courtesy than we ourselves are willing to show to a member of this Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, will state his question of personal privilege.

Mr. WALKER. Mr. President, I rise for a two-fold purpose, first as one of those who contributed to the discourteous acts mentioned by the gentleman from Fayette. I think, Mr. President, his point is well taken, and I offer my very humble apologies to the gentleman from Fayette in particular and to the Senate in general. Of course, Mr. President, this is my first term and I do not expect the sun to stand still in the heavens when I rise to address this august body.

Mr. President, now that I have sincerely apologized to the gentleman from Fayette, I desire to interrogate the gentleman from Philadelphia, Senator Jaspan.

The PRESIDENT. Will the Senator from Philadelphia permit himself to be interrogated?

Mr. JASPAN. I will, Mr. President.

Mr. WALKER. Mr. President, it is rather unusual to discuss a resolution that has already been referred to committee. Fortunately, the resolution referred to by the gentleman from Philadelphia, Senator Jaspan, has been referred to the Committee on Judiciary General, and his discourse in presenting his resolution was directed particularly against one Leon L. Rains, who was referred to as the Chairman of the Boxing Commission or the State Athletic Commission.

Mr. President, out in the great state of Allegheny, we have a member of the Boxing Commission of whom we are justly proud and inadvertently, or perhaps it was done intentionally, the resolution refers to the Athletic Commission as a whole.

I desire, Mr. President, to ask the gentleman from Philadelphia, Mr. Jaspan, if his remarks with regard to fraud, corruption, gambling and connivance referred to the Athletic Commission as a whole, or if it was directed toward Leon L. Rains, the Chairman.

Mr. JASPAN. Mr. President, this proposed investigation is directed solely at Leon L. Rains. I know little or nothing as to the other commissioners, excepting what I hear and read, but I understand their conduct in connection with the Boxing Commission has been exemplary.

Mr. President, if the Senator from Allegheny desires to amend the resolution to read that it applies only to Leon L. Rains, that meets with my satisfaction.

Mr. WALKER. Mr. President, I have nothing to do with the resolution. It is entirely in the hands of the committee, but inasmuch as the news stories will hit the wires long before committee action would, I merely want to clarify the situation with regard to the other members of the Commission, because if the remarks of the gentleman from Philadelphia were directed solely towards Mr. Rains, I think that should be known by the public in general, rather than have the entire Commission impugned with the statements made by the gentleman from Philadelphia.

BILLS INTRODUCED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN read in place and presented to the Chair Senate Bill No. 142, entitled:

An Act to further amend section six hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and

limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the operation of tractors and trailers on the highway.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 143, entitled:

An Act to amend section seven hundred and twenty-two (e) of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibusses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the Courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by deleting exemption of fees on Federal and State Emergency Relief Projects.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 144, entitled:

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

Which was committed to the Committee on Appropriations.

He also read in place and presented to the Chair Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

Which was committed to the Committee on Forests and Waters, Game and Fish.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 4, entitled:

An Act to amend and reenact section five hundred and twenty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 38, entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. EDMONDS. Mr. President, referring to Senate Bill No. 38, which has just passed second reading, it was agreed

in committee last night that after it passed second reading it might be re-referred to the commtitee for a hearing, if one is desired.

Mr. President, I communicated with the Department of Revenue and they will be very glad to be heard on the bill.

BILL RECOMMITTED

Mr. EDMONDS. Mr. President. I move that Senate Bill No. 38 be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. MALLERY. Mr. President, I second the motion.

It was so ordered.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof; including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth; the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EDMONDS. Mr. President. I make the same motion with reference to Senate Bill No. 39, that it be recommitted to the Committee on Judiciary General.

Mr. MALLERY. I second the motion, Mr. President.

It was so ordered.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 41, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims, against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or an agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EDMONDS. Mr. President, I move that Senate Bill No. 41 be recommitted to the Committee on Judiciary General for a hearing.

Mr. MALLERY. I second the motion, Mr. President.

It was so ordered.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 79, entitled:

An Act to amend subsection (a) of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and pro-

cedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CAVALCANTE. Mr. President, Senate Bill No. 79 is another bill from the Committee on Judiciary General, which we agreed to send back to the Committee for the purpose of study or for a probable hearing.

I therefore move, Mr. President, that Senate Bill No. 79 be recommitted to the Committee on Judiciary General for that purpose.

Mr. DENT. I second the motion, Mr. President.

It was so ordered.

POINT OF INFORMATION

Mr. CAVALCANTE. Mr. President, I rise on a point of information.

The PRESIDENT. The Senator from Fayette will state his point of information.

Mr. CAVALCANTE. Mr. President, has Senate Bill No. 79 been read for the second time?

The PRESIDENT. It has.

BILLS INTRODUCED

Mr. McCREESH. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH read in place and presented to the Chair Senate Bill No. 146, entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in place and presented to the Chair Senate Bill No. 147, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases, University of Pennsylvania, Philadelphia, Pa.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. LETZLER. Mr. President, I move that the Senate do now adjourn until Monday, February 10, 1941, at 4:00 o'clock p. m.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:03 o'clock p. m. until Monday, February 10, 1941, at 4:00 o'clock p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 4, 1941.

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

We pause, Our Father, amid the changing scenes of life, to ask thy blessing upon us. Heal hearts that are grieved because of the loss of loved ones. Grant strength to those who are ill. Above all, O God, keep us as a State and as a Nation free from all that which tends to destroy the body and soul of mankind.

We ask these blessings and favors in thy precious name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. HAINES the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 161.

An Act to amend the title, and to further amend the first paragraph and clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with, and to accept and dispurse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," changing the definition of aged persons, and fixing the amount of pension to be given to aged persons.

Referred to the Committee on Welfare.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 162.

An Act to amend section nine of the act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the county court of Allegheny County," as amended, allowing assigned judges only actual traveling expenses and all hotel expenses and meals within certain limitations.

Referred to the Committee on Judiciary General.

By Mr. HIRSCH. HOUSE BILL No. 163.

An Act to amend section seven hundred seven of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by further regulating the election of councilmen.

Referred to the Committee on Cities—Third Class.

By Mr. HIRSCH. HOUSE BILL No. 164.

An Act to further amend section eight hundred seven of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the election of councilmen.

Referred to the Committee on Boroughs.

By Mr. HIRSCH. HOUSE BILL No. 165.

An Act to further amend subsection six and to repeal subsection seven of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class.

Referred to the Committee on Education.

By Mr. HIRSCH. HOUSE BILL No. 166.

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the persons and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing that no person applying for or receiving assistance shall be required to sign any reimbursement agreement establishing a lien upon his real or personal property.

Referred to the Committee on Welfare.

By Mr. HIRSCH. HOUSE BILL No. 167.

An Act to amend sections two hundred and three and two hundred and four, and to further amend section two hundred and five of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the election of school directors in school districts of the second, third and fourth classes.

Referred to the Committee on Education.

By Mr. TURNER. HOUSE BILL No. 168.

An Act to further amend section one of the act, approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts checks, and other negotiable paper on such days," by authorizing certain additional bank holidays.

Referred to the Committee on Banking.

By Mr. TURNER. HOUSE BILL No. 169.

An Act authorizing cities, boroughs, towns, townships and school districts to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; providing for the reinstatement of the liens of such claims and judgments; validating amicable writs of scire facias, suggestions of non-payment and averments of default, and certain judgments heretofore filed or entered on municipal claims when not filed or entered within the time specified by law, and reviving the lien of such claims.

Referred to the Committee on Judiciary Special.

By Mr. POWERS. HOUSE BILL No. 170.

An Act to amend section three hundred two, and subsection two of section three hundred fifteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing additional means of identification in applying for a license; prohibiting certain acts; and providing penalties.

Referred to the Committee on Game.

By Mr. POWERS. HOUSE BILL No. 171.

An Act to provide for instruction of a non-sectarian religious nature in the public schools of this Commonwealth.

Referred to the Committee on Education.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 172.

An Act providing that estates in buildings, ground, books, curios, pictures, statuary, tapestries, jewelry, furniture, and objects made of metal and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exhibition within the United States of America, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due.

Referred to the Committee on Judiciary Special.

By Messrs. SCHWAB and MALLOY.
HOUSE BILL No. 173.

An Act to amend the title, the first paragraph of section nine, and to add clause (f) to section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by establishing pensions to be paid to widowed mothers having dependent children.

Referred to the Committee on Welfare.

By Messrs. SCHWAB and MALLOY.
HOUSE BILL No. 174.

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045) entitled "An act

relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from demanding or accepting a bond or judgment note from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred.

Referred to the Committee on Welfare.

By Messrs. SCHWAB and MALLOY.

HOUSE BILL No. 175.

An Act to repeal clause (k) of section four and to further amend clause (a) of section seven of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating employment and dismissal of employes and changing powers of county boards relative to the employment and dismissal of employes; and providing for appeals to the courts of common pleas by county board employes in certain cases.

Referred to the Committee on Welfare.

By Messrs. SCHWAB and MALLOY.

HOUSE BILL No. 176.

An Act to amend section two, and clause (b) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Funds, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended; eliminating from said act the provisions requiring milk to be furnished as a necessary part of assistance.

Referred to the Committee on Welfare.

By Messrs. SCHWAB and MALLOY.

HOUSE BILL No. 177.

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by exempting relatives of widowed mothers having dependent children from provisions of the act.

Referred to the Committee on Welfare.

By Mr. COOK. HOUSE BILL No. 178.

An Act to further amend clause (a) of section eight hundred twenty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the dates of official inspections for commercial motor vehicles, trailers and semi-trailers.

Referred to the Committee on Motor Vehicles.

By Mr. LEYDIC. HOUSE BILL No. 179.

An Act validating the titles to real estate purchased at judicial sales for the unpaid taxes or municipal assessments, where there is a defect in the names of the parties in certain cases; and providing certain exceptions.

Referred to the Committee on Judiciary Special.

By Mr. TAYLOR. HOUSE BILL No. 180.

An Act providing that every county, city, borough, town and township, may, upon application, furnish meeting rooms for war veterans and sons of veterans' organizations,

Referred to the Committee on Military Affairs.

By Mr. CORDIER. HOUSE BILL No. 181.

An Act authorizing orphans' courts of the various counties to supply and file in the birth records of the county, a record of birth of persons born there in prior to January first, one thousand nine hundred and six.

Referred to the Committee on State Government.

By Messrs. MATTHEW J. WELSH and TAYLOR.

HOUSE BILL No. 182.

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 106), entitled "An act prohibiting the discharge from public positions of Union soldiers without reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union soldiers except for good reason," by extending the provisions thereof to veterans and nurses of any war in which the United States has engaged.

Referred to the Committee on Military Affairs.

By Mr. HAMILTON. HOUSE BILL No. 183.

An Act to amend section seven hundred two and to further amend section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

Referred to the Committee on Townships.

By Mr. O'CONNOR. HOUSE BILL No. 184.

An Act to amend section one thousand eight of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, prohibiting passing a school bus stopped to take on or discharge children by persons traveling in the same direction.

Referred to the Committee on Motor Vehicles.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 185.

An Act to further amend the first and second paragraphs of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing the board of school directors or the board of public education to insert in the contracts of female professional employes, a provision for the automatic termination thereof in the event of marriage.

Referred to the Committee on Education.

By Mr. WEINGARTNER. HOUSE BILL No. 186.

To further amend clause (a) of section nine hundred and two, and clause (i) of section nine hundred and three, of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," providing additional exception from limitations for width and weight of vehicles in certain cases.

Referred to the Committee on Motor Vehicles.

By Mr. D'ORTONA. HOUSE BILL No. 187.

Prohibiting district attorneys, assistant district attorneys, county detectives and all persons employed by the district attorney in counties of the first class, from engaging in political activity; and imposing penalties.

Referred to the Committee on Cities—First Class.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 188.

To amend section two thousand one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum compensation for patrolmen in such cities.

Referred to the Committee on Cities—Third Class.

By Messrs. READINGER and DALRYMPLE.
HOUSE BILL No. 189.

An Act to amend section 2002 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing that council shall designate the chief and other officers of the police force.

Referred to the Committee on Cities—Third Class.

By Messrs. BAKER and SARRAF.
HOUSE BILL No. 190.

An Act to amend section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged person, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by providing special assistance to mothers.

Referred to the Committee on Welfare.

By Messrs. LEVY and O'BRIEN. HOUSE BILL No. 191.

An Act providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign casualty insurance companies to the treasurers of cities of the first class, and for the payment thereof into their police pension funds.

Referred to the Committee on Cities—First Class.

By Messrs. READINGER and DALRYMPLE.
HOUSE BILL No. 192.

An Act to amend section 4408 of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto"; providing for appeals by policemen who are fined, suspended or discharged after hearing.

Referred to the Committee on Cities—Third Class.

By Messrs. BAKER and HEATHERINGTON.
HOUSE BILL No. 193.

To promote the general welfare by establishing a system for the payment of old age assistance to certain citizens, and providing for the administration of said act by the Department of Public Assistance, and local boards appointed by the department, and providing penalties.

Referred to the Committee on Welfare.

By Messrs. WILLIAMS and BURNS.
HOUSE BILL No. 194.

To amend section two of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by requiring fire bosses to report any dangerous conditions in bituminous mines to the mine inspector.

Referred to the Committee on Mines and Mining.

By Messrs. BAKER and WILLIAMS.
HOUSE BILL No. 195.

Making it a misdemeanor for any person or officer to present himself at any club duly licensed for the sale of malt and brewed beverages or liquor, and, falsely pretending to be a member of such club, to purchase or offer to purchase spirituous, vinous brewed or malt liquors.

Referred to the Committee on Liquor Control.

By Messrs. BAKER and HEATHERINGTON.
HOUSE BILL No. 196.

Relating to Bowling on Sunday; prohibiting Bowling on Sunday unless the electors of a municipality or townships are in favor of the same and requiring certain cases that a license has first been secured from the municipal authorities, providing for referendums to ascertain the will of the electors, and for the enactment and repeal of ordinances and resolutions in accordance herewith, providing penalties and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. O'CONNOR. HOUSE BILL No. 197.

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fourth class; and imposing certain charges on counties.

Referred to the Committee on Counties.

By Mr. KRISE. HOUSE BILL No. 198.

An Act to amend sections nineteen and twenty-three of the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," permitting registrations before notaries public and aldermen.

Referred to the Committee on Elections.

By Mr. HEATHERINGTON. HOUSE BILL No. 199.

An Act to amend the act, approved the sixteenth day of May, one thousand nine hundred forty (Act No. 4), entitled "An act transferring money from the Fire Insurance Tax Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money," by further defining moneys transferred to the General Fund.

Referred to the Committee on Ways and Means.

By Messrs. BAKER and HEATHERINGTON.
HOUSE BILL No. 200.

An Act relating to basket-ball on Sunday; prohibiting basket-ball on Sunday unless the electors of a municipality or townships are in favor of the same, and requiring certain cases that a license has first been secured from the municipal authorities, providing for referendums to ascertain the will of the electors, and for the enactment and repeal of ordinances and resolutions in accordance therewith, providing penalties, and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. HABBYSHAW. HOUSE BILL No. 201.

An Act to provide for the better protection of life and property; regulating the construction, installation and use of boilers; conferring powers and imposing duties on the Department of Labor and Industry; and providing penalties.

Referred to the Committee on State Government.

By Mr. MIHM. HOUSE BILL No. 202.

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

Referred to the Committee on Military Affairs.

By Mr. RUSH. HOUSE BILL No. 203.

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescibing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

Referred to the Committee on Public Utilities.

By Messrs. BRETHERICK and BAUSCH.
HOUSE BILL No. 204.

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and operation of vehicles, tractors, street cars, trackless trolley omnibusses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds.' extending the jurisdiction and powers of mayors, burgesses, magistrates, aldermen justices of the peace, and other officers having the power of committing magistrates in criminal proceedings, and of magistrates, aldermen and justices of the peace in civil proceedings under said act; fixing the fees to be charged in cases of summary conviction; and changing penalties and the circumstances under which operating privileges shall be revoked.

Referred to the Committee on Motor Vehicles.

By Messrs. AUKER and GEORGE E. JONES.
HOUSE BILL No. 205.

Prohibiting the books written by, or in part by, Harold Rugg to be used in the public schools, teacher's colleges or institutions supported in whole or in part by Commonwealth funds; and providing for the discontinuance of State funds where violations of this act are discovered.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 206.

An Act creating a joint legislative committee for the purpose of investigating subversive activities and communistic teachings and books in our public school system; authorizing the employment of necessary assistants, the subpoenaing of witnesses and records; and making an appropriation.

Referred to the Committee on Education.

By Mr. WINNER. HOUSE BILL No. 207.

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice.

Referred to the Committee on Ways and Means.

By Mr. MOUL. HOUSE BILL No. 208.

To further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports, changing the necessary favorable vote in referenda on the creation, addition of territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making appropriations.

Referred to the Committee on Agriculture.

By Mr. ACHTERMAN. HOUSE BILL No. 209.

Making an appropriation to the Department of Public Assistance, and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-one, and for the payment of assistance and expenses accrued or incurred prior to, and remaining

unpaid on, May thirty-first, one thousand nine hundred forty-two.

Referred to the Committee on Appropriations.

By Mr. CHUDOFF. HOUSE BILL No. 210.

An Act to further amend section six hundred and nineteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," extending the liability of counties and municipalities for negligence of their employes to the operation of vehicles drawn by animal power.

Referred to the Committee on Motor Vehicles.

By Messrs. CHUDOFF and ROSENFELD.
HOUSE BILL No. 211.

An Act to further amend section one of the act, approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," by authorizing certain additional bank holidays.

Referred to the Committee on Banking.

By Messrs. MORAN and GOODWIN.
HUSE BILL No. 213.

An Act making an appropriation to the Ladies of the Grand Army of the Republic, Home Department of Pennsylvania, at Hawkins Station, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. SARGE. HOUSE BILL No. 214.

An Act to amend section one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service, or any department, bureau, commission, or office thereof, or by any county, municipality, township or school district, shall not be deemed or held to have resigned or abandoned their offices or employment by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by extending the provisions of this act to officers and employes of institution districts and to include persons enlisting, enrolling or being drafted for military or naval training.

Referred to the Committee on Military Affairs.

By Mr. BENTLEY. HOUSE BILL No. 215.

An Act to further amend sections one and four of this act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes.

Referred to the Committee on Judiciary Special.

By Mr. SAMUEL ROSE. HOUSE BILL No. 216.

An Act to repeal paragraph D of section three hundred two of article three of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-1934), entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the removal of employes.

Referred to the Committee on Liquor Control.

By Mr. SAMUEL ROSE. HOUSE BILL No. 217.

An Act to repeal clause (k) of section four and to further amend clause (a) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, and aged persons, blind persons and others persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the employment and dismissal of employes.

Referred to the Committee on Welfare.

By Mr. SARRAF. HOUSE BILL No. 218.

An Act to further amend section three, and to amend section eight of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 224), entitled "An act preventing the manufacture, sale,

or transportation within the Commonwealth of adulterated or misbranded Paris greens, lead arsenates, lime-sulphur compounds, and other insecticides and fungicides, and regulating traffic therein; providing for inspection of such materials, and imposing penalties," by imposing additional duties on the Secretary of Agriculture, and further regulating the sale, manufacture and transportation of insecticides and fungicides.

Referred to the Committee on Public Health and Sanitation.

By Mr. KEENAN and Mr. SARRAF.

HOUSE BILL No. 219.

To amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, and providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county.

Referred to the Committee on Cities—Second Class.

By Mr. McCLESTER. HOUSE BILL No. 220.

To amend section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled, "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," requiring the Department of Highways to take over bridges and viaducts on State highways in cities of the third class.

Referred to the Committee on Highways.

By Mr. SOLLENBERGER. HOUSE BILL No. 221.

To amend sections 910, 976 and 1004 of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by excepting candidates for the office of school director from the prohibition against being a candidate of more than one political party for nomination for the same office.

Referred to the Committee on Education.

By Mr. RUSH. HOUSE BILL No. 222.

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled, "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abondonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act" by changing the definition of corporation to include municipal authorities engaged in rendering a public utility service, and regulating such municipal authorities.

Referred to the Committee on Public Utilities.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

HOUSE BILL No. 212. (SENATE BILL No. 33.)

An Act to amend section one of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2460) entitled "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties" changing the number of members and extending the power to employ assistance.

Referred to the Committee on State Government.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Rosenfeld for Mr. VOLDOW.

Mr. Edwin F. Thompson for Mr. ALMOND for the remainder of the week.

ANNOUNCEMENTS BY THE SPEAKER

The SPEAKER. After this one o'clock session, it is suggested that the House take recess until 4:30 this afternoon, to give an opportunity for committee meetings, then after the 4:30 session it is planned to adjourn for the week.

The membership is informed that beginning with next week there will be Wednesday sessions.

CONDOLENCE RESOLUTION

Mr. BAUGHER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

In the House of Representatives, February 4, 1941.

Whereas, The residents of Adams County have learned with profound sorrow of the death of one of its leading citizens, the Honorable Madison Alexander Garvin, who died Friday at the age of eight-three; and

Whereas, Mr. Garvin led an exemplary and industrious life, devoted to the advancement of his family and the community he called his home; and

Whereas, Since 1884 he was foremost in all progressive movements in Adams County, founding the county's first daily newspaper the "Progress," later changed to "The Gettysburg Times." Later in 1901-2 he served his fellow citizens and county as a member of the House of Representatives, there covering himself with distinction as a legislator; and

Whereas, He was a member of numerous fraternal organizations dedicated to the enrichment of the communal life of Adams County; and

Whereas, Those of us who knew him and those citizens who benefited by his activities in their behalf are profoundly affected by his passing; be it therefore

Resolved, That the House of Representatives takes this opportunity to pay their tribute to a departed former member of this illustrious body; and be it further

Resolved, That the Chief Clerk transmit a copy of this resolution to the widow of the deceased.

CONDOLENCE RESOLUTION

Mr. BURRIS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 4, 1941.

D. Murray Hetrick, prominent citizen of Juniata County passed away in his sleep on February 1, 1941.

His sudden passing came as a profound shock to all Members of the House of Representatives who knew him and respected him for his integrity and ability as a legislator.

Born in Mexico, Juniata County, he spent his entire life in his birthplace, devoting most of his time to the progressive development of all aspects of his communal life.

Teacher, banker, legislator, in all these capacities he brought a profound sense of humanity, understanding of his fellowmen, which enabled him to aid his fellow citizens in the solution of the every day problems of their existence.

As a leading member of faternal organizations and an outstanding one of his church, he was preeminent in promoting the spirit of tolerance, justice and love of God among his fellow citizens.

Resolved, That the members of the House of Representatives join with that vast number of his friends who mourn his loss and extend to the members of his family its most sincere sympathy; and be it further

Resolved, That a copy of this resolution be transmitted to the widow, brother and sister of the deceased by the Chief Clerk of this House.

RESOLUTION No. 2

Mr. CORDIER. Mr. Speaker, I desire to call up House Resolution No. 2, Printers No. 1.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 27, 1941.

Whereas, The Department of Public Assistance, by virtue of the general power given to it under the Public Assistance Law to make rules and regulations, requires applicants for assistance, before receiving the same, to give a bond to the Commonwealth conditioned for the repayment to the Commonwealth of all accounts received as public assistance; and

Whereas, The giving of such bond has become greatly unpopular, and has caused considerable confusion in the minds of persons whose circumstances make it necessary for them to avail themselves of the benefits of public assistance, whether the same results through a lack of understanding of the ultimate effect of such bonds or because of a feeling on the part of those who own property that they are being unjustly discriminated against; and

Whereas, There is some question as to whether these bonds have in measure justified themselves during past experience, or whether the practice is worth continuing; therefore be it

Resolved, That the Secretary of the Department of Public Assistance shall report to the House of Representatives the status of bonds given to the Commonwealth for the repayment to the Commonwealth of all amount received as public assistance and shall specifically inform the House of Representatives as to (a) the number of bonds on which judgment has been entered (b) the total cost of entry of such bonds (c) the total amount collected on such bonds (d) the total cost expended in order to effectuate such collections (e) the number of bonds and judgments necessary to be revived within the next year and (f) the cost necessary to revive such judgments and be it further

Resolved, That the Secretary of the Department of Public Assistance shall make report of the above information to the House of Representatives not later than March 1, 1941.

On the question,

Will the House adopt the resolution?

It was adopted.

COMMITTEE ROOM ASSIGNMENTS

The SPEAKER. Each of the Standing Committees has now been assigned to a room in which it is to meet regularly.

The members of the House will find complete information as to the room numbers and location of the various committee rooms in the House History for Monday, February 10th.

Will those members who have not received their identification cards please call at the Speaker's Office.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHEPARD asked and obtained permission to address the house.

Mr. SPEAKER, I wish to request the members of the Special Lincoln's Birthday celebration committee to meet at my desk immediately after recess. The members of the Committee are Messrs. O'Connor, Harkins, Rhea and Reagan.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Education, 2 p. m. in Room 326.

Forestry, 2 p. m. in Room 521.

Labor, immediately after recess in Room 324.

Liquor Control, immediately after recess in Room 326.

Mines and Mining, immediately after recess in Room 330.

Municipal Corporations, immediately after recess in Room 323.

Workmen's Compensation, immediately after recess in House Conference Room in rear of House.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 4:30 p. m. Are there objections? The Chair hears none and declares a recess until 4:30 p. m.

AFTER RECESS

The House reconvened at 4:30 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

BILLS REFERRED

By Mr. NORMAN WOOD. HOUSE BILL No. 223.

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is still standing the birthplace of Robert Fulton in Fulton Township, Lancaster County; or so much thereof as may be necessary, as a memorial; providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. BAKER and HEATHERINGTON. HOUSE BILL No. 224.

An Act imposing an annual license tax for the privilege of operating bingo or other similar games for profit; providing a procedure for the collection of such tax; imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue, and appropriating the proceeds of such tax to the Department of Welfare.

Referred to the Committee on Law and Order.

By Messrs. ACHTERMAN and WOODSIDE. HOUSE BILL No. 225.

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

Referred to the Committee on State Government.

By Mr. GOODWIN. HOUSE BILL No. 226.

An Act to reenact the act, approved the second day of July, one thoussand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto."

Referred to the Committee on Townships.

By Mr. REGAN. HOUSE BILL No. 227

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, engaging in the care, preparation and embalming of the bodies of deceased persons, creating a State Board of Embalmers, setting forth its powers and duties; and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. WINNER. HOUSE BILL No. 228.

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 349), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 229.

To further amend section four of the act, approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 230.

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes

upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on scrip bonds, certificates and evidence of indebtedness, assumed or on which interest is paid by corporations, for further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 231.

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 232.

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 233.

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled 'An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 234.

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 235.

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

Referred to the Committee on Ways and Means.

By Mr. HARKINS. HOUSE BILL No. 236.

An Act protecting the rights of students in colleges, universities and other educational institutions to credits represented to be obtainable at the time of commencing work therefor; imposing penalties; and providing for equitable relief.

Referred to the Committee on Education.

By Messrs. REGAN and REAGAN.
HOUSE BILL No. 237.

To further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers city departments of public welfare, the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians, and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," increasing the maximum cost of burial.

Referred to the Committee on Welfare.

By Messrs. REGAN and CORDIER.
HOUSE BILL No. 238.

Requiring cities of the second class A, having fire departments, to allow members of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

Referred to the Committee on Cities—Second Class.

By Messrs. HIRSCH and McGRATH.

HOUSE BILL No. 239.

Regulating and fixing minimum wages and salaries and minimum work hours for certain employes in the Department of Highways.

Referred to the Committee on State Government.

By Messrs. HIRSCH and O'NEILL.

HOUSE BILL No. 240.

To repeal the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on certain State and local officers and employes, and on charitable institutions, persons copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed."

Referred to the Committee on Welfare.

By Mr. REAGAN. HOUSE BILL No. 241.

An act regulating proof of the defense of alibi in criminal actions; and permitting the exclusion of evidence thereof in certain cases.

Referred to the Committee on Judiciary General.

By Mr. VOORHEES. HOUSE BILL No. 242.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McCLESTER. HOUSE BILL No. 243.

An Act to add section nine hundred seventy-eight and one-tenth to the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and elections contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," requiring persons nominated for office at a primary election who have not paid the filing fee required for the filing of nomination petitions for such office to pay such fee; and declaring vacancies in party nominations for failure to pay the same.

Referred to the Committee on Elections.

By Mr. ELY. HOUSE BILL No. 244.

To further amend section sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," authorizing counties during period of redemption to collect rents, issues and profits of lands purchased by it, and to apply the same on accumulated taxes.

Referred to the Committee on Judiciary Special.

By Mr. REAGAN, (By request). HOUSE BILL No. 245.

To further amend section fourteen, to repeal section eighteen and to amend section nineteen of the act, approved the second day of June, one thousand nine hundred and thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and negelected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," requiring all criminal charges, other than murder, against a child under eighteen years of age to be heard in juvenile courts; and further defining the status of children against whom an order has been made by a juvenile court.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DOLON, (Concurrent) RESOLUTION No. 11.

In the House of Representatives, February 3, 1941.

Whereas, There are now invested in trust funds in the Commonwealth of Pennsylvania many millions of dollars held by banks and trust companies and by trust companies as trustees, and

Whereas, The protection and conservation of these trust funds is a matter of grave importance to the public in general and to the beneficiaries of such trust funds, particularly to many widows, orphans and others dependent for their support upon the income derived from such funds and

Whereas, In many cases trust funds held by banks and trust companies and trust companies have been reduced or dissipated through unwise investments or through the unnecessary substitution of investments, and

Whereas, Certain bank and trust companies and certain trust companies have transferred trust investments from time to time, merely for the purpose of receiving a commission on such transactions and in complete disregard of the primary rights of beneficiaries of such trust, and

Whereas, The fees and commissions charged by and allowed to banks and trust companies and trust companies for their services as fiduciaries are often exorbitant and entirely out of keeping with the services actually performed, and

Whereas, Various other abuses now exist incident to the investment and supervision of trust funds on the part of banks and trust companies and trust companies, now therefore be it

Resolved (if the Senate concur), That a committee of six members shall be appointed, three by the Speaker of the House of Representatives and three by the President Pro Tempore of the Senate, for the purpose of making an investigation of all phases of the investment and supervision of trust funds held by banks and trust companies and trust companies as fiduciaries. This committee shall report as speedily as possible the result of its investigation to the General Assembly now in session to the end that regulatory legislation or such other corrective measures as may be found advisable can be provided.

Referred to the Committee on Rules.

By Mr. DOLON, (Concurrent) RESOLUTION No. 12.

In the House of Representatives, February 3, 1941.

Whereas, There have now been developed within the United States of America and within the Commonwealth

of Pennsylvania numerous and powerful chain store systems, retail syndicates and other combinations covering a wide variety of business, and

Whereas, These chains, syndicates and combinations by virtue of their ability to buy in large quantities, their reductions and operating costs, great resources of working capital, advantages in advertising and other attributes of combinations are able to compete in retail markets with prices and services which independent merchants and business men cannot meet and still earn a fair return on their investment, and

Whereas, The establishment in the cities and towns of this Commonwealth of retail outlets by these chains, combinations and syndicates has invariably resulted in the elimination or discouragement of local enterprise, and

Whereas, The gradual disappearance of independent retail merchants and small business men will leave the chains, combinations and syndicates free to exercise complete domination over prices paid to producers and prices paid by consumers, and

Whereas, The existence of any such monopolistic control of prices would be contrary to the established public policy of this country and of this Commonwealth, and would permit and foster the existence of conditions harmful to the general public, now therefore be it

Resolved (if the Senate concur), That a committee of six members shall be appointed, three by the Speaker of the House of Representatives and three by the President Pro Tempore of the Senate for the purpose of investigating the operations of chain systems, retail syndicates and other combinations active within the Commonwealth of Pennsylvania, to the end that adequate and equitable means may be devised to place independent retail merchants on a more nearly equal footing with such combinations and to safeguard the general public against the growing tendency toward price control in the retail markets. The said committee shall make a report of the result of this investigation to the General Assembly now in session as speedily as possible, in order that appropriate legislation may be enacted if such be found necessary.

Referred to the Committee on Rules.

By Mr. DOLON, RESOLUTION No. 13.

In the House of Representatives, February 3, 1941.

Whereas, It is believed that the health and general physical condition of the people of Pennsylvania and of Carbon County is a paramount importance and interest; and

Whereas, It is further believed that there has been and there is at this time too little attention paid to the problems of public health from a practical standpoint with the result that many of our people are far below the standard of health required to build a strong nation; and

Whereas, As a result, thousands of children, young men and women, and others, are in poor physical condition, their parents being unable to pay for proper medical attention and treatment; such parents by reason of economic conditions being only slightly able or altogether unable to support themselves and are in a constant state of fear and worry, watching their children grow into manhood and womanhood with physical defects which could be remedied with proper treatment and care, and which in itself causes the parents to become afflicted with nervous disorders and like ailments resulting generally in an unhealthy people, a condition which is prevalent today; and

Whereas, In many instances it is necessary for an individual requiring medical attention to resort to the assistance of politicians in order to secure such attention at our state institutions; and

Whereas, It is unbelievable that this condition is possible in the richest country in the world and particularly in one of the wealthiest commonwealths in that country, therefore be it

Resolved, That this public health problem receive primary consideration by our legislature before all other problems, and that methods and means be adopted to elevate our public health system closer to the standard required to keep our citizens, and particularly our children, in good physical condition; and be it further

Resolved, That our state hospitals be required to render complete medical attention to all persons requiring such attention free of charge and that such hospitals be augmented and equipped to give every treatment known to modern medical science; that those requiring such treatment, without regard to the nature thereof, shall be entitled to the services of specialists of every kind without being compelled to humble themselves by requesting such help from politicians; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of this House to the Secretaries of Health and Welfare of this Commonwealth.

Referred to the Committee on Public Health and Sanitation.

By Mr. ROSENFELD, RESOLUTION No. 14.

In the House of Representatives, February 4, 1941.

Whereas, The mayor and city council of the city of Philadelphia have deliberately refused to cooperate with the United States Housing Authority to facilitate construction of low-rent housing projects, and

Whereas, Such refusal has been extremely detrimental to business, labor, and the welfare of many citizens of the City of Philadelphia; and

Whereas, Such refusal has been extremely detrimental to the national defense because of the great influx of workers in defense industries located in the City of Philadelphia, particularly in the section south of Market Street; therefore be it

Resolved, That the Speaker of the House appoint a committee of three members of the House of Representatives to be selected from those appointed to th Committee on Welfare to make a thorough and impartial study of the housing situation in the City of Philadelphia, particularly as it affects workers in defense industries; and be it further

Resolved, That the said legislative committee shall hold public hearings in the City of Philadelphia, so that the citizens of Philadelphia may be enlightened on all matters pertaining to the said housing situation; and be it further

Resolved, That said committee shall make a report of its findings and recommendations to the General Assembly as speedily as possible.

Referred to the Committee on Rules.

PETITION

The SPEAKER laid before the House the following petition:

LIQUOR LICENSES

Voters of Allegheny County advocating legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

ANNOUNCEMENTS BY SPEAKER

Members are advised that Rule 17 of the House prohibits more than two sponsors to bills or resolutions introduced in this House. Where there are more than two sponsors, the names will be stricken from the bill.

The Members are requested insofar as possible not to send Page boys on errands other than to the Bill Room during the Session of the House. They are needed to carry papers from the floor to the desk. The Chair will appreciate the cooperation of the Members in this respect.

ADJOURNMENT

Mr. MODELL. Mr. Speaker, I move that this House do now adjourn until Monday, February 10, 1941, at 9 p. m.

The motion was agreed to, and (at 4:38 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, FEBRUARY 10, 1941. No. 7.

SENATE

MONDAY, February 10, 1941.

The Senate met at 4:00 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

In the absence of the chaplain, Rev. JACOB W. CARR, offered the following prayer:

Mr. CARR. Our Heavenly Father, we bow before Thy throne of grace, and in the name of Jesus Christ, our Lord and Saviour, do thank Thee that Thou hast given Him unto us, and that in obedience to His promise Thou hast sent Thy spirit into this world to dwell in the hearts of men. We would ask this day, our Heavenly Father, that that spirit might rest upon and abide with each one of us, that all that is said and done in this place may be to the honor and glory of Thy Great Name.

We thank Thee, our Father, that we have been permitted to live in a land where we have freedom of conscience, where each of us can worship Thee in accordance with Thy guidance, where no man can say unto us, 'Thy Worship shall be thus and so." May this spirit, our Heavenly Father, abide in each one of our hearts and lead us and guide us in all things, that we may in our lives glorify Thee our God.

Bless our nation, our Heavenly Father, and those who preside over it, and may they do in accordance with Thy will, and may we continue to prosper under Thy hand and under Thy guidance. We ask it in Thy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. WADE asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD, on account of illness.

TIME OF NEXT MEETING

Mr. KEPHART offered the following resolution which was twice read, considered, and agreed to:

In the Senate, February 10, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 17, 1941, at 4:00 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 17, 1941, at 9:00 o'clock p. m.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

REQUESTING INFORMATION FROM THE SECRETARY OF THE DEPARTMENT OF PUBLIC ASSISTANCE

Mr. REED offered the following resolution which was twice read, considered, and agreed to:

In the Senate, February 10, 1941.

Whereas, Economy is generally recognized as one of the bulwarks of good government; and

Whereas, Relief has become a canker on the body politic, and if possible, should be removed or reduced; and

Whereas, The expense necessary to its operation is extremely burdensome, and for the public welfare drastic measures should be employed for its reasonable curtailment; and

Whereas, With this object in view, it is desirous that certain information be furnished the Senate by the Secretary of Public Assistance;

Therefore, be it resolved, That the Secretary of Public Assistance of the Commonwealth of Pennsylvania furnish to the Senate of Pennsylvania at his earliest convenience, during the present Session, the following information:

(a) The number of employees of the said Department;

(b) The names, family addresses and salaries of all male employees, and, if available a statement as to whether they are married or single;

(c) The names, family addresses and salaries of all female employees, and, if available, a statement as to whether they are married or single, and, if married, the names and addresses of their respective husbands, and the nature of their employment and salary.

(d) The number of employees that have resigned or been furloughed or dismissed during the last year, with their names and salaries.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT OF MEMBERS OF STATE BRIDGE AND TUNNEL COMMISSION

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Bridge and Tunnel Commission:

Elmer D. Harshbarger, 1235 Washington Road, Pittsburgh, Allegheny County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice George Vang, whose term expired.

William H. Neely, Esq., 323 North Front Street, Harrisburg, Dauphin County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice Frederick A. Shaw, whose term expired.

W. R. Wolfinger, 1500 Boyer Boulevard, Curren Terrace, Norristown, Montgomery County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, to fill a vacancy.

ARTHUR H. JAMES.

APPOINTMENT OF MEMBER OF THE VALLEY FORGE PARK COMMISSION

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Norris D. Wright, 1734 DeKalb Street, Norristown, Montgomery County, for appointment as a member of the Valley Forge Park Commission, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice Mrs. Mary Gray Stetzer, resigned.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate, the following:

APPOINTMENT AS JUSTICE OF THE PEACE IN INDIANA COUNTY

Lisle H. Kunkle, 262 S. Main Street, Homer City, Indiana County, for appointment as Justice of the Peace in and for the Borough of Homer City, Indiana County, until the first Monday in January, 1942, vice W. L. Hutchinson, deceased.

APPOINTMENT AS JUSTICE OF THE PEACE IN MERCER COUNTY

J. Guy Carman, 190½ Main Street, Greenville, Mercer County, for appointment as Justice of the Peace in and for the Borough of Greenville, Mercer County, until the first Monday in January, 1942, vice E. L. Davis, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS JUSTICE OF THE PEACE IN HUNTINGDON COUNTY

J. Donald Appleby, 204 West Market Street, Mount Union, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Mount Union, Huntingdon County, until the first Monday in January, 1942, vice Robert C. Appleby, deceased.

APPOINTMENT AS JUSTICE OF THE PEACE IN LACKAWANNA COUNTY

Mrs. Helen J. Holford, 617 Keystone Avenue, Peckville, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Blakely, Lackawanna County, until the first Monday in January, 1942, vice O. A. Holford, deceased.

ARTHUR H. JAMES.

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public, which were read as follows:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

F. D. Evans, Pittsburgh, 2500 Koppers Building, March 1, 1941.

Anthony V. Mutschler, Mt. Oliver, March 1, 1941.

Herman J. Roth, Pittsburgh, 1407 Brighton Pl., North Side, March 1, 1941.

MONTGOMERY COUNTY

George Schereff, Ambler, March 1, 1941.

PHILADELPHIA COUNTY

J. F. Hollywood, Phila., 5414 Cedar Ave., March 1, 1941.

Mrs. Anna M. Ziegler, Phila., 5822 North Broad Street, March 1, 1941.

WASHINGTON COUNTY

Herbert S. Steed, Washington, March 1, 1941.

ALLEGHENY COUNTY

Leo J. Aaron, Pittsburgh, 3106 Grant Building, March 2, 1941.

A. H. Anger, Pittsburgh, 1505 Beechview Ave., March 2, 1941.

Daniel Beech, Pittsburgh, 2509 Library Road, March 2, 1941.

John M. Beedle, Elizabeth, March 2, 1941.

Miss Ruth E. Beyer, McKees Rocks, March 2, 1941.

Franklin Blackstone, Pittsburgh, Frank and Seder of Pittsburgh, Fifth Ave., March 2, 1941.

Martin Breyer, McKeesport, March 2, 1941.

W. A. Chrystal, Pittsburgh, 8 Market St., March 2, 1941.

Jos. J. Cunningham, Carnegie, March 2, 1941.

R. M. Daubenspeck, Pittsburgh, 12 North Diamond Street, West, March 2, 1941.

Harry M. Davies, Pittsburgh, 116 West Ohio Street, March 2, 1941.

Frank A. De Lallo, Pittsburgh, 2115 Penn Ave., March 2, 1941.

Miss Pearl V. Douglass, Pittsburgh, 210 East Park Way, North Side, March 2, 1941.

Miss Catherine Farbaugh, Pittsburgh, 3117-19 Penn Ave., March 2, 1941.

Miss Ethel I. Geltz, Pittsburgh, 730 Oliver Building, March 2, 1941.

John W. Girt, Brackenridge, March 2, 1941.

Leonard N. Goldberg, Pittsburgh, 5517 Penn Ave., March 2, 1941.

Edward S. Hacket, Pittsburgh, 1003 Union Trust Bldg., March 2, 1941.

John M. Harding, Pittsburgh, Hotel Schenley, Forbes St., March 2, 1941.

David T. Y. Hastings, Pittsburgh, 1608 Frick Building, March 2, 1941.

Harry Heeg, Pittsburgh, 406 East Ohio Street, North Side, March 2, 1941.

J. G. Heidish, Pittsburgh, 4722 Liberty Ave., March 2, 1941.

Eugene W. Herron, Pittsburgh, 1942 Forbes St., March 2, 1941.

Floyd C. Hughes, Sharpsburg, March 2, 1941.
Miss Mary L. Jones, Pittsburgh, 610 Berger Bldg., March 2, 1941.
H. C. Kifer, Pitcairn, March 2, 1941.
Bernard X. Klein, Pittsburgh, 5822 Forbes St., March 2, 1941.
C. Elwood Knapp, Pittsburgh, 6106 Penn Ave., March 2, 1941.
Valentine C. Kolski, Braddock, March 2, 1941.
Mrs. Sadie J. Lash, Pittsburgh, 120 Shiloh St., March 2, 1941.
A. D. Letchworth, Bethel Twp., Library, March 2, 1941.
Elmer E. McCormick, Pittsburgh, 435 Sixth Ave., March 1941.
F. E. McGillick, Jr., Pittsburgh, 5931 Penn Ave., Second Floor, March 2, 1941.
Milton L. McLain, Wilkinsburg, March 2, 1941.
Edgar A. McMillin, O'Hara Twp., Box 7824, Sharpsburg, March 2, 1941.
Harry Powell, Stowe Twp., 1120 Dohrman St., McKees Rocks, March 2, 1941.
S. H. Richmond, Sewickley, March 2, 1941.
Charles A. Rode, Pittsburgh, 435 Sixth Ave., March 2, 1941.
John S. Shafer, East Pittsburgh, March 2, 1941.
Wm. J. Stengel, Pittsburgh, 800 East Ohio St., March 2, 1941.
Earl L. Suckling, Pittsburgh, 4110 Penn Ave., March 2, 1941.
W. I. Vickerman, Bellevue, March 2, 1941.
Wm. B. Watson, Pittsburgh, 14 Wood St., March 2, 1941.
Edward Zimmerman, Wilkinsburg, March 2, 1941.

ARMSTRONG COUNTY

Casper J. Feller, Gilpin Twp., Schenley, March 2, 1941.

BEAVER COUNTY

Charles A. Perelli, Beaver Falls, March 2, 1941.
Albert S. Solkovy, Aliquippa, March 2, 1941.
R. C. Stout, Beaver, March 2, 1941.

BEDFORD COUNTY

Fred L. Hershberger, Everett, March 2, 1941.

BERKS COUNTY

Norman R. Field, Reading, March 2, 1941.
Robert W. Haag, Reading, March 2, 1941.
Walter C. Hoffman, Reading, March 2, 1941.
Wm. H. Ibach, Reading, March 2, 1941.
Mrs. Minnie H. LePage, Reading, March 2, 1941.
Wm. H. Reifsnyder, Jr., Boyertown, March 2, 1941.
Philip S. Steinbach, Bethel Twp., Bethel, March 2, 1941.

BLAIR COUNTY

Ashton Gardner, Hollidaysburg, March 2, 1941.
Leslie A. Probst, Altoona, March 2, 1941.
John B. Walker, Altoona, March 2, 1941.

BRADFORD COUNTY

Miss Josephine O'Connell, Sayre, March 2, 1941.
Miss Henrietta Pierce, Troy, March 2, 1941.

BUTLER COUNTY

Miss Elizabeth R. Marshall, Zelienople, March 2, 1941.
Marshall, Zelienople, March 2, 1941.
J. N. Monroe, Butler, March 2, 1941.

CAMBRIA COUNTY

C. H. Moose, South Fork, March 2, 1941.

CENTRE COUNTY

Miss Clara T. Bateson, State College, March 2, 1941.

CHESTER COUNTY

Mrs. Gertrude M. Baldwin, West Chester, March 2, 1941.
J. Arthur Cooper, Coatesville, March 2, 1941.
Mrs. Genevieve S. Meredith, Coatesville, March 2, 1941.
Harvey K. Shenk, Malvern, March 2, 1941.
Miss Hanna Stringer, Coatesville, March 2, 1941.

CLINTON COUNTY

Howard C. Casselberry, Lock Haven, March 2, 1941.
Francis R. Windfelder, Renovo, March 2, 1941.

COLUMBIA COUNTY

Miss Grace E. Cook, Bloomsburg, March 2, 1941.

DAUPHIN COUNTY

Mrs. Anna I. Adams, Gratz, March 2, 1941.
Miss Vernie Brinton, Harrisburg, March 2,1941.
Malvin S. Finton, Lykens, March 2, 1941.
Mrs. Mary R. Hanson, Harrisburg, March 2, 1941.
Mrs. Anna B. Hidley, Harrisburg, March 2, 1941.
Vincent Orsini, Harrisburg, March 2, 1941.
Miss K. J. Warden, Harrisburg, March 2, 1941.

DELAWARE COUNTY

Miss Pearl Bell, Chester, March 2, 1941.
William S. Bittle, Swarthmore, March 2, 1941.
Steele D. Gensemer, Swarthmore, March 2, 1941.
Benjamin M. Hatch, Collingdale, March 2, 1941.
Oliver H. Jackson Radnor Twp., Wayne, March 2, 1941.
Miss Anna A. Lalley, Chester, March 2, 1941.
Vincent A. Marron, Chester, March 2, 1941.
Miss Katherine Scheuerle, Upper Darby Twp., 6912 Market St., Upper Darby, March 2, 1941.
George Schwartz, Upper Darby Twp., Upper Darby March 2, 1941.
Alphonzo Sproul, Jr., Lansdowne, March 2, 1941.

ELK COUNTY

Frank G. Dahlquist, Ridgway, March 2, 1941.

ERIE COUNTY

Mrs. Emma Ward, Union City, March 2, 1941.

FAYETTE COUNTY

Ernest E. Coffman, Menallen Twp., New Salem, March 2, 1941.
Searight R. McCormick, Uniontown, March 2, 1941.

FOREST COUNTY

Charles R. Daubenspeck, Tionesta, March 2, 1941.

FRANKLIN COUNTY

Roy E. Friedly, Waynesboro, March 2, 1941.

GREENE COUNTY

B. A. Wilson, Waynesburg, March 2, 1941.

INDIANA COUNTY

Wilfred E. Helwig, Indiana, March 2, 1941.
John F. Johnson, Saltsburg, March 2, 1941.

JEFFERSON COUNTY

Quay A. Stumpf, Brookville, March 2, 1941.

LACKAWANNA COUNTY

Edison Dippel, Archbald, March 2, 1941.
Gerald A. Kelleher, Scranton, March 2, 1941.
Russell M. Shepherd, Carbondale, March 2, 1941.
Mrs. M. R. Von Storch, Scranton, March 2, 1941.

LANCASTER COUNTY

Miss M. C. Dinkelberg, Lancaster, March 2, 1941.
Ralph B. Fleisher, Columbia, March 2, 1941.
M. M. Garman, Lancaster, March 2, 1941.
Frank B. Kreider, Lancaster, March 2, 1941.
Miss Mabel L. Lefevre, Lancaster, March 2, 1941.
Wm. E. Morton, Lancaster, March 2, 1941.
C. W. Passmore Lancaster, March 2, 1941.
I. E. Shoop, Elizabethtown, March 2, 1941.

LEBANON COUNTY

Simon W. Bowman, Palmyra, March 2, 1941.

LEHIGH COUNTY

Miss Blanche I. Bowman, Allentown, March 2, 1941.
Miss Margaret E. Hauser, Allentown, March 2, 1941.
Miss Leila A. Weiss, Allentown, March 2, 1941.
Lloyd W. Wieder, Allentown, March 2, 1941.

LUZERNE COUNTY

William R. Anderson, Shickshinny, March 2, 1941.
G. John Bruger, Freeland, March 2, 1941.
Miss Reba Campbell, Pittston, March 2, 1941.
M. M. Glahn, Forty Fort, March 2, 1941.
Miss Anna L. McLaughlin, Wilkes-Barre, March 2, 1941.
William J. Williams, Kingston, March 2, 1941.

LYCOMING COUNTY

Miss L. M. Hyman, Williamsport, March 2, 1941.
Miss Edna Melhuish, Picture Rocks, March 2, 1941.
A. Z. Young, Montoursville, March 2, 1941.

McKEAN COUNTY

Guy B. Mayo, Smethport, March 2, 1941.

MERCER COUNTY

Earl B. Minnis, Sandy Lake, March 2, 1941.
Wm. R. Pool, Sharon, March 2, 1941.

MONTGOMERY COUNTY

J. George Black, Lower Merion Twp., Haverford, March 2, 1941.
Russell J. Brownback, Norristown, March 2, 1941.
Miss Teresa C. Garramone, Jenkintown, March 2, 1941.
Mrs. Anna E. Guilbert, Norristown, March 2, 1941.
Austin E. Hartzell, Narberth, March 2, 1941.
Frank A. McGrady, Lower Merion Twp., 4 National Bank Bldg., Bryn Mawr, March 2, 1941.
James J. O'Connell, Cheltenham Twp., 221 Ryers Ave., Cheltenham, March 2, 1941.
Miss Sara C. Scheetz, Lansdale, March 2, 1941.
Miss Elsie M. Seibert, Upper Moreland Twp., Willow Grove, March 2, 1941.
Laurence R. Stevenson, Lower Moreland Twp., Second St., Pike and Welsh Rd., Bethayres, March 2, 1941.
Frank S. Talarico, Lower Merion Twp., 313 East County Line Rd., Ardmore, March 2, 1941.

NORTHAMPTON COUNTY

Verne Arnts, Bangor, March 2, 1941.
Allen L. Buskirk, Wind Gap, March 2, 1941.
Mrs. Helen G. Conover, Easton, March 2, 1941.
Miss Fannie M. Gernet, Easton, March 2, 1941.
Miss Blanche H. Hufnagel, Easton, March 2, 1941.
Miss Claire G. LaVelle, Easton, March 2, 1941.
James B. Reilly, Easton, March 2, 1941.
Mrs. Cora A. Roth, Bethlehem, March 2, 1941.

NORTHUMBERLAND COUNTY

William E. Keiper, Shamokin, March 2, 1941.
Earl M. Roush, Sunbury, March 2, 1941.
Jay H. Wagner, Watsontown, March 2, 1941.
Miss Ethel M. Zimmerman, Shamokin, March 2, 1941.

PHILADELPHIA COUNTY

James Allen, Phila., 429 South 16th St., March 2, 1941.
Samuel A. Baron, Phila., 157 W. Girard Ave., March 2, 1941.
Mrs. Viola W. Beach, Phila., 2801 West Lehigh Ave., March 2, 1941.
Milton L. Biehn, Phila., 4729 N. Fourth St., March 2, 1941.
Samuel Blaustein, Phila., 1419 Walnut St., March 2, 1941.
William A. Bradley, Phila., 6325 Limekiln Pike, March 2, 1941.
James J. Byrne, Phila., 401 Walnut St., March 2, 1941.
Philip T. Calabrese, Phila., 301 North 63d St., March 2, 1941.
Hyman Carp, Phila., 2533 South Broad St., March 2, 1941.
Harry K. Clair, Phila., 300 Walnut St., March 2, 1941.
Frank J. Clarke, Phila., 6909 Torresdale Ave., March 2, 1941.
John F. Corcoran, Phila., 1316-18 North American Bldg., March 2, 1941.
Joseph J. Cox, Jr., Phila., 219 North Broad St., March 2, 1941.
Edward H. DeBaecke, Phila., 411 Commercial Trust Bldg., 15th and Market Sts., March 2, 1941.
Clinton H. Gump, Phila., 817 East Chelten A. March 2, 1941.
Miss Clara Louise Hake, Phila., 1804 Lincoln-Liberty Bldg., March 2, 1941.
C. Harry Heinz, Phila., 4413 Frankford Ave., March 2, 1941.
Miss Editha L. Hill, Phila., 1632 Chestnut St., March 2, 1941.
Mrs. Helen B. Hogeland, Phila., 5931 Lansdowne Ave., March 2, 1941.
Samuel L. Hooven, Phila., Gimbel Bldg., 9th and Chestnut Sts., March 2, 1941.
Miss Carolyn K. Horn, Phila., 316 Walnut St., March 2, 1941.
Samuel Huberman, Phila., 1416 S. Penn Sq., March 2, 1941.
Mrs. Louise E. Kamp, Phila., Market Street National Bank Bldg., March 2, 1941.
Owen K. Kimbel, Phila., 5814 Torresdale Ave., March 2, 1941.
William A. Klaus, Phila., 852 South 55th St., March 2, 1941.
Morris H. Kohen, Phila., 936 North 7th St., March 2, 1941.
Horace A. C. Kopp, Phila., 2405 North 5th St., March 2, 1941.
Murray LeVine, Phila., 330 South 9th St., March 2, 1941.
Edwin T. Lister, Phila., 6807 Jackson St., Tacony, March 2, 1941.
Jean B. Lutz, Phila., 240 North 17th St., March 2, 1941.
Mrs. Jane MacLaughlin, Phila., 1621 Chestnut St., March 2, 1941.
Alfred May, Phila., 801 Brown Bldg., 4th and Chestnut Sts., March 2, 1941.
James F. McClellan, Phila., 425 City Hall, March 2, 1941.
Warren R. McConnell, Phila., 415 South 20th St., March 2, 1941.
F. Warren McDowell, Phila., 1206 Finance Bldg., March 2, 1941.
James F. McGinn, Phila., 1425 South 23d St., March 2, 1941.
G. C. Mellon, Phila., 28 South 40th St., March 2, 1941.
Carl Miller, Phila., 1217 North 29th St., March 2, 1941.
John G. Miller, Phila., 221 W. Sparks St., March 2, 1941.
Joseph Moore Phila., 6524 North 17th St., March 2, 1941.
Miss Mary A. Murphy, Phila., NE Cor. 20th St. and Indiana Ave., March 2, 1941.
Samuel Newmark, Phila., 2001 North 7th St., March 2, 1941.
Miss Mary R. Noe Phila., 703 Walnut St., March 2, 1941.
Miss Mary B. O'Brien, Phila., 5545 Race St., March 2, 1941.
Harry A. Palmer, Phila., 2324 Market St., March 2, 1941.
F. Earl Reed, Phila., 6522 Woodland Ave., March 2, 1941.
Miss Martha A. Richardson, Phila., 1608 Walnut St., March 2, 1941.
Miss D. F. Riess, Phila., 1135 N. Front St., March 2, 1941.
Nat Rosof, Phila., 4917 Pine St., March 2, 1941.
Miss Emma F. Rotan, Phila., 5700 N. Broad St., March 2, 1941.
George T. Sale, Jr., Phila., 4714 Oxford Ave., Frankford, March 2, 1941.
Luigi Scaricamazza, Phila., 1410 South 13th St., March 2, 1941.
Edward M. Schweppenheiser, Phila., 3111 West Allegheny Ave., March 2, 1941.
Louis Silverman, Phila., 347 South 13th St., March 2, 1941.
Mrs. Elizabeth J. Sniffen, Phila., 41 East Haines St., March 2, 1941.
Miss Kathryn A. Springer, Phila., 1617 Pennsylvania Boulevard, March 2, 1941.
John J. Stapleton, Phila., 6539 Elmwood Ave., March 2, 1941.

Rudolph C. Sternelle, Phila., 4134-50 Kensington Ave., March 2, 1941.
Miss Alberta Thompson, Phila., 811 Commercial Trust Bldg., March 2, 1941.
Bernard Treegoob, Phila., 321 North Broad St., March 2, 1941.
Meyer M. Weissman, Phila., 607 West Girard Ave., March 2, 1941.
Walter R. Winterbottom, Phila., 4932 Hawthorne St., March 2, 1941.
Miss Henrietta M. Wittmann, Phila., P. S. F. S. Bldg., 12 South 12th St., March 2, 1941.

SCHUYLKILL COUNTY

Anthony F. Adam, Mahanoy City, March 2, 1941.
Miss Grace P. Hendricks, Mahanoy City, March 2, 1941.
James E. Morris, Pottsville, March 2, 1941.
Miss Dorothy E. Stoudt, Pottsville, March 2, 1941.

TIOGA COUNTY

Basil B. Brooks, Wellsboro, March 2, 1941.

VENANGO COUNTY

Miss V. V. Brecht, Franklin, March 2, 1941.
J. D. Quinn, Franklin, March 2, 1941.
F. G. Zimmerman, Oil City, March 2, 1941.

WARREN COUNTY

Miss Lottie R. Smith, Warren, March 2, 1941.

WASHINGTON COUNTY

Mrs. Mabel E. Trower, Washington, March 2, 1941.
George W. Wood, California, March 2, 1941.
Miss Eva A. Zimmerman, Washington, March 2, 1941.

WAYNE COUNTY

Charles S. Houck, Hawley, March 2, 1941.
Mrs. Edna C. Rowe, Honesdale, March 2, 1941.

WESTMORELAND COUNTY

Andrew V. Allen, New Kensington, March 2, 1941.
Paul H. Hugus, Latrobe, March 2, 1941.
Peter Edward Moran, New Kensington, March 2, 1941.
Mrs. Margaret B. Smith, Latrobe, March 2, 1941.
Eugene van Areringen, New Kensington, March 2, 1941.
Mrs. Katharine W. Williams, Greensburg, March 2, 1941.
George E. Wise Hempfield Twp., Hannastown, March 2, 1941.
M. Zsembik, Jr., Derry, March 2, 1941.

WYOMING COUNTY

John N. Christian, Laceyville, March 2, 1941.

YORK COUNTY

William H. Grove, York, March 2, 1941.
D. A. Heindel, Windsor, March 2, 1941.
Henry C. Schneider, York, March 2, 1941.
Robt. J. Stambaugh, York, March 2, 1941.

ALLEGHENY COUNTY

Matthew Gazdik, Pittsburgh, 1718 Investment Bldg., March 3, 1941.
Mrs. Jennie M. Kirchner, Dormont, March 3, 1941.
A. M. Simon, McKeesport, March 3, 1941.

DAUPHIN COUNTY

Benj. F. Lantz, Harrisburg, March 3, 1941.

FRANKLIN COUNTY

Mrs. Bess E. Henninger, Chambersburg, March 3, 1941.

PHILADELPHIA COUNTY

Harold G. Pile, Phila., 73rd and Woodland Ave., March 3, 1941.

UNION COUNTY

Mrs. Mary W. Bennett, Lewisburg, March 3, 1941.

VENANGO COUNTY

F. F. Thurston, Oil City, March 3, 1941.

BEDFORD COUNTY

Luther J. Ahlburn, Hyndman, March 4, 1941.
D. Cress Reiley, Bedford, March 4, 1941.

DELAWARE COUNTY

Mrs. Helen S. Spackman, Rutledge, March 4, 1941.

ALLEGHENY COUNTY

Philip A. Doeblin, Dormont, March 5, 1941.
Lewis W. Engel, Oakmont, March 5, 1941.
Miss M. P. Ferguson, Pittsburgh, Peoples Bank Bldg., 307 Fourth Ave., March 5, 1941.
P. W. Grubbs, Oakmont, March 5, 1941.
C. J. Hoffmann, Jr., Pittsburgh, 4716 Liberty Ave., March 5, 1941.
Thomas F. Holleran, Pittsburgh, 4153 Murray Ave., March 5, 1941.
Geo. R. Jones, Dormont, March 5, 1941.
Mrs. Edith B. Laylander, Pittsburgh, Flannery Bldg., 3528 Forbes St., March 5, 1941.
George A. Lewis, Elizabeth, March 5, 1941.
P. W. McAllister, McKeesport, March 5, 1941.
H. H. McQuiston, Pittsburgh, Brady and Sidney Sts., S. S., March 5, 1941.
Maurice A. Nernberg, Pittsburgh, 903 Law and Finance Bldg., March 5, 1941.
Marcus C. Noonan, Pittsburgh, 3540 Second Ave., March 5, 1941.
Charles W. Over, Pittsburgh, Oliver Bldg., March 5, 1941.
C. J. Panagulias, Pittsburgh, 503-504 Martin Bldg., March 5, 1941.
Miss Minnie C. Rankin, Pittsburgh, Carnegie Institute, 4400 Forbes St., March 5, 1941.
George H. Rieke, Pittsburgh, 4780 Sciota St., March 5, 1941.
Francis T. Schroader, Pittsburgh, 514 Smithfield St., March 5, 1941.
Frank J. Shermer, Pittsburgh, 508 Grant St., March 5, 1941.
J. C. Shupe, Pittsburgh, 1717 Columbus Ave., March 5, 1941.
M. A. Small, Pittsburgh, 1403 Monterey St., North Side, March 5, 1941.
Geo. L. Speed, Carnegie, March 5, 1941.
Mrs. Elizabeth Terney, Pittsburgh, 1100 Peoples Bank Bldg., March 5, 1941.
Miss K. M. Wells, Pittsburgh, 339 Sixth Ave., March 5, 1941.
Robt. L. Wickline, Pittsburgh, 4151 Jenkins Arcade, March 5, 1941.
R. B. Wolford, Wilkinsburg, March 5, 1941.

ARMSTRONG COUNTY

Harry S. King, Kittanning, March 5, 1041.

BEAVER COUNTY

O. C. Caughey, Fallston, March 5, 1941.
Miss Maude F. McBrier, Beaver, March 5, 1941.

BEDFORD COUNTY

James W. Richey, Everett, March 5, 1941.

BERKS COUNTY

Howard W. Body, Amity Twp., Yellow House, March 5, 1941.
Miss Margaret M. Carrigan, Reading, March 5, 1941.
David V. Detweiler, Reading, March 5, 1941.
J. Victor Grim, Reading, March 5, 1941.
Miss Helen B. Jackson, Reading, March 5, 1941.
Miss Hazel M. Millard, Reading, March 5, 1941.

Harold F. Rudisill, Reading, March 5, 1941.
Miss Kathryn G. Sauer, Reading, March 5, 1941.
Samuel Saul, Reading, March 5, 1941.
Miss Margaret E. Simpson, Reading, March 5, 1941.

BLAIR COUNTY

Mrs. Edith S. Bartley, Altoona, March 5, 1941.
W. H. Cree, Altoona, March 5, 1941.
W. L. Hicks, Tyrone, March 5, 1941.
Walter C. Renner, Altoona, March 5, 1941.

BRADFORD COUNTY

Thomas A. Morrissey, Sayre, March 5, 1941.

BUCKS COUNTY

Hobart G. Biehm, Quakertown, March 5, 1941.
Clarence F. Hawk, Doylestown, March 5, 1941.
Harold F. Hunter, Bristol, March 5, 1941.
Charles H. Ortt, Quakertown, March 5, 1941.
J. Cooper Pidcock, New Hope, March 5, 1941.
Bertie Sylvester, South Langhorne, March 5, 1941.

CAMBRIA COUNTY

Miss Blanche M. Hite, Johnstown, March 5, 1941.
Miss Rosemary Meyers, Johnstown, March 5, 1941.

CARBON COUNTY

Walter D. Hobson, Lansford, March 5, 1941.

CENTRE COUNTY

Miss Geraldine E. Craft, Philipsburg, March 5, 1941.
Miss Catherine A. Hartle, Bellefonte, March 5, 1941.
Frederick P. Saylor, Bellefonte, March 5, 1941.

CHESTER COUNTY

Mrs. Edith A. Green, Kennett Square, March 5, 1941.
Mrs. S. Elizabeth Walton, Oxford, March 5, 1941.
Samuel Wilson, Phoenixville, March 5, 1941.

CLARION COUNTY

Floyd F. King, Knox, March 5, 1941.

CLEARFIELD COUNTY

Alton C. Davis, Clearfield, March 5, 1941.

CLINTON COUNTY

Miss Ethel M. Westbrook, Lock Haven, March 5, 1941.

COLUMBIA COUNTY

John K. Jacoby, Berwick, March 5, 1941.

CRAWFORD COUNTY

Walter W. Ehrgott, Meadville, March 5, 1941.

CUMBERLAND COUNTY

Miss Ruth A. Greider, Carlisle, March 5, 1941.

DAUPHIN COUNTY

James D. Bowman, Millersburg, March 5, 1941.
A. M. Himmelberger, Harrisburg, March 5, 1941.
Mrs. Mabel Murray-Keys, Harrisburg, March 5, 1941.
F. L. Taylor, Harrisburg, March 5, 1941.
Mrs. Ethel E. Zweifel, Harrisburg, March 5, 1941.

DELAWARE COUNTY

John E. Burt, Upper Darby Twp., 344 Kingston Road, Upper Darby, March 5, 1941.
Hollan G. Malin, Chester, March 5, 1941.
Thomas W. Stratton, Upper Darby Twp., Burmont and Woodland Aves., Drexel Hill, March 5, 1941.

ELK COUNTY

C. J. Leibacher, St. Marys, March 5, 1941.

Mrs. E. B. Felton, Erie, March 5, 1941.
Ralph S. Fuller, Erie, March 5, 1941.
Walter A. Gleason, Erie, March 5, 1941.
Miss Viola M. Kuchler, Erie, March 5, 1941.
Miss F. M. Mills, Erie, March 5, 1941.
Walter H. Scott, Corry, March 5, 1941.

FAYETTE COUNTY

Miss Bess I. Albright, Connellsville, March 5, 1941.
John W. Combs, Uniontown, March 5, 1941.
James V. Connell, Connellsville, March 5, 1941.
Berwyn S. Detweiler, Uniontown, March 5, 1941.
Ewing A. Hibbs, Uniontown, March 5, 1941.
Frank Ribarich, Uniontown, March 5, 1941.
H. H. Rodahaver, Henry Clay Twp., Somerfield, March 5, 1941.

FRANKLIN COUNTY

George L. Pensinger, Chambersburg, March 5, 1941.

HUNTINGDON COUNTY

Charles E. Gienger, Huntingdon, March 5, 1941.

INDIANA COUNTY

Lisle H. Kunkle, Homer City, March 5, 1941.

LACKAWANNA COUNTY

William T. Cullen, Scranton, March 5, 1941.
Miss Anna Kelly, Scranton, March 5, 1941.
John Ryczak, Mayfield, March 5, 1941.
Mrs. Caroline E. Stewart, Old Forge, March 5, 1941.

LANCASTER COUNTY

Fred S. Eshleman, Lancaster, March 5, 1941.
Henry B. Gibbel, Lititz, March 5, 1941.
Miss Dorothy L. Good, Lancaster, March 5, 1941.
Miss B. Irene Wise, Elizabethtown, March 5, 1941.

LAWRENCE COUNTY

Roy M. Jamison, New Castle, March 5, 1941.

LEHIGH COUNTY

Miss Helen A. Huver, Allentown, March 5, 1941.
Earl F. Ritter, Allentown, March 5, 1941.
Ray L. Weisel, Allentown, March 5, 1941.

LUZERNE COUNTY

John A. Casey, West Pittston, March 5, 1941.
John H. Doran, Wilkes-Barre, March 5, 1941.
Wm. B. Houser, Wilkes-Barre, March 5, 1941.
Mrs. Mary M. Morris, Exeter, March 5, 1941.
Bernard E. Piorkowski, Wyoming, March 5, 1941.

LYCOMING COUNTY

P. D. Blackwell, Williamsport, March 5, 1941.

McKEAN COUNTY

Miss Virginia F. Hubbard, Bradford, March 5, 1941.
C. H. Olmstead, Bradford, March 5, 1941.

MERCER COUNTY

Miss Elda E. Hodil, Grove City, March 5, 1941.
Paul R. Moyer, Greenville, March 5, 1941.

MONROE COUNTY

Miss Margie A. Elliott, Stroudsburg, March 5, 1941.

MONTGOMERY COUNTY

Charles E. Bean, North Wales, March 5, 1941.
Miss Belle Berman, Upper Hanover Twp., R. D. 1, Pennsburg, March 5, 1941.
Frank H. Bove, Norristown, March 5, 1941.
Mrs. Verna W. Detwiler, Norristown, March 5, 1941.
Nelson P. Fegley, Norristown, March 5, 1941.
Paul Gehman, Souderton, March 5, 1941.

Paul S. Gerhart, Telford, March 5, 1941.
Harry J. Ginther, Pottstown, March 5, 1941.
George B. Hallowell, Lower Moreland Twp., Huntingdon Valley, March 5, 1941.
Edmund J. Koser, Lower Merion Twp., 6 Anderson Ave., Ardmore, March 5, 1941.
Herbert C. Nelson, Lower Merion Twp., 26 Ardmore Ave., Ardmore, March 5, 1941.
H. E. Styer, Abington Twp., North Hills, March 5, 1941.
Henry C. Swartley, Lansdale, March 5, 1941.
J. Warren Vautier, Abington Twp., 527 Edge Hill Road, Abington, March 5, 1941.
Joseph K. Weaver, Lansdale, March 5, 1941.
Joseph R. Whitacre, Pottstown, March 5, 1941.
William F. Xander, Pennsburg, March 5, 1941.

NORTHAMPTON COUNTY

Mrs. Margaret C. Boehmer, Easton, March 5, 1941.
Raymond C. Hughes, Pen Argyl, March 5, 1941.
John D. Keleher, Bethlehem, March 5, 1941.
Melvin Schissler, Bethlehem, March 5, 1941.
Albert J. Sturgis, Nazareth, March 5, 1941.

NORTHUMBERLAND COUNTY

Fred F. Adams, Shamokin Twp., Paxinos, March 5, 1941.
Miss Elizabeth Bender, Sunbury, March 5, 1941.
William H. Wetzel, Kulpmont, March 5, 1941.

PHILADELPHIA COUNTY

L. F. Ashford, Phila., Allegheny and Trenton Aves., March 5, 1941.
Miss Lavinia M. Barger, Phila., 1817 North 28th St., March 5, 1941.
Chas. W. Bassing, Jr., Phila., 1939 S. Broad St., March 5, 1941.
Harry J. Beard, Phila., 5752 North Virginia Road, March 5, 1941.
Mrs. Marie B. Bechtold, Phila., 5458 Germantown Ave., March 5, 1941.
Joseph E. Becker, Phila., 220 South 16th St., March 5, 1941.
Gustave A. Betz, Phila., 5308 Girard Ave., March 5, 1941.
Louis Bonaventura, Phila., 1502 South 8th St., March 5, 1941.
M. S. Bonneville, Phila., 850 South 56th St., March 5, 1941.
Miss Mary F. Kerns, Phila., 1513 Packard Bldg., March 5, 1941.
William P. Kitzmiller, Phila., 704 Morris Bldg., 1421 Chestnut St., March 5, 1941.
Wilbert A. Klopfle, Phila., 1448 East Luzerne St., March 5, 1941.
Miss Katherine Koenemann, Phila., 1632 Chestnut St., March 5, 1941.
Thomas M. Brower, Phila., 1230 Land Title Bldg., March 5, 1941.
Miss Elizabeth M. J. Campbell, Phila., 1808 Chestnut St., March 5, 1941.
Joseph J. Closius, Phila., 1328 Race St., March 5, 1941.
Miss Rose Cohen, Phila., 1505 Packard Bldg., March 5, 1941.
Emilio Conte, Phila., 1413 Dickinson St., March 5, 1941.
Hyman Cooper, Phila., 2443 North 29th St., March 5, 1941.
Mrs. Stella W. Corcoran, Phila., 1414 Lincoln-Liberty Bldg., March 5, 1941.
John M. Corneal, Phila., Land Title Bldg., 100 South Broad St., March 5, 1941.
Miss Rae W. Dawson, Phila., 1500 Walnut St. Bldg., March 5, 1941.
Miss Anna M. Deeney, Phila., 719 Land Title Bldg., Broad and Chestnut Sts., March 5, 1941.
Miss Margaret M. Doyle, Phila., 1902 Franklin Trust Bldg., March 5, 1941.
Miss Mary M. Dwyer, Phila., 1035 Commercial Trust Bldg., March 5, 1941.
Isreal I. First, Phila., 4912 North 8th St., March 5, 1941.
Miss K. D. Flanagan, Phila., 1600 Widener Bldg., March 5, 1941.
Edwin S. Freiling, Phila., 687 Drexel Bldg., 5th and Chestnut Sts., March 5, 1941.
Vincent E. Fumo, Phila., 1818 South 13th St., March 5, 1941.
I. Samuel Goldman, Phila., 1616 Walnut St., March 5, 1941.
Robert L. Goode, Phila., 3713 Germantown Avenue, March 5, 1941.
Miss Thelma A. Gould, Phila., 1702 Market St., National Bank Bldg., March 5, 1941.
Norman F. Griffin, Phila., 5115 Frankford Avenue, March 5, 1941.
William Henry Gross, Phila., 4046 North 5th Street, March 5, 1941.
Mrs. M. Elizabeth Hall, Phila., 12 South 12th Street, March 5, 1941.
Miss Agnes M. Hamilton, Phila., 1035 Land Title Building, March 5, 1941.
Micahel Imber, Phila., 3952 West Girard Ave., March 5, 1941.
Frederick V. Jones, Phila., 306 Washington Square Bldg., 106 South 7th St., March 5, 1941.
Miss Eleanor R. McDevitt, Phila., 1420 Walnut St., March 5, 1941.
Connell J. McGill, Phila., 5203 Germantown Ave., March 5, 1941.
George M. Metter, Phila., 1307 Packard Bldg., 111 South 15th St., March 5, 1941.
George V. Mitchell, Phila., 1712 Summer St., March 5, 1941.
Anthony Moreschi, Phila., 5836 Bayton St., Germantown, March 5, 1941.
Mrs. Margaret V. Mouradian, Phila., 3254 Chestnut St., March 5, 1941.
Joseph A. O'Neill, Phila., 1640 Wharton St., March 5, 1941.
Miss Elizabeth Park, Phila., 4601 Market St., March 5, 1941.
W. L. Paul, Phila., 771 Broad St. Station, March 5, 1941.
Miss Grace A. Phelan, Phila., Bulletin Bldg., March 5, 1941.
Miss E. M. Rauch, Phila., Packard Bldg., March 5, 1941.
Miss Edith Reeves, Phila., 12 South 12th St., March 5, 1941.
Albert J. Reimel, Phila., 3655 North 15th St., March 5, 1941.
George H. Rettner, Phila., 2440 Turner St., March 5, 1941.
Mrs. Margaret A. Roberts, Phila., 523 E. Allens Lane, March 5, 1941.
Miss Rose A. Rubin, Phila., 921 Widener Bldg., March 5, 1941.
B. C. Schuchard, Phila., 2155 Cumberland St., (East), March 5, 1941.
Nathan Semless Phila., 2404 North Broad St., March 5, 1941.
Miss Clementine Sharpless, Phila., 802-3 Commonwealth Bldg., 1201 Chestnut St., March 5, 1941.
Miss Mabel M. Shetzline, Phila., Integrity Bldg., 1528 Walnut St., March 5, 1941.
Lewis M. Swaab, Phila., 5046 Walnut St., March 5, 1941.
Miss Margaret M. Toland, Phila., 4131 Frankford Ave., March 5, 1941.
Samuel Uram, Phila., 151 South Fourth St., March 5, 1941.
Miss A. F. Walsh, Phila., 201 North Broad St., March 5, 1941.
Elwood F. Walter, Phila., 6637 Germantown Ave., March 5, 1941.
Walter N. White, Phila., 23 South 23d St., March 5, 1941.
Charles Wildermuth, Phila., 6051 North Fifth St., March 5, 1941.
Harry M. Witham, Phila., 4601 Market St., March 5, 1941.
Miss Mabel E. Woltemate, Phila., 51st and Parkside Ave., March 5, 1941.

SCHUYLKILL COUNTY

Miss Evadora Buehler, Pottsville, March 5, 1941.
Edward J. Elliott, Shenandoah, March 5, 1941.
Elmer R. Freeman, Tremont, March 5, 1941.
Mrs. Estella Johnson, Minersville, March 5, 1941.
Thomas P. Large, Tamaqua, March 5, 1941.

WARREN COUNTY

Miss Beulah Dunkle, Warren, March 5, 1941.
Miss Ruth M. Karr, Warren, March 5, 1941.
Mrs. Mabelle M. Landis, Warren, March 5, 1941.

WASHINGTON COUNTY

Miss Edna Loughman, Washington, March 5, 1941.
August H. Riska, North Strabane Twp., Strabane, March 5, 1941.

WESTMORELAND COUNTY

C. R. Dale, New Kensington, March 5, 1941.
George W. Jones, Monessen, March 5, 1941.
B. I. Mathews, Ligonier, March 5, 1941.
F. J. Metz, Latrobe, March 5, 1941.
Robert B. Mitinger, Greensburg, March 5, 1941.
D. C. Shiarella, New Kensington, March 5, 1941.

YORK COUNTY

O. S. Bell, Stewartstown, March 5, 1941.
John S. Fishel, York Haven, March 5, 1941.
Henry H. Frank, York, March 5, 1941.
Miss Ella M. Gemmill, Red Lion, March 5, 1941.
W. K. S. Hershey, York, March 5, 1941.
Frank J. Minet, York, March 5, 1941.
Miss Lillian M. Necomer, York, March 5, 1941.

ALLEGHENY COUNTY

Miss Margaret C. Black, Wilkinsburg, March 6, 1941.
Miss Louise Finelli, Pittsburgh, First Natl. Bank at Pittsburgh, March 6, 1941.
Wm. J. Graham, Pittsburgh, 620 Frick Bldg., March 6, 1941.
William H. Granger, Whitaker, March 6, 1941.
Harold Lavine, Pittsburgh, 1714 Colwell St., March 6, 1941.
Geo. N. Schaefer, Pittsburgh, 416 Brownsville Road, March 6, 1941.

ARMSTRONG COUNTY

Miss Myra R. Hubbard, Kittanning, March 6, 1941.
D. Ranson Noble, Ford City, March 6, 1941.

BEAVER COUNTY

E. Clyde Grimm, Midland, March 6, 1941.
John L. Urda, Ambridge, March 6, 1941.

BERKS COUNTY

William E. Beidler, Reading, March 6, 1941.
Samuel Cohen, Reading, March 6, 1941.
Mrs. Jennie Haag, Shoemakersville, March 6, 1941.
Mrs. Carrie A. Hauser, Reading, March 6, 1941.
Edmund Levan, Reading, March 6, 1941.

BUCKS COUNTY

Joseph W. Barton, Bristol, March 6, 1941.
Miss Dorothy Adams Poore, Riegelsville, March 6, 1941.

CAMBRIA COUNTY

Amaniah L. Powell, Johnstown, March 6, 1941.

CARBON COUNTY

Martin Kopunek, Lansford, March 6, 1941.
John C. Lesko, Palmerton, March 6, 1941.

CHESTER COUNTY

Miss Erna E. Schmaltz, Kennett Square, March 6, 1941.

CRAWFORD COUNTY

Paul M. Glenn, Meadville, March 6, 1941.

DAUPHIN COUNTY

Simon P. Bacastow, Harrisburg, March 6, 1941.
Miss Katherine E. Beightol, Harrisburg, March 6, 1941.
Miss Lillie M. Foulk, Harrisburg, March 6, 1941.
Charles M. Krout, Harrisburg, March 6, 1941.
Mrs. Ella D. Spangler, Harrisburg, March 6, 1941.

DELAWARE COUNTY

Joseph D. Calhoun, Norwood, March 6, 1941.
Miss Florence M. Ryan, Upper Darby Twp., 6816 Market St., Upper Darby, March 6, 1941.
Mrs. Eleanore M. Worrall, Chester, March 6, 1941.

LANCASTER COUNTY

E. E. Habecker, Lititz, March 6, 1941.
Ethelbert Miller, Marietta, March 6, 1941.

LAWRENCE COUNTY

R. B. Proctor, New Castle, March 6, 1941.

LEBANON COUNTY

Mrs. Hilda I. Heisey, Lebanon, March 6, 1941.

LEHIGH COUNTY

Joseph L. McGinley, Allentown, March 6, 1941.

LUZERNE COUNTY

A. L. Dymond, Wyoming, March 6, 1941.

McKEAN COUNTY

A. J. Henretty, Bradford, March 6, 1941.
Miss Lucille Henretty, Bradford, March 6, 1941.

MERCER COUNTY

Joseph Nelson, Sharon, March 6, 1941.

MONTGOMERY COUNTY

Raphael A. Coia, Ambler, March 6, 1941.
Frank C. Hiltner, Conshohocken, March 6, 1941.
Walter A. Knerr, Norristown, March 6, 1941.
John Ralph Kohl Norristown, March 6, 1941.
Joe Scargill, Lower Merion Twp., 105 Rockland Ave., Manayunk (Phila. P. O.), March 6, 1941.

MONTOUR COUNTY

Winchester DeVoe, Jr., Danville, March 6, 1941.

NORTHUMBERLAND COUNTY

Miss Helen B. Lyons, Mount Carmel, March 6, 1941.
W. H. Yoder, Mount Carmel, March 6, 1941.

PHILADELPHIA COUNTY

Meyer Gerber, Phila., 3121 West Cumberland Street, March 6, 1941.
Isaac Gold, Phila., 2028 South 5th St., March 6, 1941.
John F. E. Hippel, Phila., 1418 Packard Bldg., 111 South 15th Street, March 6, 1941.
James E. Leonard, Phila., 306 South 52d St., March 6, 1941.
C. Holmes Martin, Phila., 102 W. Wyoming Avenue, March 6, 1941.
Royal F. Morris, Phila., 1129 E. Tioga St., March 6, 1941.
I. Clarence Pennington, Phila., 100 S. Broad St., March 6, 1941.
Frank D. Toy, Phila., Ledger Building, March 6, 1941.
Miss Anna J. Walter, Phila., 1608 Walnut St., March 6, 1941.
Miss Betty Zinman, Phila., 1118 Widener Bldg., March 6, 1941.

VENANGO COUNTY

L. H. Kistler, Oil City, March 6, 1941.

WESTMORELAND COUNTY

Miss Helen E. Anderson, Ligonier, March 6, 1941.
Mrs. B. M. Gregg, North Huntingdon Twp., R. D. 3, Irwin, March 6, 1941.
Alfred J. Parker, West Newton, March 6, 1941.
R. C. Thompson, North Belle Vernon, March 6, 1941.

YORK COUNTY

Miss Hilda V. Bose, York, March 6, 1941.

ALLEGHENY COUNTY

D. Edwin Austen, Etna, March 7, 1941.
Miss Stella M. Baker, Pittsburgh, 450 Fourth Avenue, March 7, 1941.
Ray J. Bleichner, Pittsburgh, 2116 Carson Street, March 7, 1941.
William J. Blum, Pittsburgh, 5009 Second Ave., March 7 1941.
F. A. Bogadek, Pittsburgh, 434 Diamond Street, March 7, 1941.
Wilmer Bruckman, Pittsburgh, 604 Brushton Avenue, March 7, 1941.
Miss Grace H. Buck, Pittsburgh, 1200 Westinghouse Building, March 7, 1941.
Miss Mary S. Buckley, Pittsburgh, J and L Bldg., Ross Street, March 7, 1941.
Walter F. Campbell, Pittsburgh, 1316 Berger Building, March 7, 1941.
C. M. Carothers, Pittsburgh, Benedum-Trees Building, March 7, 1941.
E. T. Chance, Pittsburgh, 3619 Forbes Street, March 7, 1941.
Charles W. Clark, Bellevue, March 7, 1941.
Miss Isabel Coleman, Pittsburgh, 501 Federal Street, March 7, 1941.
W. R. Cunningham, Pittsburgh, 1914 Grant Building, March 7, 1941.
Charlie B. Davis, Clairton, March 7, 1941.
C. Pascal De Ninno, Pittsburgh, 6000 Penn Avenue, March 7, 1941.
Samuel E. Donaldson, Pittsburgh, 1018 Western Avenue, March 7, 1941.
Miss Fronia Enscoe, Pittsburgh, 401 Peoples Bank Bldg., March 7, 1941.
J. C. Fix, Pittsburgh, 901 Bingham Street, March 7, 1941.
Otis S. Goode, Pittsburgh, 1808 Union Bank Bldg., March 7, 1941.
Miss Jessie C. Harper, Coraopolis, March 7, 1941.
William F. Hueston, Coraopolis, March 7, 1941.
Philip Huss, Pittsburgh, 5972 Baum Boulevard, March 7, 1941.
Geo. W. Jessop, Wilkinsburg, March 7, 1941.
Edwin O. Johns, Pittsburgh, 1706 First National Bank Bldg., March 7, 1941.
C. F. Kiefer, Pittsburgh, 1914 Grant Building, March 7, 1941.
Miss Lillian Kinzer, Pittsburgh, 702 Publication Bldg., March 7, 1941.
C. Elrod Lenhart, McKeesport, March 7, 1941.
E. E. Little, East Pittsburgh, March 7, 1941.
Miss Caroline Loewenthal, Pittsburgh, Berger Bldg., March 7, 1941.
J. B. McMillan, Braddock, March 7, 1941.
Miss Anna M. McMinn, Pittsburgh, 493 Union Trust Bldg., March 7, 1941.
Henry G. Meyer, Pittsburgh, 706 Frick Building, March 7 1941.
S. A. Michalski, Pittsburgh, 1103 East Carson St., March 7, 1941.
Miss Mabel Monheim, Pittsburgh, 202 East Ohio Street, N. S., March 7, 1941.
Philip C. Pate, East McKeesport, March 7, 1941.
Miss Jessie A. Robertson, Pittsburgh, Union Trust Building, March 7, 1941.
E. Burdette Robinson, Homestead, March 7, 1941.
Edward J. Saitz, Pittsburgh, 1213 Brownsville Road, March 7, 1941.
Julius Schmidt, Pittsburgh, 7525 Kensington St., March , 1941.
H. H. W. Schuchman, Pittsburgh, 416 Brownsville Road, March 7, 1941.
Carl L. Schumann, Pittsburgh, 408 Commonwealth Bldg., 316 Fourth Ave., March 7, 1941.
Louis C. Schweitzer, Harrison Twp., Chestnut St., Natrona, March 7, 1941
Miss J. Mabel Smith, Pittsburgh, 2909 Grant Building, March 7, 1941.
S. Clyde Stewart, Pittsburgh, 416 Seventh Avenue, March 7, 1941.
C. L. Weddell, Pittsburgh, 818 Frick Building, March 7, 1941.

ARMSTRONG COUNTY

Miss Lulu C. McCafferty, Freeport, March 7, 1941.
Fritz Scheeren, Ford City, March 7, 1941.

BEAVER COUNTY

Miss Winifred Chandley, Beaver Falls, March 7, 1941.
H. C. Clark, Aliquippa, March 7, 1941.
Thomas R. Supe, Ambridge, March 7, 1941.

BERKS COUNTY

Caleb B. Dowd, Reading, March 7, 1941.
William V. Hassler, Wernersville, March 7, 1941.
J. George Heim, Reading, March 7, 1941.

BLAIR COUNTY

Miss E. Rea Lang, Hollidaysburg, March 7, 1941.
Edward A. Seidel, Altoona, March 7, 1941.

BRADFORD COUNTY

Harold F. Peterson, Sayre, March 7, 1941.

BUCKS COUNTY

William A. Rossiter, Jr., Langhorne, March 7, 1941.

BUTLER COUNTY

Mrs. J. E. Potts, Butler, March 7, 1941.
John Laing Wise, Butler, March 7, 1941.

CAMBRIA COUNTY

John Lodzsun, Johnstown, March 7, 1941.
Miss Ruby G. Williams, West Carroll, Twp., El Mora, March 7, 1941.

CAMERON COUNTY

E. P. Larson, Emporium, March 7, 1941.

CARBON COUNTY

Miss Margaret Maloy, Lansford, March 7, 1941.

CENTRE COUNTY

C. A. Long, Gregg Twp., Spring Mills, March 7, 1941.
Miss Bernice A. Rine, Bellefonte, March 7, 1941.

CHESTER COUNTY

Norman T. Grubb, West Chester, March 7, 1941.
Mrs. Ida M. Peirce, East Marlboro Twp., Unionville, March 7, 1941.

CLARION COUNTY

Lloyd F. Weaver, Clarion, March 7, 1941.

CLEARFIELD COUNTY

James W. Schoch, DuBois, March 7, 1941.

COLUMBIA COUNTY

Paul D. Jacobs, Bloomsburg, March 7, 1941.

CUMBERLAND COUNTY

Miss C. Irene Furst, Mechanicsburg, March 7, 1941.
Frederick J. Templeton, Carlisle, March 7, 1941.

DAUPHIN COUNTY

Miss Anna E. Dewhirst, Harrisburg, March 7, 1941.
Miss Grayce Goudy, Harrisburg, March 7, 1941.

DELAWARE COUNTY

Miss Dorothy R. Daller, Chester, March 7, 1941.

ERIE COUNTY

D. A. Bernarducci, Erie, March 7, 1941.
A. F. Griswold, Erie, March 7, 1941.
John W. Rathbun, Erie, March 7, 1941.

FAYETTE COUNTY

William E. Downes, Uniontown, March 7, 1941.
James E. Gainer, Uniontown, March 7, 1941.
Miss Bertha M. Radtke, Uniontown, March 7, 1941.
Paul G. Wagoner, Connellsville, March 7, 1941.

FRANKLIN COUNTY

Robert W. Cline, Waynesboro, March 7, 1941.
Edgar B. Rife, Chambersburg, March 7, 1941.

GREENE COUNTY

Thomas D. Simmons, Waynesburg, March 7, 1941.

HUNTINGDON COUNTY

Miss Edna E. Cantner, Huntingdon, March 7, 1941.

INDIANA COUNTY

Emidio Frattura, Blairsville, March 7, 1941.

JUNIATA COUNTY

John B. Parson, Port Royal, March 7, 1941.
Mrs. Lois K. Parson, Port Royal, March 7, 1941.

LACKAWANNA COUNTY

Mrs. Elizabeth M. Baker, Scranton, March 7, 1941.
Mrs. Rena F. Bell, Scranton, March 7, 1941.
A. S. Magor, Scranton, March 7, 1941.
Miss Adelaide F. Mauro, Scranton, March 7, 1941.
Laurence D. Savige, Scranton, March 7, 1941.

LANCASTER COUNTY

David L. Landis, Elizabethtown, March 7, 1941.
Wayne S. Martin, East Earl Twp., Goodville, March 7, 1941.
Mrs. Ruth M. Sheeler, Lancaster, March 7, 1941.

LEHIGH COUNTY

Miss Mabel E. Moyer, Slatington, March 7, 1941.
Miss Elizabeth G. Parry, Allentown, March 7, 1941.
Clinton T. Snyder, Catasauqua, March 7, 1941.

LUZERNE COUNTY

Edward J. Staub, Kingston Twp., Trucksville, March 7, 1941.

LYCOMING COUNTY

James H. Brewer, Muncy, March 7, 1941.
J. E. Stephens, Williamsport, March 7, 1941.

McKEAN COUNTY

John A. Fitzgibbon, Bradford, March 7, 1941.

MIFFLIN COUNTY

Charles W. Kase, Lewistown, March 7, 1941.

MONTGOMERY COUNTY

Roy Binder, Pottstown, March 7, 1941.
Miss Jennie W. Famous, Norristown, March 7, 1941.
Warren T. Heckler, Lansdale, March 7, 1941.
Lyman A. Kratz, Norristown, March 7, 1941.
Clarence G. Land, Norristown, March 7, 1941.
Elgin H. Lenhardt, Norristown, March 7, 1941.
John Rorer, North Wales, March 7, 1941.
Mrs. Arlene C. Smith, Hatboro, March 7, 1941.
Joseph Valentine, Lower Merion Twp., 11 Holland Ave., Ardmore, March 7, 1941.

NORTHAMPTON COUNTY

Erwin F. Grube, Bethlehem, March 7, 1941.
Arthur W. Trach, Easton, March 7, 1941.

NORTHUMBERLAND COUNTY

Berkeley V. Hastings, Milton, March 7, 1941.

PERRY COUNTY

William C. Moore, Millerstown, March 7, 1941.

PHILADELPHIA COUNTY

Albert E. Aldridge, Phila., 1010 Arch St., March 7, 1941.
Henry Beck, Phila., SW Cor. Germantown Ave. and Cambria St., March 7, 1941.
Frederick Bingham, Phila., 912 S. Cecil St., March 7, 1941.
Wm. Brucker, Phila., 3402 Richmond St., March 7, 1941.
Geo. M. Brusstar, Phila., 8012 Germantown Ave., March 7, 1941.
Windom Bryant, Phila., 423 Bulletin Bldg., March 7, 1941.
George R. M. Burkert, Phila., 1616 Walnut St., March 7, 1941.
Lockwood H. Campbell, Phila., 500 Walnut St., March 7, 1941.
John T. Carroll, Phila., 1528 Walnut St., March 7, 1941.
James P. Carson, Phila., 604 Spring Garden St., March 7, 1941.
L. Northrop Castor, Phila., 8047 Frankford Ave., March 7, 1941.
Isaiah P. Clarke, Phila., 276 South 60th St., March 7, 1941.
Mrs. Marion S. Colehower, Phila., 6718 Old York Rd., March 7, 1941.
John H. Cooling, Phila., 1947 East Cumberland St., March 7, 1941.
Edward E. Davis, Jr., Phila., 3338 N. Broad St., March 7, 1941.
Miss Katharine V. Dealy, Phila., 3619 Fairmount Ave., March 7, 1941.
Joseph De Simone, Phila., 737 South 7th St., March 7, 1941.
William T. Dickson, Phila., 1210 Land Title, Bldg., March 7, 1941.
Lawrence J. Doyle, Pihla., 1524 Chestnut St., March 7, 1941.
Mrs. Miriam Eilberg, Phila., 878 North 7th St., March 7, 1941.
Miss Florence Ellender, Phila., 501 Bailey Bldg., 1218 Chestnut St., March 7, 1941.
Charles C. Enburg, Phila., 4825 Chestnut St., March 7, 1941.
Robt. E. Entriken, Phila., 4921 Chester Ave., March 7, 1941.
Ferdinand W. Erbe, Phila., 421 Chestnut St. Bldg., March 7, 1941.
Joseph Fisher, Phila., 419 South 8th St., March 7, 1941.
David Freedman, Phila., 635 W. Girard Ave., March 7, 1941.
Waclaw Frysztacki, Phila., 214 Fairmount Ave., March 7, 1941.
Clinton T. Garber, Phila., 1914 Cherry St., March 7, 1941.
Miss Ida Gerold, Phila., 1825 East Allegheny Ave., March 7, 1941.
Louis Goodman, Phila., 324 South 59th St., March 7, 1941.
Russell C. Gourley, Phila., 1218 Chestnut St., March 7, 1941.
George M. Gradel, Phila., 416 West Duncannon Ave., March 7, 1941.
Sidney Harrison, Phila., 2310 North 15th St., March 7, 1941.
Paul B. Hartenstein, Phila., 3417 Spruce St., March 7, 1941.
John J. Hayes, Phila., 5730 Catharine St., March 7, 1941.
George S. Hogeland, Phila., 1820 East Fulmer St., March 7, 1941.

Harry R. Holzmueller, Phila., 2101 South 19th St., March 7, 1941.
Robert E. Hoover, Phila., 4826 North Broad St., March 7, 1941.
Charles W. Kaelber, Phila., 425 West Lehigh Ave., March 7, 1941.
Albert W. Kauderer, Phila., Land Title Bldg., March 7, 1941.
Henry W. Koons, Phila., Harrison Bldg., March 7, 1941.
Samuel Lande, Phila., 4711 North Broad St., March 7, 1941.
Miss Reba Levy, Phila., 7071 North 20th St., March 7, 1941.
Theodore M. Mammele, Phila., 3944 Lancaster Ave., March 7, 1941.
William J. Mathers, Phila., 1826 East Allegheny Ave., March 7, 1941.
Frank R. Pletcher, Phila., 5600 Germantown Ave., March 7, 1941.
Miss Anna M. Powers, Phila., 3209 Kensington Ave., March 7, 1941.
W. J. Rice, Phila., 25th St. and Hunting Park Ave., March 7, 1941.
Wm. H. Rittenhouse, Phila., 1523 North Seventh St., March 7, 1941.
Joseph F. Rooney, Phila., 1943 East Passyunk Ave., March 7, 1941.
Chas. H. Salmon, Phila., 6412 Oakley St., March 7, 1941.
Jacob H. Shetter, Phila., 5915 Master St., March 7, 1941.
Abner Simpson, Phila., 6321 Torresdale Ave., March 7, 1941.
C. Lawrence Smith, Phila., 4 East Hortter St., March 7, 1941.
Miss Melissa Smith, Phila., 1420 Walnut St., March 7, 1941.
Miss Elizabeth Stewart, Phila., 1601 Lewis Tower, NE Cor. 15th and Locust Sts., March 7, 1941.
William B. Stocum, Phila., 1411 Chestnut St., March 7, 1941.
William G. Streit, Phila., 3427 Kensington Ave., March 7, 1941.
James F. Swartz. Phila., 1012 Stephen Girard Bldg., 21 South 12th St., March 7, 1941.
F. C. Thomas, Jr., Phila., 1908 Lincoln Liberty Bldg., March 7, 1941.
John E. Thomas, Phila., 1717 Sansom St., March 7, 1941.
David E. Triester, Phila., 8240 Eastwick Ave., March 7, 1941.
Wm. Trost, Jr., Phila., 1233 West Girard Ave., March 7, 1941.
William Ussler, Phila., 35 Maplewood Ave., March 7, 1941.
Joseph J. Voss, Phila., 264 Diamond St., March 7, 1941.
Rubin Walder, Phila., 635 Snyder Ave., March 7, 1941.
Miss H. Mae Watson, Phila., 4371 Main St., Manayunk, March 7, 1941.
Miss Sunie E. Weigand Phila., 1600 Arch St., March 7, 1941.
George A. Whitcomb, Phila., 206 South 24th St., March 7, 1941.
Otto W. Woltersdorf, Phila., 4510 Frankford Ave., March 7, 1941.
George G. Ziegler, Jr., Phila., Victory Bldg., 1011 Chestnut St., March 7, 1941.

SCHUYLKILL COUNTY

Mrs. Rebecca S. Beard, Tamaqua, March 7, 1941.
Michael V. Wolfe, Tamaqua, March 7, 1941.

SOMERSET COUNTY

Miss Ada L. Markel, Somerset, March 7, 1941.

SUSQUEHANNA COUNTY

Mrs. Rena J. VanScoten, Montrose, March 7, 1941.

VENANGO COUNTY

Mrs. Edma E. Pundt, Oil City, March 7, 1941.

WASHINGTON COUNTY

Mrs. R. E. Heinrich, McDonald, March 7, 1941.
Mrs. Lily B. McElravy, Washington, March 7, 1941.

WESTMORELAND COUNTY

Miss Catharine Harris, Monessen, March 7, 1941.
Russell Schade, Irwin, March 7, 1941.
Frank W. Walters, Greensburg, March 7, 1941.

YORK COUNTY

Roy L. Geesey, York, March 7, 1941.
Clarence P. Gnau, York, March 7, 1941.
Mrs. Marie Mummert, Hanover, March 7, 1941.
C. P. Stabley, Red Lion, March 7, 1941.
Miss Erma G. Wolf, York, March 7, 1941.

ADAMS COUNTY

Miss Nina G. Storrick, Gettysburg, March 8, 1941.

ALLEGHENY COUNTY

Miss V. Grace Baird, Pittsburgh, 1600 Arrott Bldg., March 8, 1941.
R. E. Blankenbuehler, Elizabeth, March 8, 1941.
Lester H. Glover, Pittsburgh, First National Bank. Fifth Ave. at Wood St., March 8, 1941.
Miss Rosalie E. Kelly, Pittsburgh, 907 Arrott Bldg., 401 Wood St., March 8, 1941.
Miss Anna R. Spiegle, Pittsburgh, 427 Fourth Ave., March 8, 1941.

ARMSTRONG COUNTY

George A. Rhodes, Kittanning, March 8, 1941.

BERKS COUNTY

Paul O. Wolf, Reading, March 8, 1941.

BLAIR COUNTY

Mrs. Sara A. Hershberger, Martinsburg, March 8, 1941.

DAUPHIN COUNTY

Mrs. Pauline F. Miller, Harrisburg, March 8, 1941.

LACKAWANNA COUNTY

Miss Ida H. Nape, Scranton, March 8, 1941.
Miss Helen C. Rozajeski, Scranton, March 8, 1941.

LANCASTER COUNTY

Frank X. Schaller, Lancaster, March 8, 1941.

LAWRENCE COUNTY

Miss Margaret Clyde, Ellwood City, March 8, 1941.

PHILADELPHIA COUNTY

Domenico Aversa, Phila., 1900 South 10th St., March 8, 1941.
Miss Adeline F. Bakley, Phila., 1100 Lincoln-Liberty Bldg., March 8, 1941.
Michael Dolinny, Phila., 3303 North Fifth St., March 8, 1941.
Miss Ruth P. Empfield, Phila., Fidelity-Philadelphia Trust Bldg., March 8, 1941.
Albert E. Leonard, Phila., 1303 North 52nd St., March 8, 1941.
Joseph Rosenfeld, Phila., 420 East Wyoming Ave., March 8, 1941.
Miss Margaret M. Sher, Phila., 1419 South 53d St., March 8, 1941.
Fred J. Yetter, Phila., 1538 Harrison St., March 8, 1941.

SCHUYLKILL COUNTY

Victor Elenausky, New Philadelphia, March 8, 1941.

WESTMORELAND COUNTY

Edw. V. Stader, Latrobe, March 8, 1941.

YORK COUNTY

J. H. Markle, West Manheim Twp., Box 44, Hanover, March 8, 1941.

ALLEGHENY COUNTY

Hayden Cohen, East Pittsburgh, March 9, 1941.
G. F. Cronmiller, Jr., Pittsburgh, 1808 Farmers Bank Bldg., March 9, 1941.
C. Gibson Shaw, McKeesport, March 9, 1941.
John F. White, Pittsburgh, 515 Plaza Bldg., March 9, 1941.
H. Earl Whitehead, Pittsburgh, Box 716, March 9, 1941.

BEAVER COUNTY

Ernest J. Laney, Beaver, March 9, 1941.

CLEARFIELD COUNTY

P. J. Swift, DuBois, March 9, 1941.

CLINTON COUNTY

Mrs. Beatrice K. Adams, Lock Haven, March 9, 1941.

CUMBERLAND COUNTY

Mrs. Myrtle V. Milleisen, Mechanicsburg, March 9, 1941.

DAUPHIN COUNTY

John Stapf, Harrisburg, March 9, 1941.

DELAWARE COUNTY

Earle F. Hewes, Chester, March 9, 1941.

FRANKLIN COUNTY

Miss Abigail J. Flack, Chambersburg, March 9, 1941.

JEFFERSON COUNTY

Earl Holben, Ringgold Twp., Ringgold, March 9, 1941.
E. L. Poyer, Brockway, March 9, 1941.

LANCASTER COUNTY

Harry H. Esbenshade, Lancaster, March 9, 1941.

LUZERNE COUNTY

Albert J. Catnes, Nanticoke, March 9, 1941.

LYCOMING COUNTY

Clarence R. Kempf, Williamsport, March 9, 1941.

MONTGOMERY COUNTY

Daniel A. Skelly, Norristown, March 9, 1941.

NORTHUMBERLAND COUNTY

Miss Gertrude M. Hartzel, Milton, March 9, 1941.

PHILADELPHIA COUNTY

J. N. Ash, Phila., 5609 Thomas Ave., March 9, 1941.
Benjamin B. Brasler, Phila., 4911 Old York Rd., March 9, 1941.
Stanley K. Brunner, Phila., 112 East Allegheny Ave., March 9, 1941.
Joseph G. Camero, Phila., 411 Brown Bldg., March 9, 1941.
Miss Helen M. Connor, Phila., 1600 Arch St., March 9, 1941.
Miss Christine R. Falco, Phila., 305B Keystone State Bldg., March 9, 1941.
Clarence M. Gerhart, Phila., 129 East Pomona Terrace, March 9, 1941.
Joseph Green, Phila., 4427 Lancaster Ave., March 9, 1941.
Robert B. McGowan, Jr., Phila., Racquet Club, 215 South 16th St., March 9, 1941.
Louis Stefan, Phila., 829 East Chelten Ave., March 9, 1941.
Mrs. Marjorie C. Taffe, Phila., 2300 Carpenter St., March 9, 1941.
Harold Webb, Phila., 26 South 51st St., March 9, 1941.
Mrs. Emily V. Wiltbank, Phila., 157 W. Girard Ave., March 9, 1941.

SCHUYLKILL COUNTY

Miss Margaret M. Dailey, McAdoo, March 9, 1941.

SOMERSET COUNTY

Martin Ruttkay, Windber, March 9, 1941.

VENANGO COUNTY

William J. Knight, Oil City, March 9, 1941.

WESTMORELAND COUNTY

Miss Madeline DeBone, Greensburg, March 9, 1941.
George K. Mentzer, Monessen, March 9, 1941.
C. L. Spence, Mount Pleasant Twp., Mount Pleasant, March 9, 1941.
Miss L. H. Truxell, Greensburg, March 9, 1941.

ALLEGHENY COUNTY

Miss Augusta A. Bean, Pittsburgh, 345 Fourth Ave., March 10, 1941.
R. D. Jenkinson, Bellevue, March 10, 1941.
John H. Mahoney, Pittsburgh, 5200 Butler St., March 10, 1941.
Mrs. Kathryn M. Paxton, Wilkinsburg, March 10, 1941.
H. E. Rutherford, Tarentum, March 10, 1941.

BERKS COUNTY

Mrs. M. Palm Heist, Reading, March 10, 1941.
G. D. Manderbach, Reading, March 10, 1941.
Curtis J. Weaver, Reading, March 10, 1941.

CHESTER COUNTY

Mrs. Edith Russell Dutton, West Chester, March 10, 1941.

CUMBERLAND COUNTY

C. M. Liggett, Carlisle, March 10, 1941.

DELAWARE COUNTY

Andrew A. Clark, Chester, March 10, 1941.

LYCOMING COUNTY

Dan D. Kline, Williamsport, March 10, 1941.

MERCER COUNTY

John A. Moses, Farrell, March 10, 1941.

NORTHAMPTON COUNTY

Jas. K. Worman, Bath, March 10, 1941.

NORTHUMBERLAND COUNTY

A. G. Shoener, Zerbe Twp., 705 Shamokin Street, Trevorton, March 10, 1941.
William J. Wiest, Shamokin, March 10, 1941.

PHILADELPHIA COUNTY

David Balaity, Phila., 3965 Baltimore Ave., March 10, 1941.
Samuel Cohn, Phila., Bankers Securities Bldg., March 10, 1941.
Jos. Lieberman, Phila., NW Cor. 15th and Locust Sts., March 10, 1941.
William J. Martin, Phila., 1218 Chestnut St., March 10, 1941.

Miss Helen I. McCloskey, Phila., 215 South Broad St., March, 10, 1941.
Milton Wolf, Phila., 225 South Sixth St., March 10, 1941.
Mrs. Adeline B. S., Worrall, Phila., 1932 Commercial Trust Bldg., March 10, 1941.

WASHINGTON COUNTY

H. H. Williams, Monongahela, March 10, 1941.

WESTMORELAND COUNTY

F. B. Folk, Scottdale, March 10, 1941.
Wm. T. Osborne, Latrobe, March 10, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Mark T. Di Luzio, Phila., 1022 Catherine St., March 2, 1941.
Warren T. Edwards, Phila., 1447 Broad Street Station Building, March 2, 1941.
Joseph P. Farrelly, Phila., 5630 Addison St., March 2, 1941.
Oscar M. Gebelein, Phila., 2551 North Mascher Street, March 2, 1941.
Thomas C. Gormley, Phila., Twelfth Floor, 1631 Arch Street, March 2, 1941.

MERCER COUNTY

C. G. Harshaw, Grove City, March 4, 1941.

ADAMS COUNTY

Miss Rhoda Breighner, Gettysburg, March 5, 1941.
Geo. E. Slaybaugh, Biglerville, March 5, 1941.

ALLEGHENY COUNTY

Loyal W. Baker, Clairton, March 5 , 1941.
Frederick H. Becker, Pittsburgh, 316 Seventh Avenue, March 5, 1941.
Miss Catherine H. Best, Pittsburgh, 6004 Penn Avenue, March 5, 1941.
John E. Broadbridge, Pittsburgh, 2709 East Carson Street, March 5, 1941.
L. O. Brown, McKeesport, March 5, 1941.
John T. Clark, Pittsburgh, County Office Building, March 5, 1941.
John B. Deloche, Crafton, March 5, 1941.

LEBANON COUNTY

William Y. Hetrick, Palmyra, March 5, 1941.
W. John Moyer, Lebanon, March 5, 1941.

PHILADELPHIA COUNTY

Miss Dorothea M. Keenan, Phila., 603-14 Stephen Girard Building, March 5, 1941.
Frank Laska, Phila., 2353 Orthodox Street, March 5, 1941.
Robt. M. Lloyd, Phila., 722 Reading Terminal, March 5, 1941.
Louis C. Lowenstein, Phila., 1331 N. Broad St., March 5, 1941.
M. P. McDermott, Phila., Reading Terminal, 12th and Market Sts., March 5, 1941.

WAYNE COUNTY

Mrs. Edith L. Dershimer, South Canaan Twp., South Canaan, March 5, 1941.
Warren P. Murphy, Hawley, March 5, 1941.
George G. Schwenker, Honesdale, March 5, 1941.

WESTMORELAND COUNTY

Albert Chenet, Latrobe, March 5, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Alberta G. Bleichner, Pittsburgh, 1804 Carson St.
Anthony A. Gugala, McKeesport.
Miss Margaret M. Vance, Pittsburgh, 747 Union Trust Building.

ARMSTRONG COUNTY

Miss Fanine M. Kelly, Parker.

CARBON COUNTY

Wesley N. Boyer, Lehighton.

CHESTER COUNTY

Edward H. Essex, Honeybrook.

DELAWARE COUNTY

Wm. C. Wilcutts, Yeadon.

INDIANA COUNTY

A. J. Fisher, Indiana.

LANCASTER COUNTY

Frank S. Deen, Lancaster.
Miss Ruth C. Dellinger, Lancaster.

MERCER COUNTY

C. B. Lartz, Sharon.

MONTGOMERY COUNTY

J. G. M. Bunting, Lower Merion Twp., Merion, Merion Station.

NORTHAMPTON COUNTY

Miss I. E. Hawk, Nazareth

NORTHUMBERLAND COUNTY

Karl B. Reichard, Milton.

PERRY COUNTY

C. O. Dick, Carroll Twp., Shermansdale.

PHILADELPHIA COUNTY

Miss Marie E. Goldkamp, Phila., 324 Walnut St.
Jos. C. Langer, Phila., S. E. Cor. 5th and Luzerne Streets.
Miss Rose F. Persichetti, Phila., 1944 South 11th St.
Mahlon Ranck, Phila., 3259 Longshore Ave.
Miss Sylvia Robin, Phila., 250 West Cambria St.
Alexander Vernacchio, Phila., 625 Fitzwater St.
Mrs. Louise E. Wheeler, Phila., 23d and Westmoreland Streets.

SCHUYLKILL COUNTY

John T. Quinn, Pottsville.

VENANGO COUNTY

William J. McFate, Oil City.

WESTMORELAND COUNTY

Chas. R. Sample, New Kensington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Howard S. Auld, Hampton Twp., Allison Park.
Mrs. Marjorie J. Brandom, Pittsburgh, Gulf Bldg.
George Fischer, Pittsburgh, 1100 Western Ave.
Mrs. Agnes M. Keelan, Pittsburgh, 6352 Penn Ave.
Mrs. Ruth M. Thomas, Pittsburgh, 605 Grant Bldg.
Frank F. Zitzman, Mt. Lebanon Twp., 317 Castle Shannon Road, Pittsburgh.

BERKS COUNTY

Norman E. Rhoads, Laureldale.

CLARION COUNTY

Joseph F. Eiswerth, Knox Twp., Lucinda.

CLINTON COUNTY

Miss Susie E. Campbell, Lock Haven.

CRAWFORD COUNTY

George T. Wilmoth, Cambridge Springs.

DELAWARE COUNTY

Miss Eleanor Ocheltree, Upper Darby Twp., 501 N. Lansdowne Ave., Drexel Hill.

JEFFERSON COUNTY

Miss Helen G. Croasmun, Sykesville.

LANCASTER COUNTY

Mrs. F. Blanche Young, Manheim.

LEHIGH COUNTY

Mrs. Kathryn Eveland, Allentown.

McKEAN COUNTY

James G. McGill, Lewis Run.

MONROE COUNTY

Mrs. Helen M. Sterling, Stroudsburg.

MONTGOMERY COUNTY

Joseph Butera, Norristown.
Miss Clare D. Robison, Norristown.

PHILADELPHIA COUNTY

Miss Ann M. Garvey, Phila., 127 South 5th St.
William H. Green, Phila., 1330 Point Breeze Ave.
A. H. Halpern, Phila., 840 North Holly St.
Harry B. Leider, Phila., S. W. Cor. 10th and Spring Garden Sts.

WARREN COUNTY

Miss Cecilia H. Druggan, Tidioute.

WASHINGTON COUNTY

Mrs. C. A. Knodle, Washington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following ersons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

F. H. Apel, Dormont, February 15, 1941.

PHILADELPHIA COUNTY

Mrs. Rose Levin, Phila., 3148 North Broad Street, February 15, 1941.
Harry C. Weber, Phila., 2801 North 26th Street, February 15, 1941.

LYCOMING COUNTY

Mrs. Edith O. Coder, Williamsport, February 16, 1941.

MONROE COUNTY

Harold C. Edwards, Stroudsburg, February 19, 1941.

McKEAN COUNTY

Alfonso Marini, Bradford, February 21, 1941.

PHILADELPHIA COUNTY

Miss Anna M. Stuart, Phila., 1120 Real Estate Tr. Bldg., February 21, 1941.
Miss Irene Sword, Phila., 2017 Spring Garden St., February 22, 1941

ALLEGHENY COUNTY

Miss Rosemary Hager, Pittsburgh, 1101 Plaza Building, February 23, 1941.

BEDFORD COUNTY

Howard Brumbaugh, South Woodbury Twp., New Enterprise, February 23, 1941.

PHILADELPHIA COUNTY

Miss Mary M. Tierney, Phila., 2202 South 15th Street, February 23, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

James M. Dunbar, Phila., Corn Exchange Natl. Bank and Trust Co., 1510 Chestnut Street, February 12, 1941.
John Armstrong, Phila., Keystone Bldg., 261 North Broad St., February 14, 1941.

CAMBRIA COUNTY

Miss Helen C. Sidor, Johnstown, February 15, 1941.

ALLEGHENY COUNTY

Jos. L. Thalheimer, Pittsburgh, 3020 Chartiers Ave., February 16, 1941.

DELAWARE COUNTY

Miss Margaretta B. Kelly, Radnor Twp., 214 Aberdeen Ave., Wayne, February 16, 1941.

LUZERNE COUNTY

Stanley E. Christman, Ashley, February 19, 1941.

PHILADELPHIA COUNTY

Michael Bednarek, Phila., 2607 East Allegheny Ave., February 19, 1941.

Miss A. R. Williams, Phila., 1338 Real Estate Trust Bldg., February 19, 1941.

WESTMORELAND COUNTY

Miss Marion L. Reamer, Monessen, February 20, 1941.

PHILADELPHIA COUNTY

Miss Alma C. McGeogh, Phila., 5720 North Broad St., February 23, 1941.

BRADFORD COUNTY

Mrs. Edna V. Dimock, Smithfield Twp., East Smithfield, February 25, 1941.

PHILADELPHIA COUNTY

Miss Marion M. Pollock, Phila., 1500 Walnut St., February 25, 1941.

ALLEGHENY COUNTY

Frank J. Stritzinger, Neville Twp., 4801 Grand Ave., Neville Island, Pittsburgh, February 27, 1941.

WESTMORELAND COUNTY

Harry Laughrey, Scottdale, February 27, 1941.

ARTHUR H. JAMES.

MOTION TO ADVISE AND CONSENT TO NOMINATIONS OF NOTARIES PUBLIC

Mr. EDMONDS. Mr. President, I move that the Senate do now advise and consent to said nominations.

Mr. EALY. Mr. President, I second the motion.

The PRESIDENT. Will the Senate advise and consent to said nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Miller,	Walker,
Crider,	Heyburn,	Reed,	Watkins,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Shapiro,	Ziesenheim,
Dent.			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM SECRETARY OF THE COMMONWEALTH

The PRESIDENT. In response to Senate Resolution No. 16, adopted in the Senate, February 3, 1941, the Secretary of the Commonwealth has furnished the following communication:

February 10, 1941.

The Honorable the President and Members of the Senate in the General Assembly of Pennsylvania:

I have the honor to reply to your inquiry of the third day of February, one thousand nine hundred and forty-one (Senate Resolution—Serial Number 16) and report:

(1) What Municipal Authorities have been established in Pennsylvania under the Act of 1937 and its supplements?

From the records in the Department of State we have compiled and append a statement marked "Schedule A" of each Authority created under the Acts of June 28, 1935, P. L. 463 and its amendments by the Acts of May 20, 1937, P. L. 739 and of May 17, 1939, P. L. 167, together with the location of each Authority and date of incorporation.

(2) What projects have been approved by the various Municipal Authorities and the estimated cost of each?

The statutes authorizing the creation of Municipal Authorities do not require the creating municipality or the Authority created to record a statement of the projects approved by the various Municipal Authorities and the estimated cost of each to be filed in the Department of State.

(3) What is the amount of the borrowings of each Municipal Authority and what is the rate of interest paid for the same?

The statutes authorizing the creation of Municipal Authorities do not require the Authorities to disclose to, or file with, the Department of State or any other department of the Commonwealth any information relating to the amount of the borrowings of the Authority or the rate of interest paid for the same.

The Municipality Authorities Act of 1935 and its amendments *does* authorize the Department of Revenue

> "to examine the accounts and books of the Authority, including its receipts, disbursements, contracts, leases, sinking funds, investments, and any other matters relating to its finances, operation and affairs."

Additional information which has been ascertained from information available in this department relating to Municipal Authorities is set forth in "Schedule B" and "Schedule C" attached hereto.

The Municipality Authorities Act of 1935 and its amendments prescribes:

> (a) that a municipality may authorize the creation of an Authority in an ordinance or resolution duly advertised. (A copy of this ordinance or resolution is not required to be filed with the articles of incorporation in the Department of State);
>
> (b) the scope of operation of an Authority and the powers it may exercise.

The Municipality Authorities Act of 1935 and its amendments do *not* prescribe

> (a) that the articles of incorporation shall include a statement of the project or projects in which the "Authority" will engage, or
>
> (b) that there shall be filed in the Department f State a certified copy of any resolution adopted by the "Authority" to authorize its engagement in any enterprise authorized by the act or acts, or, to authorize a bond issue and the details of such issue, or
>
> (c) any standard, Constitutional or statutory, limiting the amount of the indebtedness which an Authority may create and authorizing supervision of compliance with such provision by the Department of Internal Affairs to be evidenced by its approval of bond issues.

Respectfully submitted,

S. M. R. O'HARA,
(SEAL) Secretary of the Commonwealth.

Mr. EALY. Mr. President, may I ask whether this information has been mimeographed for the use of the Senate?

The PRESIDENT. Not as yet. It was the idea of the Chair to ask the sponsor of the resolution what disposition he wishes made of it. Does the Senator from Montgomery wish mimeographed copies made and distributed to the Senators?

Mr. EDMONDS. Mr. President, I would like to have

mimeographed copies made, and when the clerk has finished reading, I would like to have it referred to the Committee on State Government. However, Mr. President, I would suggest it be read first.

The PRESIDENT. The communication from the Secretary of the Commonwealth will be referred to the Committee on State Government, mimeographed copies will be distributed to the Senators.

COMMUNICATION FROM GENERAL STATE AUTHORITY

The PRESIDENT. In response to Senate Resolution No. 17, adopted February 3, 1941, the Chair is in receipt of a communication addressed to the members of the Senate of Pennsylvania.

The communication was read as follows:

Harrisburg, Pa., February 10, 1941.

To the Members of The Senate of the Commonwealth of Pennsylvania.

In compliance with the Resolution of your Honorable Body, dated February 3, 1941, requesting the following information:

First—What projects have been approved by the General State Authority and what is the estimated cost of each?

I attach Exhibit "A." Pages 1, 2, 3, 4, and 5. Pages 1 to 4, inclusive, list the Projects and the total estimated cost of each; most of the work is completed, but some work is now under contract and in course of completion; and plans, specifications, and bidding documents are now being prepared for the remainder.

Page 5 shows a list of Projects tentatively authorized by the General State Authority recently. On these Projects no work has been performed other than preliminary architectural and engineering study.

The total estimated amount of $78,658,511.93 includes all Grants received or that will be received from the Public Works Administration. Grants received to date amount to $11,526,545.18. Future Grants anticipated amount to $1,248,903.08. The proceeds from these Grants have been used to either directly defray the cost of construction, or to retire bonds previously purchased.

Second—What bonds have been issued by the General State Authority and for what purpose and what is the rate of interest upon each?

In answer to this request, I submit Exhibit "B" and Exhibit "C," the latter being an extract from the Bond Agreement, stating for what purpose the bonds may be used.

I hope this is the correct interpretation of the information requested in the Senate Resolution. If not, I will be pleased to furnish any additional data required.

Very truly yours,

(Signed) DAVID H. DIEHL,
Executive Director.

Attachments

Mr. EDMONDS. Mr. President, I suggest that the communication just received from the Executive Director of the General State Authority be mimeographed and copies distributed to the Senators.

The PRESIDENT. At the suggestion of the Senator from Montgomery the communication just received from the General State Authority will be mimeographed and copies distributed to the members.

Mr. EDMONDS. Mr. President, I further suggest that the communication be referred to the Committee on State Government.

It was so ordered.

BILLS INTRODUCED

Mr. DENT read in his place and presented to the Chair Senate Bill No. 148, entitled:

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 149, entitled:

An Act making an appropriation to the Westmoreland Hospital Association, Greensburg, Pennsylvania.

Which was committed to the Committee on Apropriations.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 150, entitled:

An Act providing for special vocational, trade, industrial, and commercial schools and classes and occupational adjustment offices through public school districts, and in cooperation with employment and reemployment offices for the training, retraining, instruction, and adjustment of unemployed persons over forty years of age in order to enable them to enter or reenter employment, giving preference to war veterans; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 151, entitled:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 152, entitled:

An Act authorizing and directing the Department of Military Affairs to compile, edit, publish, and distribute books, listing the names of the veterans of the wars and expeditions, in which the United States has engaged; authorizing said department to procure and accept a Federal Works Progress Administration grant; and making an appropriation.

Which was committed to the Committee on Military Affairs.

He also read in his place and presented to the Chair Senate Bill No. 153, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 154, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; estab-

lishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions; including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commnowealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors, providing penalties therefor, and for other cognate purposes; and making an appropriation.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 155, entitled:

An Act authorizing all counties, cities, boroughs, incorporated towns, townships, and institution districts, to place their respective officers and employes in the State Employes' Retirement Association; prescribing the procedure to be followed and authorizing a special tax to pay the expenses incident thereto, placing certain duties upon the State Treasurer and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems, and providing in certain cases for the discontinuance of existing ones.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 156, entitled:

An Act relating to sentences for criminal offenses; defining the powers of courts in imposing sentences, regulating the exercise thereof, and appeals therefrom, and for other purposes.

Which was committed to the Committee on Judiciary General.

POINT OF INFORMATION

Mr. SHAPIRO. I rise to a point of information.

The PRESIDENT. The Senator from Philadelphia, will state his question.

Mr. SHAPIRO. Mr. President, I would like to inquire whether it is not true that the second bill just presented by the gentleman from Philadelphia, Mr. Farrell, which has been referred to the Committee on Judiciary General, is in effect a companion bill to the parole bill, and if it is, it seems to me that both bills should be referred to the same committee, and also that both bills really belong in Judiciary General.

The PRESIDENT. Does the Senator from Philadelphia, Mr. Farrell, desire to express any preference as to which committee these bills should be referred? Are they companion bills?

Mr. FARRELL. They are companion bills, Mr. President, but I have no special desire as to which committee they should be referred.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 157, entitled:

An Act prohibiting political activity by persons employed by the Commonwealth or receiving any part of their compensation for employment from Commonwealth funds.

Which was committed to the Committee on State Government.

Mr. BARTLETT read in his place and presented to the Chair Senate Bill No. 158, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Which was committed to the Committee on Appropriations.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

Mr. MILLER. Mr. President, I desire to present a bill making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at the Indiantown Gap Military Reservation.

I wish to say, Mr. President, that this bill originated in the Committee on Military Affairs, and I respectfully request that the bill be referred to the Committee on Military Affairs for further study.

There is no specific appropriation stipulated, Mr. President, and the committee wishes to study the bill further and report it out, and, if necessary, then refer it to the Committee on Appropriations.

Which was committed to the Committee on Military Affairs.

Mr. STIEFEL read in his place and presented to the Chiar Senate Bill No. 160, entitled:

An Act to amend section one of the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-nine (P. L. 1100), entitled "An act authorizing the sale of real estate under a judgment obtained on a tax claim or claims to be made, by the sheriff, free and clear of tax and municipal claims, for a sum less than the total amount of delinquent tax and municipal claims, under certain conditions, and providing for the distribution of the sum realized upon such sales, and for the procedure in such cases," specifically including taxable real estate of State-aided homes and hospitals.

Which was committed to the Committee on Judiciary General.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 161, entitled:

An Act to amend section thirty of the act approved the twenty-ninth day of April, one thousand nine hundred and thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county elections boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital

statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating the check-up of registered electors and the cancellation of their registration by the commission.

Which was committed to the Committee on Elections.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 162, entitled:

An Act requiring the Department of Public Instruction to purchase and distribute to all public schools certain patriotic books and pamphlets; requiring oath of allegiance to the Government of the United States to be taken in each school year by employees of said department and by teachers and pupils of said schools; requiringing teachers of said schools to teach patriotism; and providing for the dismissal of teachers who fail to comply with the provisions of this act.

Which was committed to the Committee on Education

He also read in his place and presented to the Chair Senate Bill No. 163, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 164, entitled:

An Act to further amend section one thousand two hundred and seven of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership in county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by increasing their compensation for services rendered by constables and their deputies.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 165, entitled:

An Act to further amend subsection (b) of section four hundred twelve of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violations of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by making further provision for the compensation of judges, inspectors, clerks and machine inspectors at primaries and elections.

Which was committed to the Committee on Elections.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 166, entitled:

An Act to further amend section six hundred twenty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administeerd, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring teachers and pupils to salute the United States flag, and prescribing penalties for failure to do so, and for failure of school directors to equip schools with flags.

Which was committed to the Committee on Education.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 167, entitled:

An Act to amend section 408 of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for election of the members of the State Council of Education by a House of Delegates selected by school directors, teachers, colleges and universities, and the Governor.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 168, entitled:

A Joint Resolution proposing an amendment to Article four, Sections eight and twenty, of the Constitution of the Commonwealth of Pennsylvania, providing for the election and term of the Superintendent of Public Instruction.

Which was committed to the Committee on Education.

RESOLUTION REQUESTING SECRETARIES OF DEPARTMENTS OF WELFARE AND PUBLIC ASSISTANCE APPEAR BEFORE SENATE COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO. Mr. President, I should like to preface presentation of the resolution with a statement and explanation.

Mr. President, last week we received a copy of the budget and the Governor's budget message. It has been the custom heretofore, the moment the budget is presented, for either political side to take pot shots at the budget for the purpose of making political capital. I am frank to say, Mr. President, at times I have participated in

the by-play, always, however, having in mind that there is a serious side to the budget which should be considered.

Mr. President, I am trying by this resolution to see if we can approach this budget in a statesmanlike manner, and having read the budget, I am frank to say there is a great deal of information we should have that is not contained in the budget.

Mr. President, for the purpose of getting that information, I present and offer this resolution and ask for its immediate adoption.

Mr. SHAPIRO, offered the following resolution which was twice read, considered and agreed to.

In the Senate, February 10, 1941.

Whereas, There will shortly be before this legislative body, for its action, appropriation bills and revenue raising measures concerning the welfare and education of the citizens of this Commonwealth and the relief of its unemployed citizens, and

Whereas, It is essential that the members of this body be in possession of full and complete information and the accurate facts concerning these subjects,

Now Therefore, be it

Resolved, That the Secretary of the Department of Welfare and the Secretary of the Department of Public Assistance be and they are hereby requested to appear before the Committee on Welfare, Public Assistance and Pensions on separate days to be fixed by the Committee, and that the Secretary of the Department of Public Instruction be and he is hereby requested to appear before the Committee on Education at a time to be fixed by that Committee, for the purpose of furnishing the members of the said respective Committees with such information as the members of those Committees may request, and be it further

Resolved, that the Chairman of the respective Committees aforesaid be and they are hereby requested to fix a time convenient to the Secretaries of the respective

Resolved, That the Chairman of the respective Committees for a meeting of the said Committees for the purposes of this resolution.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, last week I presented a resolution, No. 18 in the journal, not printed, with reference to the Department of Public Assistance compelling relief recipients to sign away their insurance policies before relief can be granted.

At that time, Mr. President, my colleague from Allegheny County, the Republican Floor Leader, asked that the resolution be sent to committee for the purpose of study.

Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Geltz, at this time.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell us whether or not he has made any study of the resolution I presented last week, which is No. 18?

Mr. GELTZ. I have not, Mr. President. I understand it is in the hands of the committee.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny please inform me to what committee the resolution was referred?

Mr. GELTZ. I do not recall, Mr. President. The record will show that.

I am informed, Mr. President, it is the Committee on Welfare, Public Assistance and Pensions.

Mr. HALUSKA. Mr. President, I desire to interrogate the chairman of that committee.

The PRESIDENT. Will Mr. Bartlett, the Chairman of the Committee on Welfare, Public Assistance and Pensions, permit himself to be interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton tell me whether the Committee on Welfare, Public Assistance and Pensions has met since last Monday?

Mr. BARTLETT. Mr. President, the committee has not met.

Mr. HALUSKA. Mr. President, does the Committee on Welfare, Public Assistance and Pensions intend to meet this week?

Mr. BARTLETT. Mr. President, that depends on whether or not other committee meetings will interfere. If not, there will be a meeting of the Committee on Welfare, Public Assistance and Pensions this week.

Mr. HALUSKA. Mr. President, I would like to call attention to the fact that this is an important resolution. I think all my colleagues will agree it is a matter of great importance, that every hour of delay means that many, many thousands of persons in this Commonwealth are being called upon to sign away their life insurance policies, men that have labored to pay premiums on those policies for ten, twenty or thirty years, and today, because of a ruling of the Department of Public Assistance, they must cancel those policies and waive those premiums before relief can be granted to them.

Mr. President, I say it is most important. It is not a partisan measure, and I think every man in this Senate will agree with me it is an important issue.

Mr. President, I hope and trust the Committee will meet this week and report my resolution out on the floor.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 4, as follows:

An Act to amend and reenact section five hundred and twenty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class and prescribing the method of fixing the levy of school taxes in such districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred and twenty-four of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the

same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by section one of the act approved the first day of December one thousand nine hundred and thirty-eight (P. L. 103) as last amended by section one of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-nine (P. L. 182) is hereby further amended to read as follows

Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of November and before the first Monday of December following The board of school directors thereof shall annually levy a tax on each dollar of the total assessments of all property assessed and certified for taxation in said district which said tax shall be ascertained determined and fixed by adding together the following

(a) An amount which with all moneys received from the Commonwealth applicable thereto shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law and to pay the contributions of said district to the teachers' retirement system

Provided however That for the purpose of computing the amount required to pay the minimum salaries and increments fixed by law but without otherwise limiting the rights of the district to employ teachers or other employes the number of teachers on the salary schedule of the elementary schools shall not exceed one for every thirty-two pupils in average daily attendance in such schools the number of teachers on the salary schedule of the junior high schools shall not exceed one for every twenty-five pupils in average daily attendance in such schools the number of teachers on the salary schedule of the senior high schools shall not exceed one for every twenty-five pupils in average daily attendance in such schools and the number of teachers with salaries and increments fixed by law on any salary schedule now established or hereafter established and not specially mentioned in this act shall not exceed one for every twenty-five pupils in average daily attendance

The number of principals in the elementary schools and the principals in charge of all other character of schools now established or hereafter established and not specially mentioned in this act shall not exceed one for every six hundred pupils in average daily attendance in such schools and the number of principals in the junior and senior high schools shall not exceed one for every twelve hundred pupils in average daily attendance in such schools

The number of supervisors in all schools shall not exceed one for every fifteen hundred pupils in average daily attendance

The number of attendance officers and home and school visitors shall not exceed one for every two thousand pupils in average daily attendance in all elementary and secondary schools

In all adult and extension school classes the number of teachers shall not exceed one for every twenty pupils in average daily attendance in such schools

The salary and increments fixed by law of members of the teaching and supervisory staff whose number is not in some manner limited by the present proviso shall not be construed or considered as within item (a) of this section five hundred twenty-four of the act here amended but shall be construed and regarded as constituting expenses within the following item (c) of said section

Average daily attendance as used herein shall be based upon attendance during the preceding school term

(b) An amount sufficient to pay the interest on and retire at maturity the principal of the indebtedness of said district incurred as authorized by law

(c) An amount sufficient to pay all other expenses and requirements of said school district which amount shall be equivalent to not less than three nor more than five mills on the dollar of the total assessment of all property assessed and certified for taxation therein

The total annual school tax levy for all purposes in any school district of the first class shall not be more than eleven and three-quarters (11¾) mills on the dollar of the total assessment of all property assessed and certified for taxation in the territory constituting the district

Section 2 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McOreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Watkins,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Zieschheim,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Warren will state his question of personal privilege.

Mr. CHAPMAN. This country has twice the population of Germany, two and one-half times the population of Britain, three and one-half times the population of France and one and one-half times the population of Japan. The United States is the richest and greatest industrial nation on earth. Individually her people are the cleverest and the smartest in the world. During the first part of 1941 the United States was called upon to save the world as well as to save herself on a new and strange order built upon military force, and was called upon to produce planes and tanks and ships and guns in sufficient quantity to help Britain win the war. These all must be delivered to the seaboard. Our railways and our highways are capable of doing this job.

The United States is the greatest mass production country in the world. We can produce as much steel as all the world together. We can raise more food than we know what to do with. War started eighteen months ago. It takes time to change from peace to war production. What has been done? We have wasted time on who should boss the job. It took months to create a defense committee. There has been a sickening procrastination; more time to settle strikes, more time consumed in

war argument, who should do the job, whether capital or labor. We have been playing politics, but now a more serious situation has arisen. London and other British cities have been bombarded by thousands of Nazi planes. Thousands of British citizens have been killed, hundreds of British ships have been sunk, most of Britain's mobile equipment was lost in the evacuation of Dunkirk.

Clever as we are, Britain has equipped an army of four millions. The British had to help the Greeks, Britain had to transport her armies from Austrailia and her far-flung colonies and with this she has destroyed the Italian forces in North Africa. Britain is opposed by the biggest and the mightiest army ever conceived by man, an army that has all continental Europe at her back, and still we trifle. Still we procrastinate. It is not a question with us of money or raw materials, but when it comes to getting action Great Britain is doing more in a day than we have done in a month. True, Britain is fighting for its very life. We are not yet, but may be soon. We continue to procrastinate, by thinking in terms of politics and personalities, when the job should be turned over to men who can get production; but we cannot get this as long as we are bossed by men whose ability to produce is largely influenced by votes.

BILL INTRODUCED

Messrs. BARR and WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of preliminary street lists, and permitting the destruction of certain records.

Which was committed to the Committee on Elections.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, February 11, 1941, at 11:00 o'clock. a. m.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:00 o'clock, p. m., until Tuesday, February 11, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, February 10, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall, offered the following prayer:

Great God, Our Father, thou who art the giver of every good and perfect gift, we thank Thee for Thy watch and care over us since last we met within this place. We implore Thy guidance for the days of activity that lie ahead.

Bless these men who represent the people of our state. May they be led aright in all their deliberations. Help us as a people within this great state, to pledge with these, our Representatives, our every effort in solving the problems confronting us as a state and as a nation.

Grant us God speed in all that we do. In Thy name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, February 4, 1941.

The Clerk proceeded to read the Journal of Tuesday, February 4, 1941, when, on motion of Mr. READINGER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. FALKENSTEIN. HOUSE BILL No. 246.

Abolishing capital punishment and providing for the substitution of a life sentence in lieu thereof; repealing inconsistent legislation; and providing that this act shall not apply to any case in which it shall appear that the said crime was committed prior to the date of the approval of this act.

Referred to the Committee on Law and Order.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 247.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mesrs. CORDIER and REGAN. HOUSE BILL No. 248.

An Act authorizing taxpayers in cities of the second class A to inspect the books and records of such cities at any reasonable time.

Referred to the Committee on Cities—Second Class.

By Mr. CULLEN. HOUSE BILL No. 249.

An Act to amend section two of the act approved the twenty-fourth day of April, one thousand nine hundred and thirteen (P. L. 114), entitled "An act regulating the time of

payment of wages and earnings, and providing a penalty for violation thereof," by adding a penalty of imprisonment not exceeding thirty days for violations of said act.

Referred to the Committee on Judiciary General.

By Messrs. ROSENFELD and O'BRIEN.

HOUSE BILL No. 250.

An Act requiring the approval by the General Assembly of all rules and regulations prescribed or adopted by the Department of Public Assistance.

Referred to the Committee on Welfare.

By Messrs. O'NEILL and MUNLEY.

HOUSE BILL No. 251.

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employee or any other party in interest against the fund.

Referred to the Committee on Workmen's Compensation.

By Mr. LEYDIC. HOUSE BILL No. 252.

An Act to further amend clause nine of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," permitting employees to change from the one one-hundred-sixtieth to the one one-hundredth class of contributors to the State Employes' Retirement Fund within a certain time.

Referred to the Committee on State Government.

By Messrs. STOCKHAM and YEAKEL.

HOUSE BILL No. 253.

An Act giving volunteer firemen appointed as special police officers certain police powers at fires attended by their fire companies in any city, borough, town and township.

Referred to the Committee on Municipal Corporations.

By Mr. TURNER. HOUSE BILL No. 254.

An Act to amend section three hundred and sixteen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing any stock or mutual insurance company to grant allowances or pensions to employes and officers.

Referred to the Committee on Insurance.

By Mr. TURNER. HOUSE BILL No. 255.

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. MORAN and GOODWIN.

HOUSE BILL No. 256.

A Joint Resolution proposing an amendment to section three, article four of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. CORDIER and KENEHAN.

HOUSE BILL No. 257.

An Act providing for the adoption of an annual financial program in cities of the second class A.

Referred to the Committee on Cities—Second Class.

By Messrs. MORAN and PRESLEY N. JONES.

HOUSE BILL No. 258.

An Act relating to local taxation; establishing a system in counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes for the collection of county, borough, town, township, school, and poor taxes, with certain exceptions through the county treasurers as county tax collectors, and city tax collectors in cities of the second class A and third class; providing for a referendum to ascertain the will of the electors in each county (except counties of the first class) as to the acceptance of this act; providing that the act shall apply to all the aforesaid counties in the event the referendum provisions are held unconstitutional; defining the rights, powers, and duties of the collectors of county, borough, town, township, school, and poor district taxes, in certain counties; defining the rights, powers, and duties of such taxing units; regulating the date of making and certifying of tax levies; abolishing the office of county, borough, town, township, school, and poor district tax collectors, except county treasurers and certain tax collectors in cities, upon the expiration of existing terms and in cases of vacancies; imposing certain duties upon the Department of Internal Affairs; defining certain criminal offenses; imposing penalties and creating liens; and repealing existing laws.

Referred to the Committee on Municipal Corporations.

By Mr. KENEHAN. HOUSE BILL No. 259.

An Act to further amend sections four hundred eleven, and six hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15—1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours

during which liquor, malt or brewed beverages may be sold; and imposing further penalties.

Referred to the Committee on Liquor Control.

By Messrs. MORAN and SHAFFER.

HOUSE BILL No. 260.

Proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. MORAN and HEATHERINGTON.

HOUSE BILL No. 261.

To exempt certain homesteads from taxation.

Referred to the Committee on Municipal Corporations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MOUL. RESOLUTION No. 15.

In the House of Representatives, February 10, 1941.

Whereas, The mountains and hillsides of Pennsylvania feed the headwaters of important drainage areas of the Nation; and

Whereas, The wealth of topsoil has eroded from the hillsides of Pennsylvania with accelerated speed as the forest resources have been depleted and exploited and as the natural barriers of erosion have been broken by reckless and profligate methods of tillage and wasteage; and

Whereas, The Democratic Administration of George H. Earle enacted the Soil Conservation Districts Law of 1937 and created the Soil Conservation Board to cooperate with the Federal Government in a National program of conservation and erosion control; and

Whereas, The Democratic Administration of Franklin D. Roosevelt has provided funds to eventually control erosion on the hillsides of Pennsylvania and other headwaters states so that appropriations may be diminished for the dredging of harbours and waterways and the soil may be saved for future generations of farmers; and

Whereas, Said Federal funds have been accepted very generally by farmers of other headwaters states, while Pennsylvania has instituted only four soil conservation districts; and

Whereas, The inaptitude of the present administration has brought the General Assembly face to face with a major fiscal crisis with many funds raided and many appropriations hampered; therefore be it

Resolved, That the Speaker of the House appoint a committee of three from the House of Representatives to investigate into the operation and procedure of the Soil Conservation Board and the Extension Service of Pennsylvania State College so that the finding of said investigating committee may be made available to the House of Representatives before any appropriation is approved for said board and college.

Referred to the Committee on Rules.

By Messrs. McINTOSH and BAUGHER.

RESOLUTION No. 16.

In the House of Representatives, February 10, 1941.

Whereas, The farmers of Cumberland County boldly emulated the "farmers of Lexington" in resisting the dictatorial aggressions of predatory powers in a bold attempt to perpetuate a system of financial exploitation; and

Whereas, Said farmers have shown unusual courage, resourcefulness and solidarity of purpose in their night-long vigil and concerted action against the aggressions of power interests by filling holes for light poles as fast as said power concern dug them; and

Whereas, Said farmers have been refused and denied the benefits of electric power and light at reasonable rates for many years; and

Whereas, The Democratic Administration of George H. Earle gave to the farmers of Pennsylvania the Model Rural Electrification Act of 1937, and the Democratic Administration of Franklin D. Roosevelt gave to the farmers of the Nation the Rural Electrification Administration for the purpose of financing at low interest, rates, the farmers cooperatives validated by the said Act of 1937; and

Whereas, The power interests habitually circulate phobias of delay, insufficiency of money, personal financial liability of members, and equally untrue and misleading propaganda; therefore be it

Resolved, That this House of Representatives this day assembled at Harrisburg, Pennsylvania, hereby renews its pledge of cooperation with farmers for more liberal legislation in the field of rural electrification; and be it further

Resolved, That if said House of Representatives is thwarted by the present administration from the accomplishment of this end of a more liberal program, then the House of Representatives hereby pledges to defeat any attempt by the power interests or the present administration to destroy or minimize the benefits of the Act of 1937.

Referred to the Committee on Agriculture.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

Mrs. Frank J. Atkins is deeply grateful to the members of the House of Representatives for the kind expression of sympathy.

COMMUNICATIONS AND PETITIONS

The Speaker laid before the House the following communications and petitions.

TEACHER'S SALARY

A petition from the West Mead Salary Committee, Cochranton, "urging and recommending respectful salary for licensed professional teachers."

Referred to the Committee on Education.

TAX ABATEMENT

A communication from West Branch Bank and Trust Company, Williamsport, favoring passage of House Bill No. 155 abating taxes.

Referred to the Committee on Judiciary Special.

SAUSAGE LAW

A communication from John J. Felin & Co., Inc., Philadelphia, protesting passage of House Bill No. 7.

Referred to the Committee on Public Health and Sanitation.

WORK RELIEF

A communication from R. B. Mateer, Philadelphia, protesting repeal or modification of Pierson Bill.

Referred to the Committee on Welfare.

OLD AGE ASSISTANCE

A communication from Andrew Vogler, Media, requesting amendment to Old Age Assistance Act.

Referred to the Committee on Welfare.

MOTHERS ASSISTANCE

A communication from Mrs. Edith Kennedy, Philadelphia, requesting consideration of an amendment to Mothers Assistance Act.

Referred to the Committee on Welfare.

BUDGET UNIT RULE

A communication from the Legal Aid Society of Philadel-

phia, requesting hearings and urging amendment of "Budget Unit Rule."

Referred to the Committee on Welfare.

ELECTIONS

Communications from citizens of Philadelphia, urging defeat of Senate Bill No. 78.

Referred to the Committee on Welfare.

REPORT OF PHILADELPHIA SAVING FUND SOCIETY

The SPEAKER laid before the House the One Hundred Twenty-fourth Annual Statement of the Philadelphia Saving Fund Society.

(For report see Appendix)

DOLLAR SAVINGS BANK

The SPEAKER laid before the House the One Hundred Seventy-first Semi-annual Report of The Dollar Savings Bank, Pittsburgh and the list of depositors as of January 31, 1941 who have not made a deposit within two years and whose dividends have not been entered upon their pass books.

(For report and list see Appendix)

ANNOUNCEMENTS BY THE SPEAKER

The SPEAKER. On next Tuesday evening February 18th at 8:30 P. M., the biennial reception given by the Governor to the Members of the General Assembly and their wives will be held. The Chair wishes to remind the Members to bring their wives with them next week.

The House History for this week contains a list of the Standing Committees and the rooms in which they will hold their meetings.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. HALL for himself after tonight's session for the remainder of the week.

Mr. Woodside for Mr. ECKELS for the week on account of illness.

Mr. Woodside for Mr. HABBYSHAW for the week.

Mr. Nagel for Mr. McLANAHAN for the week on account of illness.

Mr. Falkenstein for Mr. SAMUEL ROSE on account of illness.

Mr. Falkenstein for Mr. FINNERTY for the remainder of the week on account of illness.

RESOLUTION RE-REFERRED

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Judiciary General House Resolution No. 9.

The SPEAKER. The resolution is re-referred to the Committee on Judiciary General.

REPORT FROM COMMITTEE

Mr. GALLAGHER from the committee on Mines and Mining reported as committed House Resolution No. 1.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 10, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 17, 1941, at 4:00 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 17, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS INTRODUCED AND REFERRED

By Mr. WOODSIDE. HOUSE BILL No. 262.

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 263.

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Building & Loan, Monday, immediately after recess in Room 330.

Military Affairs, immediately after recess in the Conference Room at the rear of the Hall of the House.

Public Utilities, immediately after recess in Room 324.

Ways & Means, immediately after recess in Room 326.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for the purpose of holding Committee meetings. The Chair hears none, and declares a recess for forty-five minutes.

AFTER RECESS

The SPEAKER. The time of recess having expired the House will be in order.

The SPEAKER (Elmer Kilroy) in the Chair.

REPORTS FROM COMMITTEES

Mr. HABERLEN, from the Committee on Ways and Means, reported as committed, House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 349), entitled, as amended, "An act to provide revenue by imposing a State tax upon

sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

Mr. O'CONNOR, from the Committee on Ways and Means, reported as committed, House Bill No. 229, entitled:

To further amend section four of the act, approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Mr. BURNS, from the Committee on Ways and Means, reported as committed, House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on scrip bonds, certificates and evidence of indebtedness, assumed or on which interest is paid by corporations, for further limited period of time.

Mr. GATES, from the Committee on Ways and Means, reported as committed, House Bill No. 231, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

Mr. HOLLAND, from the Committee on Ways and Means, reported as committed, House Bill No. 232, entitled:

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

Mr. SCHWAB, from the Committee on Ways and Means, reported as committed, House Bill No. 233, entitled:

An Act to further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (P. L. 640), entitled 'An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

Mr. COOPER, from the Committee on Ways and Means reported as Committed, House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

Mr. POWERS, from the Committee on Ways and Means reported as Committed, House Bill No. 235, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

Mr. MARKS, from the Committee on Public Utilities reported as Committed, House Bill No. 203, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such

Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

Mr. FINESTONE, from the Committee on Public Utilities, reported as Committed, House Bill No. 222, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled, "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders for the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act" by changing the definition of corporation to include municipal authorities engaged in rendering a public utility service, and regulating such municipal authorities.

RESOLUTION

EXTENDING THANKS TO SECRETARY OF PROPERTY AND SUPPLIES

Mr. TURNER offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 10, 1941.

Whereas, By reason of the growing demand for office space, the administrative and fiscal offices had over a period of time encroached upon much of the space in the main Capitol building originally intended for and assigned to the legislative departments of the State government; and upon completion of the new Finance Building, these quarters were restored to much needed legislative use; and

Whereas, At the last session of the General Assembly, an appropriation was made to the Department of Property and Supplies for the cost of alterations, furnishings and necessary improvements on this space in the main Capitol building, which alterations, furnishings and improvements have now been completed in a most satisfactory and commendable manner through the tireless efforts of the Secretary of Property and Supplies and the able assistants in his department; therefore be it

Resolved, That the House of Representatives hereby extends sincerest thanks to Captain Roger W. Rowland and the deputies and attaches of the Department of Property and Supplies for their wholehearted cooperation in remodeling, decorating and furnishing the House caucus room, the offices of the Speaker and the Chief Clerk, and the various committee rooms for the use of House committees; and be it further

Resolved, That the Chief Clerk be directed to transmit a certified copy of this resolution to Captain Rowland.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, Feb. 11 at 10:30 a. m. in Room 329.

Counties, Tuesday, Feb. 11 at 11:30 a. m. in Room 521.

Judiciary General, Tuesday, Feb. 11, at 10 a. m. in Room 246.

Labor, Tuesday, Feb. 11 at 10 a. m. in Room 522.

Railroads & Railways, Tuesday, Feb. 11 at 11 a. m. in Room 522.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 11, 1941, at 1 p. m.

The motion was agreed to, and (at 10.25 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, FEBRUARY 11, 1941. No. 8.

SENATE

TUESDAY, February 11, 1941

The Senate met at 11:00 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Most Gracious and Eternal Heavenly Father, we make our earnest prayer to Thee this morning to keep and defend our United States of America. We believe in her destiny in that as Thou dost protect and preserve us a nation today that we may be a blessing to the nations of the earth tomorrow.

We have entered upon our program of national defense. Thousands of the best boys from the homes of our land have gone, are going or will soon go to training camps to be schooled in the art of defense. Wilt Thou bless both officers and men in their endeavors and defend them in their training that in Thy providence the complete defense of our nation shall speedily be effected.

Amidst the changing scenes of the world today when no one knows where or when a new conflagration in the affairs of men and nations may break forth, may this awful uncertainty and evil foreboding not rob us of our abiding faith in Thee nor break down the constancy of our hope for a better world of the future in which all of us may live. We know Thou dost still control the affairs of men and the destiny of nations, all present actions and conditions to the contrary notwithstanding.

As members of this Senate representing all the people of this great Commonwealth we have work to do. We set about that work now praying Thy direction and protection as we labor. We pray in the name of the Master Craftsman of the universe. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. EDMONDS asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD, on account of illness.

Mr. WADE asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

Mr. GELTZ asked and obtained leave of absence for the Senator from McKean, Mr. THOMAS B. WILSON.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT OF JUSTICE OF PEACE OF DAUPHIN COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles W. Henninger, 624 North 2d Street, Lykens, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Lykens, Dauphin County, until the first Monday in January, 1942, vice Harvey A. Koons, resigned.

ARTHUR H. JAMES.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 11, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Frank E. Bailey, Pittsburgh, 3050 Second Ave.
Daniel S. Sosak, Bellevue.
J. D. Swearingen, Pittsburgh, 3d Ave. and Ross St.
Mrs. Mary V. Woshner, Pittsburgh, 190- Carson St.

BERKS COUNTY

Leon W. Geary, Reading.

DELAWARE COUNTY

Mrs. Edith M. Pierce, Media.

ERIE COUNTY

Miss Edith C. Hess, Erie.

NORTHUMBERLAND COUNTY

Alfred F. Clauser, Kulpmont.

PHILADELPHIA COUNTY

Mrs. Pauline F. Miller, Phila., 1420 Pine St.
Miss Marie A. O'Donnell, Phila., 1623 North Front St.
Robert C. Tittermary, Phila., 923 North Broad St.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CAMBRIA COUNTY

Frank Hill, Nanty Glo, February 15, 1941.

PHILADELPHIA COUNTY

Mrs. Erma P. Webb, Phila., 2402 Market St., February 15, 1941.

YORK COUNTY

Miss Sarah M. Shorb, York, February 15, 1941.

McKEAN COUNTY

M. G. Walters, Port Allegheny, February 23, 1941.

PHILADELPHIA COUNTY

Albert S. Wray, Phila., 5845 Montrose St., February 27, 1941.
Herman Blombaum, Phila., 1308 Rockland St., February 28, 1941.

VENANGO COUNTY

Miss Virginia Hanna, Franklin, February 28, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. WADE.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Scarlett,	Ziesenheim,
Dent,	Kephart,	Shapiro,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 10, 1941.

Resolved (if the House of Representatives concur). That when the Senate adjourns this week it reconvene on Monday, February 17, 1941, at 4 o'clock p. m.; and when the House of Representatives adjourns this week it reconvene on Monday evening, February 17, 1941, at 9 o'clock p. m.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation nominations, made by His Excellency, the Governor of the Commonwealth.

The PRESIDENT. If there are no objections the Clerk will read all of the nominations and they will be acted on at one time.

The nominations were read as follows:

APPOINTMENT AS MEMBER OF THE STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hon. George T. Spang, 729 Cumberland Street, Lebanon, Lebanon County, for appointment as a member of the State Board of Public Assistance, until the third Tuesday of January, 1945, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS CONTROLLER IN MERCER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 28, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Mr. Dunham Barton, 239 N. Pitt Street, Mercer, for appointment as Controller in and for the County of Mercer, until his successor in office is duly elected and installed.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS MAGISTRATE OF COURT No. 21, CITY OF PHILADELPHIA

John C. Morlock, 1427 East Duval Street, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 21 in and for the City of Philadelphia, until the first Monday of January, 1942, vice James Dougherty, deceased.

APPOINTMENT AS MAGISTRATE OF COURT No. 28, CITY OF PHILADELPHIA

Michael R. Kerwick, 2205 Madison Square, Philadelphia, Philadelphia County, for appointment as Magistrate of Court No. 28 in and for the City of Philadelphia, until the first Monday of January, 1942, vice E. David Keiser, removed from office.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE OF WARREN COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

Thomas M. McCarty, 404 Lighthouse Street, Erie, Erie County, for appointment as Alderman in and for the First Ward of the City of Erie, Erie County, until the first Monday in January, 1942, vice James Lonergan, resigned.

Walter I. Glassmoyer, Sr., 425 North Partridge Street, Lebanon, Lebanon County, for appointment as Alderman in and for the Seventh Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1942, vice Ray A. Bixler, deceased.

Tracy M. Greenlund, 511 Pennsylvania Avenue, East, Warren, Warren County, for appointment as Justice of the Peace in and for the Borough of Warren, Warren County, until the first Monday in January, 1942, vice Clark E. Nelson, resigned.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. WADE

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. WADE.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Scarlett,	Ziesenheim,
Dent,	Kephart,	Shapiro,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. BARTLETT, from the Committee on Military Affairs, reported as amended, Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

Mr. CAVALCANTE, from the Committee on Military Affairs reported as amended, Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

Mr. CAVALCANTE. Mr. President, during the World War and after the World War, those that served in it learned some very valuable experience. Among that experience was one which we feel holds good today and will hold good in years to come. One of those experiences was that the war efforts of any nation can be best obtained when the military forces of the nation have a unity of understanding, a unity of purpose, a unity of instruction, a unity of discipline, a unity of morale, and a unity of action.

Yesterday, Mr. President, we were honored by an invitation from the Adjutant General of this Commonwealth —when I say honored, I mean the Committee on Military Affairs was invited to inspect our reservation at Indiantown Gap. In going over that camp, Mr. President, we found that there are needs for a few things and one of those needs is some place where this experience that we obtained in the World War can be promoted and carried on.

Mr. President, the committee found that on this vast reservation of thirteen thousand acres owned by the State, the Federal Government is at this time carrying on a rather extensive building program to house approximately thirty thousand men, the flower of the youth of this State, where they are going to be assembled and trained, looking to the future of this nation. In our inspection, Mr. President, we found that in the construction of that camp there has been omitted a building large enough where the staff of our army, I mean our State Militia, can call together at any one time the commissioned and noncommissioned officers of our National Guard where they can by proper lectures and proper programs bring about that unity of understanding, of purpose, of instruction, of discipline, and of morale and action which the World War taught us was essential to the best war efforts of the nation.

Mr. President, after the Committee on Military Affairs, a majority of that committee, returned to this capitol building yesterday, it was the general opinion of the entire committee that we sponsor an appropriation sufficient so that an auditorium may be erected at the Indiantown Gap Reservation to bring about the things I have mentioned. The committee through its chairman, the Honorable Robert M. Miller, has prepared an appropriation

bill in the sum of $125,000, and the committee as a whole is recommending that appropriation to this Senate, and we are reporting the bill out as amended, with the recommendation that it be re-referred to the Committee on Appropriations for proper action thereon, with this suggestion, that it is the opinion of the Committee on Military Affairs that this is very essential at this time, due to this large body of men that is being assembled on this reservation for training of a character that will insure the safety of our state and our nation.

Mr. President, I therefore report out as amended, Senate Bill No. 159.

The PRESIDENT. The Senator from Fayette presents originally from the Committee on Military Affairs as amended Senate Bill 159. If there is no objection the request of the Senator from Fayette will be complied with and it will be referred to the Committee on Appropriations.

Will it be satisfactory to the Senator to have the bill referred to the Committee on Appropriations after second reading, or does the Senator wish it to be referred at this time?

Mr. CAVALCANTE. Mr. President, I think it is the better policy that we put it through its second reading stage and then refer it back to the Committee on Appropriations.

Mr. BECKER, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relating to the creation of flood control districts, adoption of plans for flood control works, and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as re-enacted and amended, by conferring additional powers on the Department of Highways.

Mr. JAMES, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 120, entitled:

An Act providing for payment of damages to motor vehicles caused by deer on the public highways out of the Game Fund; and appropriating moneys therein for such purpose.

BILLS INTRODUCED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 170 entitled:

An Act to amend section two of article five of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by classifying all firemen, fire alarm operators and officers of the fire department for the purpose of fixing minimum salaries for such classifications, and setting up minimum salaries for such classifications.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 171, entitled:

An Act to further amend subsection (a) of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custoday and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further regulating refunds.

Which was committed to the Committee on State Government.

Mr. WALKER. Mr. President, I rise in my place to present the following bill, but before presenting it I would like to make a brief statement.

This bill, Mr. President, has been co-sponsored by the Senator from Fayette, Mr. Cavalcante, and myself.

Mr. President, there have been a number of similar bills or bills attempting to do similar things introduced in the Senate and probably in the House, and, Mr. President, I want to point out that in times of national emergency there is a tendency on the part of a great many citizens to engage in what might be called, witch hunting. We do not want this bill classified as such, but many of us who appreciate what we went through twenty-three, twenty-four or twenty-five years ago, appreciate the danger many thousands of our young men might be exposed to if something is not done to correct some of the evils of sabotage in this country.

Mr. President, there have been many bills introduced trying to eliminate what are commonly called enemies of our government from our bowels. Mr. President, this bill has been very carefully prepared. We are trying to make it a non-partisan measure so that we can show not only to the state of Pennsylvania but to the nation that when the time comes to protect this counry we can join hands with our Governor and with our President and show some national unity.

We hope this bill, Mr. President, will be promptly reported out so that its advantages may accrue to those young men who have been so glowingly referred to by the Senator from Fayette as the flower of Pennsylvania.

Mr. President, we stand shoulder to shoulder in this thing, just as we did twenty-four years ago, and we are not ashamed of the drums in our hearts. Therefore, Mr. President, on behalf of the Senator from Fayette, Mr. Cavalcante, and myself, I offer the following bill.

Messrs. WALKER and CAVALCANTE read in their places and presented to the Chair Senate Bill No. 172, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies.

The PRESIDENT. Would the Senator from Allegheny prefer to have this bill referred to the Committee on Judiciary General.

Mr. WALKER. I would be very pleased to have it, Mr. President.

Which was committed to the Committee on Judiciary General.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 173, entitled:

A Supplement to the act approved the first day of June, one thousand nine hundred and thirty-three, (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expenses of the Commonwealth," establishing an additional route in the Borough of Union City, Erie County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 174, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720), entitled, "An act providing for the taking over by the Commonwealth under certain terms, conditions, and limitations of certain streets in cities of the second class, and second class A, and third class, as state highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of certain defined widths of said streets, imposing duties on such cities, and on public utility companies using such streets, providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon, authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance, providing for the assessment of certain portions of the cost of street improvements on abutting property owners, regulating the replacement of certain facilities of public utility companies, prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor, regulating the maintenance of detours, authorizing the increase of city indebtedness in certain cases, and appropriating money in the Motor License Fund for the purposes of this act" by establishing additional routes in the City of Erie.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 175, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions, limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways, and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Erie.

Which was committed to the Committee on Highways.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 177, entitled:

An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies, arising out of or as a result of the death of the person slain; and protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL read in ihs place and presented to the Chair Senate Bill No. 178, entitled:

An Act to amend paragraph four of subsection (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedent, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointments, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by validating deeds heretofore accepted by fiduciaries holding mortgages in certain cases.

Which was committed to the Committee on Judiciary General.

Mr. DEITRICK read in his place and presented to the Chair Senate Bill No. 179, entitled:

An Act prohibiting the granting of benefits to aliens by the Commonwealth or any political subdivision thereof.

Which was committed to the Committee on Judiciary General.

Mr. REED read in his place and presented to the Chair Senate Bill No. 180, entitled:

An Act makng an appropriation to the Washington Hospital, Washington, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 181, entitled:

An Act making an appropriation to the Miners' Hospital of Northern Cambria, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McGREESH read in his place and presented to the Chair Senate Bill No. 182, entitled:

An Act making an appropriation to the American Oncologic Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 183, entitled:

An Act making an appropriation to the Union Home for Old Ladies of West Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

QUESTION OF PERSONAL PRIVILEGE

Mr. RUTH. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The Senator from Berks will state his question of personal privilege.

Mr. RUTH. Mr. President, last Saturday, February 8th, one of our colleagues, Senator Reed, addressed the convention of the Pennsylvania School Directors Association, and in his remarks he gave material that I believe, and the School Directors Association believes, is valuable public information.

Therefore, Mr. President, I ask unanimous consent to have his remarks incorporated in today's journal.

The PRESIDENT. If there is no objection, it is so ordered.

SPEECH BY SENATOR REED, DELIVERED AT THE ANNUAL CONVENTION OF PENNA. STATE SCHOOL DIRECTORS' ASSOCIATION ON SAT., FEB. 8, 1941.

THE WAY TO GOOD GOVERNMENT

For the last decade there has been a broad and intensive search in the nation for the discovery of a way to lead our government back to its former position of stability and security.

Even before the great depression of 1931, those of vision and foresight detected the appearance of decay in the Republic and sought means to arrest its devastating and destructive progress. Great scholars appeared with plans for restoring the nation; statesmen came forth and submitted their views; scientists readily offered their opinions; and from numerous other sources there have come hundreds of suggestions for the solution of the most perplexing problem ever to confront the American people.

The search for light has carried the investigation into every country of the civilized world and has involved a study of the history of nations far back into the dark ages of the past. Program after program has been submitted for the healing of the nation; remedy after remedy has been prescribed for the cure of the ills of the state; and down to the smallest municipality this urge for reform has descended. This proferred aid has touched and embraced every phase of the social, political and economic life of the Republic, and out of the process there has arisen a new order, unknown to the fathers, complicated and involved, confusing and misleading, to those in search of the pure and lasting ideals of American democracy.

The plan advanced and adopted by the Federal Government and advocated and followed in most of the States during this critical period is based on the belief that all errors and mistakes, all weakness and infirmity, all graft and corruption, all idleness and poverty, all avarice and greed, can be exposed and eliminated by legislative action. Following this course, Congress has enacted thousands of laws for the purpose of restoring prosperity, sustaining democracy and aiding mankind; and the several states, touched by the contagion, have seized the same means for improving and strengthening their governments. Pennsylvania has not been missed by this wave of attempted reform. Our State has adopted the same policy, and laws, laws, laws, have been passed touching almost every phase of human activity, including social legislation, health legislation, labor legislation, school legislation, municipal legislation, business legislation, legislation for sports and amusements, legislation for roads and highways, legislation for taxes and finance; all designed to make for better government. The same system is in effect today and at the present Session of the Legislature hundreds of bills will be presented aimed at the same object, better government.

To the true and sincere citizen, unselfishly interested in his state and country, naturally comes the question, is such a course the way to good government?

Many nations of antiquity attempted in vain to preserve their national strength and greatness by lengthy codes of laws and intricate rules of conduct. Greece, detecting national decay, tried to stay the hand of the spoiler by legislation, but failed. Rome, with all her wealth and power, was unable to arrest decline and destruction, although her system of laws was a model of the times. History gives us no case to prove that a multiplicity of laws or an involved and complicated system of rules and regulations are essential to the establishment and preservation of a free form of government.

A free form of government is made of men, and the way to good government is through men. A strong, free and virtuous people need few laws for their guidance, but where character has disappeared and virtue has been suppressed, then law becomes necessary for the control of human conduct. The greatest code of laws of all times, given by God to Moses, was simple and clear providing for devotion to God and the practice of virtue among men. The early American fathers builded this great Republic on the firm foundation of faith in God and virtue among men. The great William Penn expressed the same thought when he said: "Men must be governed by God or they will be ruled by tyrants."

In the home, in the church and in the school, our early forebears advocated and taught the simple though powerful doctrine of devotion to God and the practice of virtue among men. By their righteous living and noble conduct, they rendered profusion in the making of laws unnecessary, but they honored the law with patriotic zeal and sacred obedience, and left to us as a heritage the greatest Republic of all times. Their history, and example clearly affirm the proposition, that the way to good government is through men. The father of his country, the noble George Washington, in his Farewell Address, views the matter in these words: "Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?"

Have these ancient landmarks of the fathers been removed? Have the noble and sublime impulses been submerged? Is America dying for the want of virtue?

Arouse yourselves. O citizens! Let industry and thrift be again cultivated; let honesty and truth be extolled; let devotion to God and zeal for country be revived. Into the home, into the church and into the school let the movement roll, bearing on its crest the warning that righteousness exalteth a nation, but sin is a reproach to any people. Repeat and retell the story that industry has no time for crime or delinquency; that thrift abhors the poorhouse and the dole; that honesty wars against graft and corruption; and that truth is an imperial virtue, carrying man away from all that is evil and vile.

We must always remember that when virtue is ignored, weakness and short-comings appear among our people, and it is then that the easy but expensive course is pursued to meet the contingency, the enactment and promulgation of laws, rules and regulations. Thus, for example, when the master and the servant, when capital and labor, could not unselfishly and virtuously sit down together and peacefully and justly settle their differences, then it became necessary to control and supervise their relations by law and governmental regulation. Or, when, through selfishness and greed, some powerful combination as the Milk Trust attempts to take advantage of the farmer or consumer, government steps in through law and regulations to control the relationship. Or, when a citizen, elected to public office and sworn to faithfully and honestly serve the State, descends, in weakness, to advance his own individual interest, then legislation appears in the form of teachers tenure or of some other kindred nature. And do not forget that all of these transitions, and they have been numerous, have been accompanied by heavy outlays of governmental funds, in the creation of departments and boards, and in the hiring of thousands of salaried officials and employes, all of which has brought about and laid upon the backs of the people as constantly increasing burden, heavy, indeed, to bear.

How long! Oh, how long! Can the Republic endure? Has it been weighed in the balance and found wanting? Or, is there yet hope for its preservation and safety? Deeply concerned is every true citizen with the knowledge that an increasing number of our boys and girls are seeking the easy life of froth and tinsel that leads to delinquency and crime. The number of crimes committed by those between the ages of 16 and 25 is astounding. Recently a report published in one of the western counties of the State showed that over six hundred of the two thousand inmates of the county jail for a certain period were youths between the ages of 16 and 25. Similar statistics are available elsewhere, and warnings have gone out from many agencies seeking a correction of this dangerous and destructive tendency. And while this moral delinquency prevails, other annoying information appears. It is that an alarming number of our young men are physically unfit for military service, the rate in places running as high as thirty per cent.

These are matters that shake the faith; that trouble the mind; that annoy the soul; and we wonder whether we are approaching the time spoken of by the prophet: "When the good man is perished out of the earth; and there is none upright among men." Our government, it is good, only so long as its people are good; our government, it is strong, only so long as its people are virtuous; our government, it will endure, only so long as its people are just and righteous.

Let us then, strive for better things; let us rise above self and offer to a deserving country, a life dedicated to the practice of the simple virtues of the fathers; a life guided by humble faith in the wisdom and justness of divine Providence. We shall then be on the way to good government.

REQUESTING INFORMATION FROM THE DEPARTMENT OF REVENUE

Mr. EDMONDS. Mr. President, I offer the following resolution and as it is a resolution requesting information, I move its immediate adoption.

In the Senate, February 11, 1941.

Resolved, That the Senate of Pennsylvania hereby requests the Department of Revenue to advise it as to whether that Department examines the accounts and books of Municipal Authorities as provided in the original Municipal Authorities Act of 1935 and its supplements thereto, and if it makes such an examination to advise the Senate as to the total amount of debt which has been contracted by the Municipal Authorities established under this Act and its supplements.

On the question.

Will the Senate agree to the Resolution?

Mr. EDMONDS. Mr. President, I would like to say just a word in explanation of this resolution. In the original resolution that was addressed to the Secretary of the Commonwealth, we asked the question as to just what debts had been contracted by the municipal authorities, and the answer that comes from the Secretary of the Commonwealth indicates that there are ninety-two municipal authorities in Pennsylvania, but that there is no agency which maintains any supervision over the debts they contract.

Mr. President, the Secretary of the Commonwealth referred to the fact that in the original act there was a provision that the Department of Revenue might examine those accounts, and this resolution hopes to get the information from the Department of Revenue.

Mr. President, for my own part, it seems to me the deeper we go into this matter the more it seems to me we made a mistake in 1935 in starting these new agencies to work through the State, and yet at the same time, to not provide in any way for their supervision.

Mr. President, I am willing to admit many of them have done a great deal of good, and I do not want any one to feel this is a witch-hunting expedition, nor do I wish to destroy some good that has been done, but on the other hand, I think it is important that the General Assembly of Pennsylvania should have some information as to what has been done under the authority conferred by this act, and we are now trying to get this information from some department that might know. Otherwise I will ask the Senate to address a letter of inquiry over the signature of its secretary to each of the authorities and get the information direct from them.

And the question recurring.

Will the Senate agree to the resolution?

It was agreed to.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The Senator from Westmoreland will state his point of information.

Mr. DENT. Mr. President, I understand the Senator from Warren, Dr. Chapman, introduced a bill amending the acts that provide for the granting of birth certificates by the Bureau of Vital Statistics.

Mr. President, I would like to ask the committee that holds that bill to proceed with action upon the bill in order that the Senate may have an opportunity to vote for or against. it.

Mr. President, it is essential that something be done in the matter of issuing birth certificates. I have before me at the present time fifteen or sixteen applications that I have been fiddling with for the last three months trying to get the Department organized to the point of granting birth certificates.

Mr. President, out in western Pennsylvania, we have a

great part of the defense armament program in production, in the hands of Westinghouse and other large plants. Before they will give a person a job, he must have his birth certificate. As an illustration of the—I would not say incompetence but I will say mismanagement of the department, I have before me certificates that were sent in in November. This is the fourth time these certificates have been issued, and for the fourth time they have misspelled either the place of birth or the name of the person getting the certificate. In one case I had five members of one family who had applied for birth certificates. They had five children born in different places with five different mothers.

Mr. President, here is another one who applied on September 21st of last year for a birth certificate, and to date has not received it.

Mr. President, most of these persons have jobs in vital defense industries; most of them are craftsmen and tradesmen. They can not take their jobs unless the bureau gives them certificates, and the bureau wants to know when you were born and why, and whether you were born.

Mr. President, here is a man trying to get a birth certificate and he has to fill out more papers than is necessary in joining the United States Marine Corps.

Mr. President, I wish some one would take seriously this problem of birth certificates. We have in Pennsylvania a great population. A great many of the citizens of this State are foreigners or of foreign extraction, their names are difficult to pronounce and more difficult to spell, and during the years the family has lost perhaps an "e" or an "i" or two or three "z's". Due to that fact it is impossible for the children to get birth certificates through the Bureau of Vital Statistics.

Mr. President, I propose we take the Chapman bill and if it needs amending, so amend it, but let us at least have some action on it, because if you stop to realize it, there are bottle-necks in the defense industry, and the biggest bottleneck is over in the Bureau of Vital Statistics under the management of one Tom Williams.

Mr. EALY. Mr. President, I wish to state for the information of the Senator from Westmoreland that I have already asked the secretary to announce a committee meeting immediately upon recess of this session.

Mr. DENT. Mr. President, I want to say that is the fastest action I have ever gotten from a speech.

The PRESIDENT. Unity is what we are after.

Mr. CAVALCANTE. Unity of purpose, Mr. President.

RESOLUTION MEMORIALIZING CONGRESS RELATIVE TO LEASE-LEND BILL

Mr. COLEMAN. Mr. President, I present the following resolution and ask for its immediate adoption.

The resolution was twice read as follows:

In the Senate, February 11, 1941.

Whereas, All countries of the Western Hemisphere particularly the United States are in great and imminent danger from the spreading conflict between various European nations and from the increasing spread of undemocratic philosophies of government; and

Whereas, The future of the United States and the perpetuation of its established political and economic system require that the European conflict and all its manifestations be kept from the Western Hemisphere and from this country; and

Whereas, Great Britain on land and sea and in the air is now engaged in a valiant and determined struggle to halt the de-civilization of Europe and the World as a result of the general establishment of the pagan Nazi philosophies; and

Whereas, The furnishing of aid to Great Britain by the United States has already and will in the future greatly facilitate the conduct of the various operations designed to maintain the British Empire and suppress the present conflict; and

Whereas, The need for increasing such aid to Great Britain is imminent and imperative if the British Empire is to continue as the active and militant opposition to the Nazi plans of world conquest and if any immediate and direct attack upon the countries of the Western Hemisphere by the axis powers is to be prevented; and

Whereas, There is now pending before the Congress of the United States a bill (H. R. 1776) known as the "Lease-lend" bill, the basic purpose of which is to permit the President of the United States to increase, coordinate and expedite the aid to be given Great Britain by the United States; and

Whereas, Under the terms and provisions of this bill as well as the statement of Winston Churchill, Premier of Great Britain that no American soldier will leave our shores to engage in overseas combat; therefore be it

Resolved (if the House concur), That the General Assembly memoralize the Congress of the United States to adopt with all possible dispatch the "lease-lend" bill (H. R. 1776) in substantially the form introduced; and be it further

Resolved, That one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

The Vice-President, Henry A. Wallace, President of the United States Senate.

Speaker Rayburn, House of Representatives.

Senator Joseph Guffy.

Senator James P. Davis.

All members of the House delegation from Pennsylvania.

MOTION TO SUSPEND RULE 39

Mr. COLEMAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. EALY. Mr. President, I belive the subject matter of this resolution is of sufficient importance to warrant that it be given some study before it is passed and I therefore object to its immediate consideration.

Mr. COLEMAN. Mr. President, did I understand the Senator from Somerset to say he objects to immediate consideration of the resolution?

The PRESIDENT. That is correct.

Mr. COLEMAN. That is all, Mr. President.

The PRESIDENT. The resolution is referred to the Committee on Military Affairs.

Mr. EDMONDS. Mr. President, there has been objection to immediate consideration of the resolution presented by the gentleman from Lackawanna and that gives us an opportunity to consider the matter. If I correctly heard the reading of a clause it endorses the bill as originally introduced and, Mr. President, I think the man who endorses that bill as originally introduced is not only very much behind the times but he is assuming a very serious responsibility and I therefore hope the Senator from Lackawanna will omit that portion of the resolution so that it will read in the present form rather than the original form.

Mr. COLEMAN. Mr. President, I think the gentleman from Montgomery may be correct in that the bill having been amended in its passage through the House accordingly could not be passed in its original form.

However, Mr. President, the phrase in the resolution

I have introduced, and to which the Senator has raised an objection, reads "In substantially the form introduced"; I therefore assume that meets the objection of the Senator from Montgomery.

The PRESIDENT. The resolution has been referred to committee and can there be corrected.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 120, entitled:

An Act providing for payment of damages to motor vehicles caused by deer on the public highways out of the Game Fund; and appropriating moneys therein for such purpose.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENT OF LINCOLN MEMORIAL EXERCISES

Mr. EALY. Mr. President, I wish to state that after the reconvening of the Senate there will be exercises in commemoration of Lincoln's Anniversary.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 4:00 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

INVITATION TO ATTEND MEMORIAL EXERCISES IN THE HOUSE OF REPRESENTATIVES

The PRESIDENT. The Chair is in receipt of a communication which the Clerk will read:

February 11, 1941

Honorable Samuel S. Lewis
President of the Senate
of Pennsylvania

Dear Governor:

The House has arranged a brief memorial program to the memory of our great President Abraham Lincoln at 12 o'clock noon Wednesday, February 12th, in the Hall of the House.

The principal address will be delivered by the Honorable Judge Mussamano of Allegheny County Courts. Music will be furnished by the Glee Club of Lincoln University of Chester County, Pennsylvania.

The Speaker and Members of the Committee extend to the Members and officers of the Senate a cordial invitation to attend.

Signed ELMER KILROY
Speaker of the House
MARSHALL C. SHEPARD
Chairman of Program Committee

COMMUNICATION FROM THE PENNSYLVANIA VETERANS OF FOREIGN WARS

The PRESIDENT. The Chair is in receipt of a communication addressed to himself as Lieutenant Governor from the Department of Pennsylvania Veterans of Foreign Wars. It is the desire of this organization that this communication be read and the Chair will entertain a motion so to do.

COMMUNICATION READ

Mr. MILLER. Mr. President, I move that the communication be read and also be incorporated in the record of this body.

Mr. REED. Mr. President, I second the motion.

It was agreed to.

The clerk read the communication as follows:

DEPARTMENT OF PENNSYLVANIA, INC.
VETERANS OF FOREIGN WARS
OF THE UNITED STATES
Office of Department Quartermaster-Adjutant
Harrisburg, Pa., February 3, 1941.

Honorable Samuel S. Lewis,
Lieutenant Governor,
Commonwealth of Pennsylvania,
The Capitol,
Harrisburg, Pennsylvania.

Dear Mr. Lewis:

On Saturday, January 25, 1941, the Secretary of Public Assistance, Mr. Howard L. Russell, addressing a luncheon conference held jointly by the Pennsylvania Political Science and Public Administration Association, and the American Society for Public Administration, in the Sylvania Hotel, at Philadelphia, assailed the law providing five per cent credit in examinations under the Civil Service laws of the Commonwealth for war veterans, and ten per cent for wounded war veterans.

The more than 30,000 members of the Veterans of Foreign Wars of the United States, Department of Pennsylvania, must take exception to Mr. Russell's remarks and object to his belief that these men are not entitled to recognition of their services in time of war.

This is Mr. Russell's language as quoted by Philadelphia newspapers on Sunday, January 26, 1941, which Mr. Russell does not deny:

> "Where will you find a group of people or a member of the Legislature, who will stick out their necks by sponsoring a bill to repeal the vicious Veterans' Preference Act?" he asked. "Anyone who did this would be accused of running counter to public opinion."

To a group of social workers this language is perfect. But to war veterans it is a challenge which cannot be left unanswered. To members of the General Assembly of the Commonwealth, it is an unwarranted attack on their integrity and an insult to their judgment.

Secretary Russells argument in opposition to preference for war veterans in civil service examinations leaves out a significant factor favoring persons in what is called "in training" or on probation, who are without war service.

Certainly, Mr. Russell is aware that highly valuable credit is given to these provisional employes for experience. We do not, however, object to this situation since it is not unreasonable to give weight to experience in the positions to be filled. But, in practice, the granting of preferred credits to "experienced" employes usually means that the incumbent retains the position, and the small credit given war veterans for defending American institutions, makes little or no difference whatsoever.

When Mr. Russell's attention was called to the unfavorable reaction to his Philadelphia remarks, he stated to Mr. Henry Grab, of Harrisburg, a member of the State Veterans' Commission, who is also a Past Department Commander of the Veterans of Foreign Wars, that: "I have sixty-seven County Boards that feel the same as I do." Now, is not that a reprehensible attitude for a public official to take toward Americans who have been willing to lay down their lives that he might live and be free?

When Mr. Russell cited at Philadelphia the case of being compelled to dismiss a non-veteran who had been employed in the Department of Public Assistance for five years because he received a lower average than a war veteran, he clearly indicated the general inefficiency of his Department since that non-veteran's five years of experience had not been enough for him to learn the job, whereas the war veteran without departmental experience was intelligent enough to pass the examination.

Does not Mr. Russell consider the credits given for the five years of "inexperience" as of any value to the non-veteran as compared with the either five or ten per cent preference to the war veteran?

The Joint State Government Commission's report of January, 1941, shows that those with social-work training are given 20 points credit for their educational background while a person with a business and economics education receives only 15 points, although the latter in actual practice performs the job more efficiently than the former. That also is in the record of the Commission.

From time immemorial, defenders of their country have been given some tangible recognition for their service. This arises not only from the fact that the man was courageous enough to fight for that which his country believed right, but also in recognition of the further fact that credit is given in recognition of discipline, experience, and service, represented by their military activity.

No one can deny that these peculiar advantages are conductive to better performance of public duties wherein discipline, loyalty and public spirit are essential. That is the viewpoint of the Supreme Court of the Commonwealth of Pennsylvania, Mr. Russell notwithstanding. United States court opinions and the opinions of the highest tribunals in other states throughout the nation also hold veteran preference reasonable and just.

Would Mr. Russell have refused to give preference in public appointments to those who fought and won our War of Independence? or to those who held the Union together in the '60's? Apparently, he would, since he now objects to some slight preference to those who helped win World War No. 1.

The Veterans of Foreign Wars recall that, while not condemning them as a group, there have been notable examples among social workers of un-American attitudes, and even pro-Communist affiliations certainly not conductive to that discipline, loyalty, and public spirit that naturally becomes part of the character of war veterans, and which the learned Justices of our Supreme Court laud.

Perhaps the public services of the Department of Public Assistance would benefit considerably, if more, rather than fewer, veterans were appointed to positions to guard the ideals of free government for which they were willing to lay down their lives.

The report of the Joint State Government Commission, a copy of which has been brought to my attention, clearly indicates that the Department of Public Assistance under Mr. Russell's direction, is functioning inefficiently because, among other reasons, social workers are chosen to carry out duties for which they are unqualified—unqualified despite the fact that they passed examinations prescribed by the Department of Public Assistance. Page after page of that report recites the general inefficiency of the social-worker investigators as compared with other investigators without social-work training in investigating relief cases. According to the report presented to the General Assembly, the social-worker investigators are negligent or just unable to comprehend their responsibilities to the taxpayers whose money is being squandered.

Mr. Russell's department has wrought injury to the Commonwealth, and it would seem to be his first duty to pay more attention to the operation of his department to save the taxpayers' money wherever possible, rather than to attack long established law.

Mr. Russell cannot resort to the usual partisan argument advanced by some public officials when their inefficiency is brought into the open that they are the victims of politics. The report to which I refer represents a judgment of his own affiliates upon their administration of public services. In this important instance they did not fear "sticking out their necks," as Mr. Russell questioned in another instance.

Is it possible that the prejudice of Mr. Russell against the more than 450,000 war veterans in Pennsylvania arises from a dislike of war veterans? Is it possible that despite Mr. Russell's high position in Pennsylvania's government and charged with the administration of social legislation as he is, that he has an anti-social attitude? Regardless of either of these suppositions, it would be better when thinking Americans are stressing the necessity for national unity, at a time when young men are compelled to enter military training—to give up a year of their civil life to defend, if necessary, this country of ours—for Mr. Russell to conform his thoughts to the provisions of the law with respect to war veterans. His attitude is creating the widespread impression that public officials who make such statements should be removed summarily from office. It is recalled that Mr. Russell's loose tongue caused his dismissal from the Department of Public Assistance during the Earle Administration.

We resent the attitude of Mr. Russell against war veterans, and wish that he would show a public mark of respect, if he does not hold it privately, to those who were doing the fighting in rodent-ridden and muddy trenches while

their nostrils were filled with the stench of decaying bodies of other American youths and who placed their own lives in jeopardy every minute—making it possible for this man today to hold the high public trust which is his—not by examination, but by political and personal preferment.

In view of Mr. Russell's remarks, I have been requested to call this matter to your attention, and to further request that official cognizance be taken of the un-American attitude of Mr. Russell, through requiring him to appear before the proper committee to explain this vicious meddling with progressive legislation and to also explain why he questioned the integrity of the peoples' representatives in the General Assembly.

I have been further requested to ask that representatives of the Veterans of Foreign Wars of the United States, Department of Pennsylvania, also be permitted to appear before such committee as you may designate, if and when Mr. Russell is asked for a public explanation of his attitude.

Cordially yours,

(Signed, C. A. GNAU, Adjutant
Department of Pennsylvania
Veterans of Foreign Wars of the United States

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointments as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 11, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John C. Lachman, Brentwood.

NORTHUMBERLAND COUNTY

James Rogers, Sunbury.

PHILADELPHIA COUNTY

Mrs. Cecile Gladys Liebig, 5423 Oxford Ave., Philadelphia.

YORK COUNTY

Paul E. Stephens, York.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EDMONDS. That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	McQuiddy,	Tyler,
Coleman,	Haluska,	Miller,	Wade,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	Homsher,	Reed,	Watkins,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Scarlett,	Ziesenheim,
Dent,	Kephart,	Shapiro,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART from the Committee on Public Health reported as amended, Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics; and increasing the duties of certain county officials.

with the understanding that after second reading, it be recommitted to the Committee on Public Health for further amendments if necessary.

BILLS INTRODUCED

Messrs. McGINNIS and GELTZ. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. McGINNIS and GELTZ read in place and presented to the Chair Senate Bill No. 184, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the State of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. McGINNIS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS read in place and presented to the Chair Senate Bill No. 185, entitled:

An Act to further amend section two of, and to add section two and one-tenth to, the act, approved the fourth day of April, one thousand nine hundred twenty-five (P. L. 127), entitled "An act relating to adoption," further regulating adoption proceedings as to the consent of, and notice to be given to, parents of the person proposed to be adopted.

Which was committed to the Committee on Judiciary General.

Mr. MUNDY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MUNDY read in place and presented to the Chair Senate Bill No. 186, entitled:

An Act to further amend section four of the act, approved the twenty-eight day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreement with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by authorizing the General State Authority to construct, improve, equip, furnish and operate the Executive Mansion.

Mr. MUNDY. Mr. President, I ask unanimous consent at this time to present a bill, and I ask the President and my colleagues to indulge me a minute while I make a word of explanation.

Mr. President, this is a bill which provides for the building of a new mansion for the Governor of Pennsylvania. It may seem strange, Mr. President, to my colleagues on the other side to have a Democrat rise in his seat and present such a bill, but may I say to them that the Democratic party has not yet lost all its aspirations and ambitions.

Mr. President, I have made a provision in this bill that the funds be provided by the State Authority. I want the State Authority to have the opportunity to issue some more bonds, and as my colleague over there, Senator Miller knows, he comes from our native county of Luzerne, and it is also the native county of the Governor of Pennsylvania, since you passed that bond for relief recipients and since you passed the bill which was signed by the Governor for the enforced collection of taxes, about sixty-five per cent of the real estate of Luzerne County is now burdened with mortgages taken over by either the county or the State, I am putting this bond issue in to put a mortgage on the mansion for the express purpose of making the Governor himself feel at home, so that he will live in a home which has a mortgage on it.

Mr. President, may I also say this may be a turn in liberality on my part, but I appreciate, having read the budget of 1938 and having carefully listened to the Governor deliver his latest budget and having witnessed the fact that the Governor of Pennsylvania has appointed two Democratic magistrates in Philadelphia, the only thing I have to say now to you, my colleagues, is all that remains in my imagination of the Author James of 1938 and the Author James of 1941 is the voice and the poise.

Referred to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY. From the Committee on Judiciary General re-reported as committed, Senate Bill No. 79, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of miners, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widows's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

MEMORIAL EXERCISES

The PRESIDENT. The Chair recognizes the Senator from Montgomery, Mr. Edmonds.

Mr. EDMONDS. Mr. President and members of the Senate, last evening the President Pro Tempore of the Senate spoke to me of the plan of having a brief memorial to Abraham Lincoln, because the Senate would not be in session tomorrow.

There was not sufficient time, Mr. President, to prepare an essay that would do justice either to the subject or to the audience, but I remembered with very great pleasure that eighteen years ago today I had the pleasure of addressing a joint session of the General Assembly of Pennsylvania on a similar occasion and through the aid of Mr. Holmes and Mr. Cooper I found the record, and as none of the Legislators were then members of the Legislature, I think perhaps what was said on that occasion may be new to them.

Mr. President and Senators, no time is wasted that is spent in the study of biography, and in particular, no American can count that time wasted which gives him a knowledge of the life and the sayings of Abraham Lincoln. To recite the facts of his life in this presence would be like carrying coals to New Castle, but I want for a moment or two, to draw attention to at least three suggestive lessons that, it seems to me, are taught by the record of this great man. In the first place, he was President during a period of tremendous strain and stress, and yet he saved the Union without sacrificing the institutions of

the country. History teaches us, again and again, that in time of war, the tendency is to concentrate power into the hands of the Executive. Someone must decide, and decide quickly; some one must make rulings, and they must be carried out. Again and again, nations, to save themselves from a danger, have placed power in the hands of one man and then after having saved themselves from the danger, have found a greater danger within their own walls. The example of France in the time of Napoleon the Great, is a sufficient illustration of that fact. Now that danger Lincoln avoided for us. Placed as he was in a position of peculiar responsibility with all the power of the American executive, a power greater than is exercised by any crowned head of the world, either at the present time or during his time, and yet with all that power vested in his hands our country came out from the experience more truly representative of its democracy than it had been at the beginning. That is the tremendous achievement which stamps Lincoln not only as a statesman but as a true patriot.

In the second place, the remarkable forcefulness of his public utterances, in expressing the aspirations of a people after ideals in government. It was amazing abroad during the great war how frequently statesmen quoted from Abraham Lincoln. When Mr. Asquith made his statement in the House of Commons in August of 1914, at the time when England was about to declare war, he quoted from Lincoln. When Lloyd George made his statement in the House of Commons in reply to the German peace overtures, he quoted from Lincoln. The English Spectator for weeks quoted from the writings of Lincoln stating that it was necessary that the English people should understand the spirit of democracy as it has been expressed by its choicest exponent; and the thing which caught all of those men was not only the fervor and the power and the sentiment, but the singular clarity and beauty of expression. Those of us who have listened with so much appreciation and enjoyment to the reading of the Second Inaugural and the reading of the Gettysburg address can understand precisely what that means. Lord Curzon, the British statesman in his book on parliamentary eloquence ranks three speeches as of the first magnitude during the nineteenth century. The first, the speech of William Pitt to the House of Commons in announcing the great English victory at Trafalgar. The second Lincoln's Gettysburg oration; the third, Lincoln's Second Inaugural. Two to one is the record for America on those great speeches, and the reason for that is that Lincoln, as few men have done, had striven from early boyhood to make himself absolutely clear in every statement that he might make. It was not the result of college education. Take this list of books which he had read, down to his nineteenth year: Aesop's Fables, Robinson Crusoe, Weem's Life of Washington, Bunyan's Pilgrim's Progress, the Bible, a volume of the statutes of Indiana, which contained as a preliminary a copy of the Constitution of the United States, and a copy of the Constitution of the state of Indiana. That was the reading upon which his mind fed. Later in life, when he ran for public office, his political manager announced that in addition to this list of six, there was a seventh, Plutarch's Lives, whereupon Lincoln sent for him and said, "That is not true, as at that time I had not read Plutarch's Lives, but, as you have advertised me as having read it, I bought a copy and have read it." He was a man of a few books, but he had studied these books with care. He said himself that when he was a boy, if, in conversation among men, or in talk at the country store, he heard a statement made that he did not understand, it worried him, it puzzled him, it angered him. Said he, "I was not content, but I inquired from every one what the word meant, what did this phrase mean, what was the idea, and," said he, "I never rested until I had gotten to so thoroughly understand that statement that I could bound it on the north, and bound it on the south, and bound it on the east, and bound it on the west, then I was content." As a result, he has given us in his written statements the clearest exposition of the ideals of democracy that have ever been given forth from the brain of man. And coupled with that went wonderful power in sympathy and understanding. Some years ago in the little library of Meron College, Oxford University, one of the oldest colleges of that ancient seat of learning, at one end of the bookcase is a little newspaper clipping, framed, and underneath is the statement that, in the opinion of the authorities at that college, this is the choicest statement of English prose extant. It is the letter of Abraham Lincoln to Mrs. Bixby of Boston:

Executive Mansion.
Washington, Nov. 21, 1864.

To Mrs. Bixby, Boston, Mass.

Dear Madam: I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts that you are the mother of five sons who have died on the field of battle. I feel how weak and fruitless must be any word of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering you the consolation that may be found in the thanks of the republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours very sincerely and respectfully,
A. LINCOLN.

And so the world over, men look to Lincoln today to find there the expression of democracy at its best. One third thought, and that is this: As Lincoln himself so well said, we are wrestling with the experiment as to whether or not a government of the people, by the people, for the people can endure. That experiment is to be tested by its best, and the world today looks upon Abraham Lincoln as the best that America can produce. We in America reverently and gratefully accept that standard. Lincoln belongs not to us nowadays. He belongs to the spirit world. Wherever men and women are striving for better conditions; wherever they are striving for a better understanding; wherever they are asking for more heart, more sympathy, more personal touch between one and another, there they are studying the life and the works of Abraham Lincoln to find something that shall be of help to them. In England they are studying and quoting from Lincoln; in France Lord Charnwood's Life of Lincoln is one of the favorite bits of American Biography. The whole world regards Lincoln as the man who sprung from

poverty, who mastered the science of government without having the learning that came from the colleges and universities; the man who passed through strain and stress, and yet kept himself sweet and strong through it all, the whole world regards that type of man as the best that democracy can produce.

We do well, then, in honoring the memory of Lincoln, for in our own day the work in which we are engaged will be counted as worth while just in proportion as it squares with the superb standard of his life.

The PRESIDENT. The Chair recognizes the Senator from Berks, Dr. Ruth.

Mr. RUTH. Mr. President and gentlemen of the Senate, I take great pleasure in adding to this service a few words on Lincoln, because of the fact that I represent the district in Pennsylvania from which his ancestors came.

Mr. President, we are proud in Berks County to claim Lincoln as one of our own, and I am reading from Whipple's Biography of Lincoln, from a letter which he wrote shortly before he left Springfield, Illinois for Washington, D. C., in which Lincoln said,

"My parents were both born in Virginia, of undistinguished families—second families perhaps I should say. My mother was of a family of the name of Hanks. My paternal grandfather, Abraham Lincoln, migrated from Rockingham County, Virginia, to Kentucky about 1781 or 2, where, a year or two later, he was killed by Indians, not in battle but by stealth, when he was laboring to open a farm in the forest. His ancestors, who were Quakers, went to Virginia from Berks County, Pennsylvania.

In Berks County in addition to the Lincoln family we have another tradition, the Boone family. Daniel Boone was born in Berks County. The Boooe and Lincoln families lived within perhaps three miles of each other and we have traced seven different intermarriages between the Boones and the Lincolns, so we are proud, the citizens of Berks County, to add our voice to this program.

Mr. President, I would particularly stress the humility of Lincoln. In his first public address, delivered as a candidate for office, he introduced himself by saying, "I am humble Abraham Lincoln," and all through his life and through his work his humility stood forth.

Mr. President, there are innumerable stories and instances of his life to attest to that fact. One I quote in particular is where he and some friends were riding through the forest on horseback and as they rode along Lincoln noticed a little bird had fallen out of its nest. They rode on a short distance when Lincoln turned around, got down from his horse, picked up the little bird and put it back into its nest.

When he returned to his friends one said, "Lincoln, that would not have been necessary; such a trifling thing as that," and Lincoln returned quietly, "I feel better for having done it." That, Mr. President, was the attitude of Lincoln all through his life.

The Senator from Montgomery has quoted quite a number of books he read. I particularly am interested from my professional standpoint, in that the foundation of his education was the Bible and the teachings of the Bible were instilled in him by a Christian mother who could read, who taught her husband to write his name, who taught her little boy up to the time when he was ten years old, when she passed away, and gave him the fundamental principle of the Bible, which is humility. He lived it and practiced it all his life.

We have been told on numerous occasions, Mr. President, by numerous speakers that Lincoln was not a church member but I would say today after twenty-three years of active work in the ministry of the gospel I wish we could have more church members who are as good Christians as Abraham Lincoln was. In all his life, in all his doings with his fellow men, he stressed particularly his faith in God and his faith in the Bible, and when his father later died and Lincoln could not go to see him in the last letter he wrote to him he commended his father into the care and attention of the Supreme Divine Father, Who, he said, never left his own in any extremity.

Therefore, Mr. President, I believe today, in these great days of stress and on this 132nd anniversary of this great man, that we would all do well if we would endeavor in our personal lives, and the lives of the people of our State, to incorporate more of Lincoln's humility, more of his heart and feeling toward our fellowmen.

Even though he rose from a log cabin to the White House, he was still in the White House the same Lincoln who as a little boy ten or twelve years of age would gather his playmates together and preach to them the things that be heard from some itinerant preachers, telling them the things his mother had taught him and the things he had read in his Bible and the force of his words had such a power his playmates used to weep when he preached. I admit I cannot do that, make many people weep with my preaching, but I do believe if we could have more of the power of Lincoln which he gained through humility and understanding of human kindness, love and faith in the Divine Father, I and all of us would be better men today.

The PRESIDENT. The Chair recognizes the Senator from Clearfield, Mr. Letzler.

Mr. LETZLER. Mr. President and Members of the Senate, I was very happy to consent to the request of the Senator from Somerset, that I make a small contribution to this Lincoln day program this afternoon. I think the gentleman from Somerset was very smart in not giving us much time in which to make preparation because that will insure the program will be brief rather than one of great length.

Mr. President and Members of the Senate. Great characters are made by the demands of the times and such characters rise to the occasion and make their impress on contemporary history and live on to inspire future generations to great endeavors. They live in history uncircumscribed by time or place. They may have died ten centuries ago or ten days ago. We feel them to be as vital and as modern as ourselves.

It is hard for us to think of Lincoln in any environment except our own. Yet his was a country vastly different. The peopling of the country had been a protest against despotism—against doing things in the way some one else decreed.

A new force, quickened the pulse of national life and the wisdom of Lincoln in those dark days, has become clearer to each succeeding generation.

The principal thought that I want to leave with you today is:

EMANCIPATOR vs DICTATOR

Lincoln proved to the world that free men could be better builders of civilization than slaves. This brought a new conception of dominion, majesty and power—tempered by the golden rule—in which the individual felt that he had a real value and a real place in life. Lincoln the Emanci-

pator stands forth as one who fully sensed the service commanded alike by the laws of man and God—his greatness revealed in the practice of justice—of patriotism—of mercy —in the utter forgetfulness of self and gloriously pictured to us in those memorable words "with malice toward none, with charity for all." What a contrast between the sublime character of the Emancipator and the Dictator who imposes his iron will on millions of people today. He makes slaves in the hope that they will build for him an economic and a physical empire. The two philosophies are, of course, absolutely incompatible. The contrast can be carried on, but you will have to do so yourselves. We revere the memory today of an American Patriot in his complete devotion to his Government and its Constitution, his greatness of soul rose above patriotism and acknowledged the right of every human being made in God's image to his personal act of kindness and mercy not as an act of grace from a mighty ruler but as a service to God and Humanity. Men with the spirit of Lincoln will keep us humble and strong.

I shall conclude by reciting the following poem by Dr. Spencer M. Free of DuBois and Clearfield County, who passed on last year.

LINCOLN

He now is a part of the ages
Who once was a mortal like you,
With joys and with sorrows and duties
And often his skies were not blue.
But ever through all of life's trials
His faith in his God was supreme;
No matter how black were the storm-clouds,
He held to his beautiful dream.
That doing one's best every moment
And leaving the outcome with God,
Our lives would be truly worthwhile now
And after we're put 'neath the sod.
And today he looks down upon earth's folks,
No longer his countenance sad;
And, seeing us walk in his footsteps,
His soul will forever be glad.

The PRESIDENT. The Chair recognizes the Senator from Washington, Mr. Reed.

Mr. REED. Mr. President and members of the Senate, the private life and training of Abraham Lincoln, I believe, is considered by everyone today as very unique, as we compare those times with these streamlined times we live in today.

Here was a man, Mr. President, born in a log cabin, trained in the open by hard and vigorous toil, with few opportunities, and yet during his whole course he traveled upward. As has already been stated, he had little school training, he had no high school training, he had no college training, he had no university training, but he was taught by a good mother the simple and old-fashioned American principles that governed life at that time. He early learned to absorb the old-fashioned American philosophy of the father, devotion to God and the practice of virtue among men. It made no difference how high and lofty was his ascent thereafter, he never departed from this course. He became a lawyer and loved the work, and if we had time, we could discuss this phase of his life with interest at great length. He loved to speak before juries where he used very simple and yet convincing arguments. He loved politics and he ran and was elected to the United States Congress. Later he ran against the Little Giant, Stephen A Douglas, for the United States Senate and while he was defeated, he laid the foundation which later made him president.

In the west, Mr. President, he was well known at that time, because he loved to mingle with the people, and finally as is always the case, his power began to spread toward the centers of population in the east and he was invited to make a speech before the educated people of New York, and that famous address made at Cooper's Institute will go down in history as one of the great speeches made by American orators.

Then, Mr. President, we come to that part of his life where the selection of a President came uppermost in the minds of the American people, and the politicans of that day did not want Abraham Lincoln, because at that time politics was organized just as it is today, and because of his independence, because of his lofty thoughts, because of his welfare for the American people, the politicians of his party opposed him, but the urge of the people was so strong that no one could prevent his nomination. He was elected President, as the Senator on the other side has stated, at a time when the country was in great difficulty, and yet by the same course, by the course of devotion to God and the practice of virtue among men, he steered this Republic back into the course fixed by the Father.

Mr. President, and members of the Senate, he was a man who loved the people from the top of society down to the bottom, with malice toward no one, and with love and charity towards all. He is dead. He died on the altar of sacrifice for his country, as did thousands of others of his time, but his name will live forever in the hearts of the American people.

Mr. President, we honor him in words today. Let us go a little further. Let us take inspiration from the simple and noble life of Abraham Lincoln, and at this critical period in our national life, firmly resolve to unselfishly dedicate our service to our deserving country. Let us say individually with one of our outstanding American poets:

"Build thee more stately mansions, O, my soul.
As the swift seasons roll!
Leave Thy low-vaulted past!
Let each new temple, nobler than the last
Shut thee from heaven with a dome more vast.
Till thou at length art free,
Leaving thine outgrown shell
By life's unresting sea!"

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General reported as amended, Senate Bill No. 40, entitled:

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth,

the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

with the understanding that it be recommitted to the same committee after second reading.

ANNOUNCEMENT

Mr. WALKER. Mr. President, I wish to make an announcement.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President, for the information of my colleagues in the Senate I would like to announce that action on the resolution introduced last Tuesday, February fourth, by Senator Jaspan has been deferred or postponed, at the request of the sponsor of the resolution, until next week.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics; and increasing the duties of certain county officials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, February 17, 1941, at 4:00 o'clock, p. m.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:58 o'clock, p. m., until Monday, February 17, 1941, at 4:00 o'clock, p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 11, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Gracious God, help us to do good as we have opportunity. May we be alive and alert to the duties and privileges of today. As we come to realize that we pass this way but once, may we seek to do good to all men, regardless of race or creed or color.

Give us grace to fulfill the desires of Thy great will. Help us to make the most of this one passing day. Keep us ever in Thy favor, we ask in Thy name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. MARKS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. PETTIT and POLEN. HOUSE BILL No. 264.

An Act making all fines, imposed by justices of the peace having jurisdiction for violations of the Game Law, the Fish Law, the Pennsylvania Liquor Control Act, and the laws relating to dogs payable to the county treasurer of the county where the prosecution was had, for the use of such county.

Referred to the Committee on State Government.

By Mr. NORMAN WOOD. HOUSE BILL No. 265.

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

By Mr. RUSH. HOUSE BILL No. 266.

An Act making an appropriation to The Glen Mills School, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. DOLON. HOUSE BILL No. 267.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. BOORSE. HOUSE BILL No. 268.

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board, to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Referred to the Committee on Appropriations.

By Mr. CADWALADER. HOUSE BILL No. 269.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Referred to the Committee on Appropriations.

By Messrs. PETTIT and POLEN. HOUSE BILL No. 270.

An Act to amend section five of the act, approved the twenty-second day of April, one thousand seven hundred and ninety-four (3 Sm. L. 177), entitled "An act for the prevention of vice and immortality, and of unlawful gaming, and to restrain disorderly sports and dissipation," by further defining gaming, and revising penalties.

Referred to the Committee on Judiciary General.

By Mr. DALYRYMPLE. HOUSE BILL No. 271.

An Act to further amend section two thousand five hundred sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto" changing the penalties and interest imposed for the non-payment of taxes.

Referred to the Committee on Cities—Third Class.

By Mr. WINNER. HOUSE BILL No. 272.

An Act to further amend paragraph (e) of section five hundred and three of the act approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 343) entitled, "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; effecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Referred to the Committee on Ways and Means.

By Mr. LEYDIC. HOUSE BILL No. 273.

An Act to further amend section fourteen of article four of the act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," permitting shot-firers to carry head lamps of an approved type.

Referred to the Committee on Mines and Mining.

By Mr. LEYDIC. HOUSE BILL No. 274.

An Act to further amend section three of article five, of the act approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," permitting fire boses to carry electric head lamps under certain circumstances.

Referred to the Committee on Mines and Mining.

By Mr. HOLLAND. HOUSE BILL No. 275.

An Act to repeal the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710) entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," and its amendments in so far as they apply to wrestling matches and exhibitions.

Referred to the Committee on State Government.

By Mr. HAINES. HOUSE BILL No. 276.

An Act making an appropriation to the Department of Property and Supplies, for the payment of rates, rentals, and other charges that may become due on leases and other contracts executed by The Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

Referred to the Committee on Appropriations.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 277.

An Act to further amend subsection seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method

of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries of teachers in fourth class school districts, and requiring the Commonwealth to make certain payments on account of such salaries.

Referred to the Committee on Education.

By Mr. FISS. HOUSE BILL No. 278.

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto.

Referred to the Committee on Appropriations.

By Mr. HARMUTH. HOUSE BILL No. 279.

An Act requiring school districts to progressively reduce their tax rate on real estate; and providing that the Commonwealth shall pay to the school districts the amount of such annual loss in revenue.

Referred to the Committee on Appropriations.

By Messrs. BROWN and SHEPARD. HOUSE BILL No. 280.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Referred to the Committee on Appropriations.

By Mr. BOIES. HOUSE BILL No. 281.

An Act making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

Referred to the Committee on Appropriations.

By Messrs. PETTIT and POLEN. HOUSE BILL No. 282.

Extending the jurisdiction of alderman and justices of the peace in certain times.

Referred to the Committee on Judiciary General.

By Messrs. PETTIT and POLEN. HOUSE BILL No. 283.

To amend section one thousand eight hundred forty-six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by redefining libel by anonymous publication, and removing penalties.

Referred to the Committee on Judiciary General.

By Mr. STANK. HOUSE BILL No. 284.

Making an appropriation, from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

By Mr. COOPER. HOUSE BILL No. 285.

Making an appropriation to the Department of Property and Supplies for printing, binding, and distributing the annual proceedings of the encampments and conventions of certain war veteran organizations.

Referred to the Committee on Appropriations.

By Mr. PETTIT and WILLIAMS HOUSE BILL NO. 286.

An Act to amend subdivision (b) of article three of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing prothonotaries and clerks of courts to organize themselves into a State association; and to provide for the payment of certain expenses incident thereto by their respective counties.

Referred to the Committee on Counties.

By Mr. FLETCHER. HOUSE BILL No. 287.

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Referred to the Committee on Appropriations.

By Mr. O'DARE. HOUSE BILL No. 288.

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CORDIER. HOUSE BILL No. 289.

An Act making a deficiency appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. NUNEMACHER. HOUSE BILL No. 290.

An Act making an appropriation of moneys in the Motor License Fund to the board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. WOLF. HOUSE BILL No. 291.

An Act making appropriations for aid to free public nonsectarian county libraries, and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 292.

An Act to promote the safety of employees and travellers upon railroads by compelling common carriers by railroad to furnish employees with certain signal devices.

Referred to the Committee on Railroads and Railways.

By Messrs. MORAN and GATES. HOUSE BILL No. 293.

An Act abolishing taxes on real estate for school purposes, except such as may be necessary for funded debt purposes, and for maintenance of school buildings and grounds.

Referred to the Committee on Education.

By Mr. CORDIER. HOUSE BILL No. 294.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. RAUSCH. HOUSE BILL No. 295.

An Act to abolish occupation taxes, prohibiting the imposition of such taxes by the political subdivisions of this Commonwealth, and repealing general, local and special laws inconsistent herewith.

Referred to the Committee on Judiciary Special.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 296.

An Act making an appropriation to the Downington Industrial and Agricultural School, Downington, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. TURNER. HOUSE BILL No. 297.

An Act making an appropriation to the General State Authority, to defray the costs and expenses of said Authority in connection with the organization, administration, and operation thereof.

Referred to the Committee on Appropriations.

By Mr. JAMES. HOUSE BILL NO. 298.

Making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McINTOSH. HOUSE BILL NO. 299.

Making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLASKI. HOUSE BILL NO. 300.

Making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon, through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RUSH. HOUSE BILL NO. 301.

Making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MARKS. HOUSE BILL NO. 302

To add section two hundred thirteen to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to refuse to require school children to salute the flag of the United States.

Referred to the Committee on Judiciary Special.

By Mr. HIRSCH. HOUSE BILL NO. 303.

Establishing as State highways all existing township roads in townships of the first and second class which have not heretofore been established as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; and authorizing the Secretary of Highways under certain conditions to petition the court of quarter sessions to vacate certain of said roads.

Referred to the Committee on Highways.

By Mr. McFALL. HOUSE BILL NO. 304.

Making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institutional district hospitals.

Referred to the Committee on Appropriations.

By Mr. RUSH. HOUSE BILL NO. 305.

Making an appropriation to the Elwyn Training School, at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania; and prescribing certain conditions upon which the appropriation will be available to the school.

Referred to the Committee on Appropriations.

By Mr. VAN ALLSBURG. HOUSE BILL NO. 306.

To add clause (f) to section one thousand and eight of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring operators of vehicles to stop and to proceed slowly and with caution when overtaking a school bus stopped to load or discharge pupils; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. MORAN. HOUSE BILL NO. 307.

To prohibit the possession and use of certain gases and weapons for the suppression of riots and tumults, or in connection with labor disputes, providing penalties, and providing for certain exemptions.

Referred to the Committee on Labor.

By Mr. MARKS. HOUSE BILL NO. 308.

To further amend the first paragraph of subsection (a) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," terminating the contracts of all professional employes who refuse to require pupils to salute the flag of the United States.

Referred to the Committee on Education.

By Mr. LLOYD H. WOOD. HOUSE BILL NO. 309.

Making an appropriation from the State Workmen's Insurance Fund to the State Employe's Retirement Board to meet the obigations of the Commonwealth to the State Employe's Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Referred to the Committee on Appropriations.

By Mr. BAUGHER. HOUSE BILL NO. 310.

Making an appropriation to the State Veterans' Commission, for certain expenses of the commission and for the assistance of needy Pennsyvania veterans of any war, or their dependents.

Referred to the Committee on Appropriations.

By Mr. MORAN. HOUSE BILL NO. 311.

An Act to further amend section five hundred and forty-seven of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entited "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," extending the period in which auditors shall complete their audit.

Referred to the Committee on Townships.

By Mr. HIRSCH. HOUSE BILL NO. 312.

An act to amend clause (e) of section five of the act, approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation," by providing for furnishing artificial limbs to children over ten years of age.

Referred to the Committee on State Government.

By Mr. THOMAS H. LEE. HOUSE BILL NO. 313.

An Act making an appropriation to the Moore Institute of Art, Science and Industry, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. MARKS. HOUSE BILL NO. 314.

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

Referred to the Committee on Counties.

By Mr. POWERS. HOUSE BILL NO. 315.

An Act regulating the storage of abandoned or junked automobiles and providing penalties.

Referred to the Committee on Highways.

By Mr. JAMES. HOUSE BILL No. 316.

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

Referred to the Committee on State Government.

By Messrs. TAYLOR and DAVID P. REESE.
HOUSE BILL No. 317.

An Act making an appropriation to the several fire companies of the city of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POWERS. HOUSE BILL No. 318.

An Act creating licensing zones for the sale of liquor and malt or brewed beverages; regulating the hours thereof; and providing penalties.

Referred to the Committee on Liquor Control.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 319.

An Act to further amend section one of the act, approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275), entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses; prescribing their duties; prohibiting venders from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof," allowing inspectors their expenses in attending State conventions of sealers of weights and measures.

Referred to the Committee on Municipal Corporations.

By Mr. BROWN. HOUSE BILL No. 320.

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

Referred to the Committee on Judiciary General.

By Mr. POWERS. HOUSE BILL No. 321.

An Act to amend section six hundred and seven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuing of operators' licenses in different colors according to operating records.

Referred to the Committee on Motor Vehicles.

By Mr. BRETH. HOUSE BILL No. 322.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Referred to the Committee on Appropriations.

By Messrs. GEORGE E. JONES and AUKER.
HOUSE BILL No. 323.

An Act to further amend section three hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcoholic and alcoholic and malt or brewed beverage, conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts,

and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and the transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," prohibiting State Liquor Stores in municipalities having voted against the granting of liquor licenses.

Referred to the Committee on Liquor Control.

By Mr. TARR. HOUSE BILL No. 324.

An act providing for special vocational, trade, industrial, and commercial schools and classes and occupational adjustment offices through public school districts, and in cooperation with employment and reemployment offices for the training, retaining, instruction, and adjustment of unemployed persons over forty years of age in order to enable them to enter or reenter employment, giving preference to war veterans; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. GEORGE E. JONES. HOUSE BILL No. 325.

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils, for educational trips and other school activities.

Referred to the Committee on Education.

By Messrs. MOUL and NORMAN WOOD.
HOUSE BILL No. 326.

To amend section four as amended, and section seventeen, of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a state tax, payable by those herein and defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by exempting from such tax liquid fuels used for the operation of motor boats and aircraft, and the operation of tractors used exclusively for agricultural purposes, and providing refunds of taxes paid on such liquid fuel.

Referred to the Committee on State Government.

By Mr. BURNS. HOUSE BILL No. 327.

Authorizing and directing the Department of Military Affairs to compile, edit, publish and distribute books, listing the names of the veterans of the wars and expeditions in which the United States has engaged; authorizing said department to procure and accept a Federal Works Progress Administration grant; and making an appropriation.

Referred to the Committee on Military Affairs.

By Messrs. GEORGE E. JONES and AUKER.
HOUSE BILL No. 328.

Authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County, as a memorial; providing for the control, management, supervision, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. GEORGE E. JONES and COOK.
HOUSE BILL No. 329.

To further amend the definition of "Restaurant" in section two, and section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," eliminating some of the requirements heretofore imposed upon restaurant licensees, and giving certain political subdivisions the power to fix the hours when liquor and malt and brewed beverages may be lawfully sold within their boundaries.

Referred to the Committee on Liquor Control.

By Mr. WILLIAMS. HOUSE BILL No. 330.

To add subsection twenty-eight to section one thousand two hundred ten of article twelve of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same, and the method of collectiong such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the Commonwealth to set aside and pay to school districts of the first, second and third classes, fifty per centum of the total minimum increments of salary required by law to be paid the respective professional employes in such districts.

Referred to the Committee on Education.

By Mr. MARKS. HOUSE BILL No. 331.

Abating certain tax penalties, interests and costs on county, city, borough, town, township, school district, poor district, and institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Referred to the Committee on Judiciary Special.

By Mr. MARKS. HOUSE BILL No 332.

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that embezzlement or cheating by fraudulent pretense, as

defined in this act, of any property in the amount of one hundred dollars or less shall be a misdemeanor; and imposing penalties.

Referred to the Committee on Judiciary Special.

By Mr. TARR. HOUSE BILL No. 333.

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Referred to the Committee on Appropriations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 334.

An Act to further amend sections four hundred three, four hundred four, four hundred nine and four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating and amending the issuing of new licenses, renewal licenses and transfers and the suspension and revocation thereof, hearings and appeals thereon; providing for temporary licenses and for appeals to the Superior Court, and providing that an application for a liquor license by the holder of a retail dispensers' malt beverage license shall be deemed a transfer of an existing license.

Referred to the Committee on Liquor Control.

By Mr. HIRSCH. HOUSE BILL No. 335.

To safeguard life, health and property; defining, regulating and licensing contractors and journeymen engaged in the business of painting, paperhanging and decorating; fixing license fees; providing for the revocation of such licenses and appeals therefrom; creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry, and conferring powers and imposing duties thereon; providing penalties and making an appropriation.

Referred to the Committee on State Government.

By Mr. AUKER. HOUSE BILL No. 336.

To amend the title and the act approved the sixteenth day of May, one thousand nine hundred and forty (Act No. 11), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grades changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," further prescribing the purposes for which tolls shall be collected and authorizing the Public Utility Commission to give certain assistance relative thereto; providing for the collection of tolls by the Department of Highways after the turnpike becomes part of the State highway system; making the said bonds issued by the commission subject to taxation; and further regulating the manner of bringing suit against the commission.

Referred to the Committee on State Government.

My Messrs. YEAKEL and STOCKHAM. HOUSE BILL No. 337.

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; and imposing certain charges on counties.

Referred to the Committee on Counties.

By Mr. AUKER. HOUSE BILL No. 338.

An Act to amend the title and act approved the twenty-first day of May, one thousands nine hundred and thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds on the Commonwealth, payable solely from tolls, to apply the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," further prescribing the purposes for which tolls shall be collected, authorizing the Public Utility Commission to give certain assistance relative thereto; and providing for the collection of toll by the Department of Highways, after the said turnpike become part of the State highway system.

Referred to the Committee on State Government.

By Mr. O'CONNOR. HOUSE BILL No. 339.

An Act relating to and authorizing compromise settlements of delinquent taxes by the various political subdivisions, for sums less than the amount due and in certain cases, private sales of real property purchased by them at tax sales.

Referred to the Committee on Municipal Corporations.

By Mr. VOORHEES. HOUSE BILL No. 340.

An Act to repeal section twenty-nine, to amend section thirty-one, and to repeal section thirty-two of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal im-

provements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," further regulating the sale of real property for the nonpayment of tax and municipal claims; providing for the discharge of all liens, mortgages and claims against such property by such sale, and eliminating the right of redemption after such sales.

Referred to the Committee on Municipal Corporations.

By Mr. EDWIN A. LEE. HOUSE BILL No. 341.

An Act making an appropriation to the Trustees of Temple University, at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. IMBRIE. HOUSE BILL No. 342.

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retiremen System with respect to State employes receiving compensation from the Fish Fund.

Referred to the Committee on Appropriations.

By Mr. EDWIN A. LEE. HOUSE BILL No. 343.

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. IMBRIE. HOUSE BILL No. 344.

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Referred to the Committee on Appropriations.

By Mr. EDWIN A. LEE. HOUSE BILL No. 345.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. RONALD L. THOMPSON. HOUSE BILL No. 346.

An Act creating a State Advisory Council consisting of members elected by organizations of professions, business, industry, trades, labor and civic organizations; providing for its organization; prescribing its powers and duties; and imposing duties on the Joint State Government Commission and on the Parliamentarian of the House of Representatives.

Referred to the Committee on State Government.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 347.

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Boad to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Referred to the Committee on Appropriations.

By Mr. GERARD. HOUSE BILL No. 348.

An Act making an appropriation to the Department of Welfare, to pay for the care, treatment, removal, and maintenance of the indigent insane in The Dixmont Hospital, at Dixmont, Allegheny County.

Referred to the Committee on Appropriations.

By Mr. GERARD. HOUSE BILL No. 349.

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Municipal Corporations.

By Mr. LEYDIC. HOUSE BILL No. 350.

An Act making an appropriation to the Department of Welfare, to pay for the care, treatment, removal, and maintenance of the indigent insane in the Dixmont Hospital, at Dixmont, Allegheny County.

Referred to the Committee on Appropriations.

By Mr. KENEHAN. HOUSE BILL No. 351.

Making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WALTER E. ROSE (By request). HOUSE BILL No. 352.

To further amend clause 111 of section seven hundred and two of the act approved the first day of May, one thousand nine hundred and thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by clarifying the provisions of said clause and further providing that such townships may acquire a water supply system and pay for and maintain the same by tax levy.

Referred to the Committee on Townships.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 353.

Making an appropriation to the Department of Military Affairs, for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yoemen (female) and nurses who were killed in action or died during the World War; and conferring certain duties upon the State Veterans' Commission.

Referred to the Committee on Appropriations.

By Mr. COOPER. HOUSE BILL No. 354.

Making an appropriation to the Trustees of the University of Pittsburgh, for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh, and the maintenance of teaching facilities in hospitals for students in the school of medicine.

Referred to the Committee on Appropriations.

By Messrs. MIHM and COOPER. HOUSE BILL No. 355.

To provide for the change of object of the corporate existence of beneficial and relief associations as herein defined; and authorizing and providing a mode for the dissolution and surrender of the charter of such associations.

Referred to the Committee on Insurance.

By Messrs. COOK and Dalrymple.

HOUSE BILL No. 357.

To facilitate vehicular traffic between the eastern section of the Commonwealth and the ports on Lake Erie, by providing for the construction, operation and maintenance of a turnpike from a point at or near Irwin in Westmoreland County to a point at or near the City of Erie and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 4. (HOUSE BILL No. 356).

An Act to amend and reenact section five hundred and twenty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by limiting to eleven and three-quarter mills the total annual school tax for any one year in school districts of the first class; and prescribing the method of fixing the levy of school taxes in such districts.

Referred to the Committee on Education.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HOLLAND. RESOLUTION No. 17.

In the House of Representatives, February 11, 1941.

Whereas, The United States is now engaged in building our National Defense to the end that our democratic institutions and ideals may be preserved against the threats of totalitarian powers, and

Whereas, This effort demands the complete cooperation of all groups—government, industry, agriculture and labor—for its successful and speedy execution, and

Whereas, There is definite evidence that the execution of this program of National Defense is lagging because of a lack of proper cooperation and coordination of effort, and

Whereas, There has been presented to the President of the United States and officials of the National Defense Commission a practical plan to effect the highest type of efficiency in production, through the establishment of Industry Councils, and

Whereas, This proposal has come from an important branch of the house of organized labor, the Congress of Industrial Organizations, through its president, Phillip Murray, and

Whereas, The proposal not only would speed production in the present emergency but would be a vital factor in our economy when this nation must adjust itself to a postwar boom, and

Whereas, Industrial Councils would consist of equal representation of management and organized labor with a government official as chairman—all charged with the duty of coordinating the defense efforts of each industry; and a Defense Board made up of similar representatives whose duty it shall be to coordinate the production facilities of all industry, and

Whereas, This proposal brings into action the collective brains and energies of the nation—all directed toward the common end of speedy and efficient production of national defense materials; be it therefore

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memoralize the Congress of the United States to the end that this plan for Industrial Councils be made an integral part of our National Defense effort, and be it

Further Resolved, That the Chief Clerk of the House of Representatives be directed to send copies of this resolution to the President of the United States and each member of the House of Representatives and the Senate of the Congress of the United States.

Referred to the Committee on Federal Relations.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 18.

In the House of Representatives, February 11, 1941.

Whereas, The Governor of the Commonwealth has repeatedly expressed the desire of his administration to provided work for the unemployed; and

Whereas, There are at the present time many unemployed miners in the Herminie Coal District in Westmoreland County; and

Whereas, Such unemployment is due to the fact that the mines in and about the Herminie Coal District are unable to operate, due to the flooded condition of said mines; and

Whereas, In addition thereto, this condition creates a hazard to the miners working in adjacent mines; and

Whereas, The Commonwealth has in the past aided similarly distressed coal districts by pumping water out of the flooded mines in such districts; and

Whereas, The mining of coal constitutes almost the entire industry of the Herminie Coal District, and the operators of such mines are anxious to reopen them when the water has been pumped from said mines; therefore be it

Resolved, That it is the sense of the House of Representatives that the proper authorities of this Commonwealth take immediate steps to pump, or to arrange for the pumping of, water from the distressed coal mines in the Herminie Mine District, and to pay for the cost of such work, for the express purpose of providing employment for the coal miners of said district; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Health and the Department of Mines of this Commonwealth by the Chief Clerk of this House.

Referred to the Committee on Mines and Mining.

By Messrs. HOLLAND and TAYLOR.

(Concurrent) RESOLUTION No. 19.

In the House of Representatives, February 11, 1941.

Whereas, December 15, 1941 will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments, and

Whereas, This date, which is ordinarily significant, assumes unusual importance at this particular period in the history of our Nation and of the world, when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home, and

Whereas, The American Legion and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary, therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to designate December 15, 1941 as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, each of the presiding officers of the two branches in Congress and to each United States senator and member from this Commonwealth.

Referred to the Committee on Military Affairs.

By Mr. BROWN. (Concurrent) RESOLUTION No. 20.

In the House of Representatives, February 11, 1941.

Whereas, A controversy has arisen among some of the Judges of the Court of Common Pleas of Allegheny County, Pennsylvania, and the County Court of Allegheny County, Pennsylvania, relative to the amount of cases disposed of by the County Court of Allegheny County; and

Whereas, It has been suggested by a Judge of the Court of Common Pleas as well as by many of the attorneys practicing before said Court in the County of Allegheny, that to increase the number of Judges in the Court of Common Pleas is the only remedy whereby said Court can take care of the large number of cases coming before it; and

Whereas, It has been suggested that certain legislation be presented to the General Assembly, the intent of which will be to modernize the Court of Common Pleas; and more clearly define the function of the Allegheny County Court; and

Whereas, In order for the General Assembly to ascertain correctly the facts concerning the controversy now existing between certain Judges of the Courts herein mentioned, it is necessary that an impartial investigation of said allegations be made; therefore be it

Resolved (if the Senate concur), That this General Assembly authorizes the appointment of a joint legislative committee composed of two members of the House of Representatives, to be appointed by the Speaker of the House, and two members of the Senate to be appointed by the President Pro Tempore of the Senate; and one member appointed by the President of the Allegheny County Bar Association to make investigation of the allegations concerning the increase in the number of Judges of the Court of Common Pleas of Allegheny County, to ascertain whether or not the County Court should be abolished or the number of Judges decreased; and to ascertain such other facts bearing on whether or not legislation is needed in order that the said Courts may function more efficiently. The said joint committee shall have the power to hold such hearings in Allegheny County as are necessary, and shall report its findings to this Session of the General Assembly.

Referred to the Committee on Judiciary General.

By Mr. McINTOSH and BAUGHER.

RESOLUTION No. 21.

In the House of Representatives, February 11, 1941.

Whereas, The farmers of Adams County, Cumberland County and York County have asserted their right to resist unwarranted attempts to deprive them of low electric rates; and

Whereas, Said farmers have shown unusual courage, resourcefulness and solidarity of purpose in a long night vigil and by concerted action have resisted the attempt of the power interests to deprive them of an agency which would afford them low electric light rates; and

Whereas, Said farmers have been refused and denied the benefits of electric power and light at reasonable rates for many years; and

Whereas, The Democratic Administration of Governor George H. Earle gave to the farmers of Pennsylvania the model Rural Electrification Act of 1937; and

Whereas, The Democratic Administration of Franklin D. Roosevelt gave to the farmers of the nation the rural electrification administration for the purpose of establishing a method of securing electric light and power at low rates; now therefore be it

Resolved, That this House of Representatives this day assembled at Harrisburg, Pennsylvania, hereby renews its pledge of cooperation with the farmers of the State of Pennsylvania in an effort to secure for them an extension of rural electrification; and be it further

Resolved, That the House of Representatives hereby pledges to resist and to defeat any attempt to destroy or minimize the benefits of the Rural Electrification Act of the 1937 Session.

Referred to the Committee on Agriculture.

By Mr. CORDIER. RESOLUTION No. 22.

In the House of Representatives, February 11, 1941.

Whereas, It is recognized that the right of any individual, under the Constitution of the United States, to exercise freedom of thought and of expression shall not be abridged so long as that right does not transcend upon the right of any other individual, and that no minority, regardless how small, shall suffer discrimination politically or economically; and

Whereas, It is likewise recognized that it is not within the intent or the purpose of the "Bill of Rights" to shelter any individual or group of individuals whose determination it is to subvert or sabotage the Constitution of the United States; and

Whereas, Any moneys paid out of the public funds as salaries, compensation, or relief, should be construed as aiding and abetting the purpose of such individual, so engaged while receiving such funds; therefore be it

Resolved, That such legislation be enacted as will make it mandatory to remove from the payroll of this Commonwealth, or any subdivision thereof, and to prohibit the payment of any public funds, to any individual who shall have been indisputably proven to be an agent of subversive propoganda, and/or does subscribe to any doctrine inimicable to that form of government which it is now our privilege to enjoy under the Constitution of the United States, and/or which doctrine proposes the change of that form of government by any means not provided for under the Constitution (to wit: violence or sabotage), or who does participate in, or is a party to any movement sponsored by, financed in whole or in part, or is in any sense directed by any government other than our own, or any agent of such foreign government.

Referred to Committee on State Government.

BILL RE-REFERRED

Mr. SHAW returned from the Committee on Welfare with the recommendation that it be re-referred to the Committee on Judiciary Special House Bill No. 132, entitled:

An Act to amend section seven hundred twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth," by providing that a child may not be required to institute a prosecution for abandonment or non-suport against it's parent or other person charged with it's care.

The SPEAKER. The bill is re-referred to the Committee on Judiciary Special.

REPORT FROM COMMITTEE

Mr. READINGER, from the Committee on Judiciary General, reported as committed, House Bill No. 152, entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws, three hundred forty-one), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 229, entitled:

An Act to further amend section four of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlets Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on scrip bonds, certificates and evidences of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 231, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 232, entitled:

To further amend the act, aproved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 233, entitled:

To further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved

April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled 'An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 235, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six, Pamphlet Laws thirteen), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 203, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construction, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 222, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (Pamphlet Laws one thousand fifty-three), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons, providing for the regulation of public utilities, including to a limited extent municipalities engaging in public utility business by prescribing, defining, and limit their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities, imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; precribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders for the commission and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superceded by or inconsistent with this act by changing the definition of corporation to include municipal authorities engaged in rendering a public utility service, and regulating such municipal authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMITTEE MEETINGS

Rules Committee immediately after recess.

Agriculture immediately after recess.

Appropriations 1:45 p. m. in Room 327.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 2 p. m. for the purpose of holding Committee meetings. The Chair hears none and declares a recess until 2 p. m.

AFTER RECESS

The House reconvened at 2 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

REPORT OF SECRETARY OF PUBLIC ASSISTANCE

The SPEAKER laid before the House from the Secretary of Public Assistance a "Report of the property liability provision of the support law and methods of obtaining reimbursement of assistance granted to property owners" in accordance with House Resolution No. 2, adopted February 4, 1941.

The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal; also a copy of the report will be delivered to the Committee on Welfare.

REPORTS FROM COMMITTEES

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 262, entitled:

Making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 263, entitled:

Transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Mr. BURRIS, from the Committee on Agriculture reported as committed House Resolution No. 21.

BILLS ON FIRST READING

Mr. NORMAN WOOD asked and obtained unanimous consent for the following bills to be read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 262, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 263, entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION No. 1

Mr. PETROSKY. Mr. Speaker, I desire to call up at this time Resolution No. 1, Printer's No. 2.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 27, 1941.

Whereas, In the mining industry many thousands of lives have been needlessly lost because of inadequate safety controls and these deaths might have been prevented by the passage of a law providing for the federal inspection of mines; and

Whereas, A federal mine inspection bill has been passed by the Senate of the United States but blocked in the House Committee of Mines and Mining; and

Whereas, During the time this measure has been blocked there have been some 1,530 miners killed in mine disasters, leaving behind them their widows and orphans; and

Whereas, In the Commonwealth of Pennsylvania during the time this measure has been blocked a number of mine disasters have occurred which are directly attributable to lack of adequate mine inspection; now therefore be it

Resolved, That the House of Representatives of the State of Pennsylvania hereby memoralize the Congress of the United States to approve the Federal Mine Inspection bill; be it also

Resolved, That one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt.

Vice President, Henry A. Wallace, President of the United States Senate.

Speaker Rayburn, House of Representatives.

Senator Joseph Guffey.

Senator James P. Davis.

All members of the House delegation from Pennsylvania.

On the question,

Will the House adopt the resolution?

QUESTION OF INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman will state his question.

Mr. TURNER. Mr. Speaker, is this a joint resolution?

The SPEAKER. This is not a concurrent resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to advise that forms for calling Committee meetings have been furnished to Committee Chairmen. Please use them in sending Committee announcements to the desk.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Cities-Third Class, Wednesday, Feb. 12 at 11 a. m. in Room 325.

There will be an important caucus of the Rural Democratic Members immediately after adjournment today in Room 326.

INTERROGATION

Mr. MORAN. I would like to inquire what are rural members?

The SPEAKER. The Chair suggests that the gentleman from Allegheny interrogate a rural member to find out.

Mr. MORAN. I figure I am a rural member myself. But anyone that comes from Philadelphia or Allegheny County regardless of whether they are members or not, are not considered rural members, so I do not know whether I should attend this meeting or not.

The SPEAKER. Let the gentleman's conscience be his guide.

Mr. JAMES. Inasmuch as the gentleman from Allegheny Mr. Moran has professed to be a rural Member, I would like to interrogate him.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Harkins.

Mr. HARKINS. Mr. Speaker, I will yield to the gentleman from Allegheny, Mr. Moran, if he wants to be interrogated. However, I would like to make an announcement prior to adjournment.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Harkins.

LINCOLN DAY

Mr. HARKINS. Mr. Speaker, I would like to call the attention of the Members of the House to the fact that the Committee which has been appointed to arrange for the Lincoln Day celebration has arranged a very fine program for tomorrow. The program will commence promptly at twelve o'clock noon when the House meets.

Your committee has arranged to have Judge Musmanno from the Court of Common Pleas of Allegheny County address the House. Judge Musmanno is a former member of the House and a very able lawyer. In addition to that we have the Lincoln University Glee Club which will render several selections. I think the program will be a very fine one, and we would like all of the Members to be present promptly at twelve o'clock noon tomorrow.

INTERROGATION

Mr. JAMES. Mr. Speaker, I am still very much interested in this proposed meeting of rural members.

The SPEAKER. For what purpose does the gentleman rise?

Mr. JAMES. Mr. Speaker, I rise again to say that I would like to interrogate the gentleman from Allegheny, Mr. Moran.

The SPEAKER. Will the gentleman from Allegheny, Mr. Moran, permit himself to be interrogated?

Mr. MORAN. I shall, Mr. Speaker.

Mr. JAMES. Mr. Speaker, I should like to know from the gentleman from Allegheny, Mr. Moran, since he has acknowledged that he is a rural Member, what are the requirements and the qualifications of a rural Member.

Mr. MORAN. Mr. Speaker, well, I do not know. You do not have to be a Democrat to be a rural Member.

Mr. JAMES. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Moran, if you do not have to be a Democrat to be a rural Member, whether or not a Republican can be a rural Member.

Mr. MORAN. Mr. Speaker, in reply to the interrogation of the gentleman from Delaware County, I would say if the Republican wants to be a rural Member he probably could.

Mr. JAMES. Mr. Speaker, I should like to ask the gentleman from Allegheny whether or not the Republican rural Members will be welcome to this meeting which is proposed.

Mr. MORAN. Mr. Speaker, not having control of this meeting that is to be convened, not knowing who the personnel of this committee is, nor what a rural Member is, since nobody has defined it to me as yet, I am unable to answer the question of the gentleman from Delaware, Mr. James.

Mr. JAMES. Mr. Speaker, as a member of this House and entitled to participate in all proper proceedings, and not knowing in this instance whether I am qualified to attend the meeting which has been announced from the rostrum, I ask you, sir, to make the matter plain. Am I, as a member of this House from Delaware County, entitled to attend this meeting of rural Members?

Mr. MORAN. Mr. Speaker, I believe that Mr. James would be eligible to attend that meeting if he would change his registration from Republican to Democratic.

PERMISSION TO ADDRESS HOUSE

Mr. HABERLEN, asked and obtained unanimous consent to address the House.

Mr. Speaker of the House, as the gentlemen from Allegheny and Delaware Counties seem to be at odds as to what constitutes a rural member, and seem not to be able to agree, and as I happen to be a farmer myself, I would say, if either one of the gentlemen can produce two and one-half or three gallons of milk from some good cow, I would say he would be a rural Member.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER, asked and obtained unanimous consent to address the House.

Mr. Speaker, this question as to what is a rural Member seems to have taxed the intelligence of the House. Mr. Moran said what he did not have to be, that is, he did not have to be a Democrat. The gentleman from Westmoreland said if he could produce milk he was a rural Member, but I know quite a lot of the members who have been here during the past sixteen years, since I have been a member, who could produce milk.

Mr. NAGEL. Mr. Speaker, I would like to correct an error.

Mr. TURNER. Mr. Speaker, will the Chair exclude the gentleman from the floor?

The SPEAKER. The gentleman from Beaver is out of order. The gentleman from Delaware has the floor.

Mr. TURNER. Mr. Speaker, and members of the House, there isn't anything down in Beaver County except a few institutions. I have seen Members of this House, who were not from rural sections, you might say, whom you might call "city slickers," who could produce more milk than any of the farmers that I have ever seen. As a rural Member, a truly rural Member, as a dirty farmer who has a couple of acres that are not in production, and I could not get any checks out of the Government, although I have orchards that produced a few scrubby apples and some nuts which the squirrels eat mostly in the Fall, and the best crop of weeds you ever saw, I feel I am qualified to speak about rural Members.

I have been here for sixteen years and I have been the biennial crop known as the "rural bloc" which has had some strange memberships, some very suspicious looking people who called themselves rural Members. My definition after sixteen years of experience and my interpretation of what constitutes this animal known as a rural Member is this, and I want you to remember when I say this that I am a truly rural Member myself. If you do not believe it, come down with me and eat some sausage and scrapple, which will not be diluted with milk either. A rural Member is this: he is one who in the first place is suspicious of the "city slickers" from Philadelphia and Allegheny Counties, that they are going to take all of the money away from the Commonwealth. The rural Members do not believe in any taxation upon rural districts; they believe that all of the taxes should be placed upon Philadelphia and Allegheny Counties and all of the money spent in the rural districts, and therefore, he combines and forms a cooperative movement to see that all of the taxes are loaded on urban districts and that all of the money is spent in the rural districts. If you find a person that comes under that category, or one with that psychology, who comes to the Legislature, then you know who belongs to the rural bloc.

The SPEAKER. The Chair would like to inquire of the gentleman from Delaware whether he used the expression, "dirty" farmer or "dirt" farmer.

Mr. TURNER. The gentleman leaves it to the interpretation of the Chair.

The SPEAKER. The record will stand.

PERMISSION TO ADDRESS HOUSE

Mr. NAGEL asked and obtained unanimous consent to address the House.

Mr. Speaker, I still feel that it is my duty to correct a statement made by my good friend, the gentleman from Delaware. Now, whether this error is a technical error, a rhetorical error or a grammatical error, perhaps I, being a dirt farmer, am not able to determine, but you will recall that when the gentleman from Westmoreland, Mr. Haberlen, made his statement defining what a rural Member is, he said that a rural Member would be one who could produce two or three gallons of milk, if I recall correctly, from a cow, and in that event, he would be eligible to call himself a rural Member. But my good friend from Delaware said or intimated that a rural Member is one who could produce two or three gallons of milk, but did not include the words, "from a cow." Now then, if the Republican Members are such creatures surely we have added a new species to our fauna.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I accept the indictment of the gentleman from Beaver. It was no misstatement because he should know from his past association in this House that the Republican Members on this side are filled with the milk of kindness.

ADJOURNMENT

Mr. HUNTLEY. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 12, 1941, at 12 o'clock noon.

The motion was agreed to, and (at 2:32 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, FEBRUARY 12, 1941. No. 9.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 12, 1941.

The House met at 12 noon.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

O God of freedom, under thy guiding hand our Pilgrim Fathers crossed the sea. We rejoice that in thy spirit they founded upon this continent a nation dedicated to liberty, equality, and the brotherhood of man.

Thou hast not only given us a great inheritance but thou hast enriched us by noble lives, by men of clear vision, of high courage, of steadfast devotion to freedom and justice and truth.

Yea, Lord, today we think of Abraham Lincoln, not only as a great President, not only as a great emancipator, but as a man of prayer and of deep conviction for that which was right.

With our sincere thanks to thee, O God, for the great men of yesterday and the courageous leaders of today, there comes a petition for those of this House who are ill. May it please thee to look with favor upon Representative Finnerty as he lies in the hospital after his serious operation.

Satisfy our needs with thy love and blessing we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. Shepard, unanimously agreed to, the further reading was dispensed with and the Journal approved.

RECESS

The SPEAKER. Pursuant to a resolution adopted by the House the Chair will now declare a recess for the purpose of conducting Lincoln Memorial Services and invite the Chairman of the Committee on the part of the House, the gentleman from Philadelphia, Mr. Shepard, to preside during these services.

LINCOLN MEMORIAL SERVICES

MR. SHEPARD PRESIDING

Mr. SHEPARD. I want to introduce the members of the committee. They will stand up as their names are called. Honorable L. Kenneth Harkins from Allegheny County; Honorable Albert L. O'Connor from Cambria County; Honorable Edwin M. Rhea from Allegheny County; and Honorable Edward M. Regan from Lackawana County.

First of all, we are here to honor our great martyred president, Abraham Lincoln. I think it is quite fitting that we should turn aside from our legislative duties and do honor to our President and great emancipator, Abraham Lincoln. It is also quite fitting that we should have here with us the Glee Club from Lincoln University, and an outstanding Jurist from Allegheny County, Judge Musmanno, to participate in the exercises.

I myself was born of slave parents and yet at the age of thirty-five, I was elected to the House of Representatives in this great state of Pennsylvania. Along with me in my district we have a peculiar combination, a real American combination; an Irish Catholic business man and a Jewish lawyer. We were all elected together in a district that is two-thirds white. That could not happen anywhere else. It happened only where democracy is safe. It is that kind of democracy that gives opportunities to all men, regardles of race, creed, or color, for which Abraham Lincoln lived and died. May I say that as a tribute to the liberality of the state of Pennsylvania just a few years ago when a bill was presented in this House to appropriate the sum of fifty-thousand dollars to the university that bears the name of Abraham Lincoln, especially for the education of the Negro youth, that bill passed the House and Senate. It was voted for by both Democrats and Republicans, without a dissenting vote. It is something of a tribute that we should want to pay to the members of the Legislature.

We have with us a gentleman that we all want to know, some of us do know him, and Representative Rhea will present him for a few remarks at this time.

Mr. RHEA. We are very pleased to have with us today, the Glee Club from Lincoln University but before we hear from them I would like to ask the President of Lincoln University to say a few words, Dr. W. L. Wright.

ADDRESS BY DR. W. L. WRIGHT

Dr. WRIGHT. Mr. Chairman, we from Lincoln University appreciate the opportunity to be here this morning. We represent one of the oldest educational institutions in Pennsylvania, because back in the days before the Civil War when there was no place where colored boys could get an education, some men down in Chester County decided that they would establish such an institution under the name of Ashland University. They established that institution and after the Civil War it was renamed Lincoln University.

These young men that are here this morning represent

a group of four hundred negro men getting something of the same opportunity here in Pennsylvania that our white citizens get. The men who are here, are under the direction of Professor Dorsey. They are representative of that group and I think you will recognize they represent not only Lincoln University, but they represent half a million negro citizens in the State of Pennsylvania, a population that has increased by leaps and bounds so that Pennsylvania has the largest negro population of any state north of the Mason Dixon Line. This population is here to stay and all of us in Pennsylvania, colored and white citizens of Pennsylvania working out our future. These young men I present this morning are as good and loyal Americans as any of us. All we are asking is that it shall be a land of real democracy, of real opportunity, where every man born under the American flag shall have an opportunity to work out his own destiny and his own life. We present them this morning. Thank you for the opportunity to be here.

Selections by Lincoln University Glee Club.

Mr. SHEPARD. I present Honorable Kenneth L. Harkins, of Allegheny County, who will present our principal speaker.

Mr. HARKINS. Mr. Chairman, Mr. Speaker and Members of the House, a pleasant duty has fallen to me as a member of the Committee arranging for the celebration of Lincoln's Birthday, that of presenting the gentleman who will deliver the principal address.

To some of the Members, Judge Musmanno is known as a former Member of the House of Representatives, who during his two terms here fought for the abolition of the Coal and Iron Police. To the people of Allegheny County he is known as a former judge of the Court of Allegheny County. He was elected as a Judge of the Court of Common Pleas of Allegheny County in 1933, receiving the highest number of votes cast for any candidate in a closely contested election in Allegheny County.

To the people of the state of Pennsylvania and to the nation, he is known as a scholar, an author and an orator of national fame. Judge Musmanno was honored by a resolution of Congress, adopted unanimously, because of his treatise on the Federal Constitution which was published as a public document. His dramatic and artistic accomplishments are shown in the novel and moving picture "Black Fury" of which he is the author. The story of which is woven about coal mines, a moving picture of which was shown in this Hall in 1935.

Judge Musmanno was the first person who was invited by the Lincoln Fellowship Organization to deliver the Gettysburg Address on the battle field itself. He was the first person who was not present at the original delivery of that address by President Lincoln. I understand the Judge will touch upon Lincoln's life as a member of the Illinois Legislature and perhaps he may give us the Gettysburg Address. I know we will be favored if it happens that he shall make that a part of his address.

Members of the House I give you the orator of the occasion, Honorable M. A. Musmanno, former Member of this House, crusading liberal, dramatist, author and Judge of the Court of Common Pleas of Allegheny County.

ADDRESS OF JUDGE MICHAEL A. MUSMANNO

JUDGE MICHAEL A. MUSMANNO: Mr. Chairman of the Lincoln Commemorative Exercises, Mr. Speaker of the House of Representatives and Members of the House of Representatives and Ladies and Gentlemen.

It requires an almost superhuman effort on my part to address this House, of which I was once a member, and not be overwhelmed by sentiment. Here I began my journey on the road of public affairs, here I spent one of the most momentous and exciting periods of my life and here I formed cherished friendships. Some of the friends of that happy association now follow different pursuits, a very few are still in the Capitol, some of my associates here in the Lower House have been elevated to the Upper House, and some have risen to the Highest House of all, the spiritual domain of the after world where one day we will all answer to the Roll Call in the enactment of the Tenure Bill for Eternity.

I would be something less than human if I could contemplate the change in the view which greets my eyes from what it was in 1929 and not sense an emotion of some kind. Of sadness? Of happiness? Well not of happiness. Though I have been busy with my work ever since I left here, though I have sought through the medium at my command to achieve a greater justice for all those coming within the orbit of my activities, I doubt that I will ever surpass, indeed ever equal the enthusiasm with which I became a member of this legislative body.

I recall with what excitement here in this vast hall I took the oath of office on January 1, 1929 and with what fervor I resolved, rather naively perhaps, to remedy all the evils of the Commonwealth through legislation. One of the seasoned members, a veteran of many sessions, Clinton Sowers of Philadelphia, watched with interest the flow of bills I introduced for the improvement of the State government in general and the betterment of the life of all its citizens in particular. He noted my impatience and irritation at the delay in the passage of my measures, and he said: "Musmanno, don't be impetuous. You can't make over Pennsylvania in a day." I replied, "No, not in a day, but we ought to do it in a week!"

He commented: "I had the same ideas when I came here. Now if I can get a bill out of committee after three or four years I feel I am doing well."

And he probably spoke with greater prophecy than he realized. A bill which I introduced in 1929, and which, if I may be pardoned for the reference, I am proud to have associated with my name, was not placed on the statute books until 1935.

The man in whose memory we have met here today introduced a measure in the Illinois Legislature in 1837, looking toward the eradication from American life of its greatest curse—slavery. It was not until 28 years later, after his resolution had passed through the legislative fires of a civil war, that it was enacted into law of the land. This bill, written with the ink of his crusading spirit, had to be printed on the battlefields of the nation with the printing press of cannons and gatling guns, and then, after passing both houses of the North and the South, it was signed by him with the blood from his dying heart. The resulting law—the law of liberty for all Americans—is now one which no president or governor can veto, which no legislative body can repeal, which time cannot change, nor circumstances alter or amend. It is written into the soul of America, it is part of the very fibre of our national existence. Liberty—and with it, Union. One and inseparable. Now and forever.

We owe to Abraham Lincoln more than to any other man in the history of America, the security which we enjoy today from aggression from without and dissension

from within. If Lincoln had been a less determined person than he was, if he had allowed expediency to conquer over principles. we would not now have the present United States of America.

Up until the Civil War the United States was considered abroad as a mere experiment in government. European nations regarded this nation as a loose aggregation of sovereignties which would join together and later dissolve as so many of the European countries did. But when under the inspired leadership of Abraham Lincoln the union of the American States was not only preserved but was made imperishable, every king, queen, prince and foreign potentate realized that the United States of America was not only a nation of the first rank but that it was destined to become, as it indeed it has now become, the greatest nation of all recorded history.

Had Lincoln been a less resolute man the United States Government would have perished. In the chaotic days preceding the fall of Sumter when States were falling from the Union like stars from the sky, President Buchanan declared that he was the last president the United States would ever have. Had the South prevailed in the contest at arms, the American States would have been relegated to the status of Balkan States.

With the North failing there would have been two nations: the United States of America and the Confederate States of America. Then as the South rebelled against the North, the West in time would have rebelled against the East, and we would then have had the nation quartered into the United States of the East, the United States of the West, the Confederate States of the East and the Confederate States of the West. And once the process of disintegration had gained momentum, we probably would have had still further divisions: the Gulf States would have desired to be a separate nation, so also the New England States, the Pacific States, the Rocky Mountain States and so on, until what was once a glorious family of dignified Commonwealths would have degenerated into a conglomeration of jealous, bickering and eternally fighting heterogeneous units.

And as in union there is strength, so in disunion there is weakness. This would have served as an invitation for European rulers to send their armies here on subjugating expeditions. And this is not mere fantasy. During the Civil War Napleon III sent an army to Mexico and there erected a throne for Maximilian. Immediately following the Civil War the United States sent an army to the Rio Grande and the French forces withdrew. If the Civil War had ended disastrously for the North, it is not unreasonable to suppose that, drunk with the success of the Mexican Expedition, the Napoleonic forces would have turned north and attempted to take over what had been theirs just before the days of Napoleon I. None of the other nations of Europe reverenced America to the extent that they would not glady have approved of an American invasion.

Thus, the winning of the Civil War did not mean only the emancipation of the slaves; it meant the emancipation for all time of America from Europe. And Abraham Lincoln was the superb figure, the transcendentally wise leader, the unparalleled statesman who preserved the Union, saved America and put into the skies of national perpetuity the eternal constellation of 48 stars that will shed its luster of enlightened justice over the civilized world for all time.

But today as I regard this House in nostalgic reverie I like to recall Abraham Lincoln not as the president, not as the commander-in-chief of invincible armies, but as the member of a legislature. In the apotheosis of his genius we today see a towering figure above us, a figure of proportions that no human being can parallel him, but there was a time when he was a legislator as you are legislators. There was a day when he answered roll calls, made motions, debated, sat at committee meetings, attended night sessions.

The capital of Illinois when Lincoln was first elected to the Legislature was in Vandalia. The capitol building was nothing like this structure. It was made of brick, the walls bulged, the plaster fell from the ceiling and dilapidation was conspicuous and menacing. Illumination was by candle light. Compare that building and its accommodations, or lack of them, with this commodious, magnificent, palatial structure, its brilliant, majestic chandeliers, its comfortable upholstery, its thickly carpeted floors and we may not feel so sorry for ourselves at the expenditure of any unusual energy required in the manning of the legislative machinery.

As a legislator Abraham Lincoln received $3.00 a day pay with privileges of ink, quills and stationery. He was rarely absent and never missed a roll call. Only once was there a substantial absence—and even when he returned there was spiritual absence although a physical presence. That was during the period of the greatest personal tragedy in his life—the death of Ann Rutledge. On days that the rain poured or the snow fell he was heard to mutter: "I cannot bear to think of the rain and storm beating upon her grave."

In Lincoln's second session he became the floor leader of his party and had the Whig party held the majority he would have been the Speaker of the House.

Those who think of Lincoln as a very mild, constantly forbearing man, humble to the point of cringing timidity entirely mistake the man. That he was modest and considerate, that he was entirely devoid of selfishness and egotism, cannot be gainsaid, but nothing could be further from fact than to assume that he was servile and submissive. Lincoln was a crusader, and a crusader does not travel about with stooped shoulders and a blushing countenance asking for the privilege to live.

Listen to this speech in the House of Representatives when an attempt was being made to have him vote for a measure he condemned on principle even though by voting for it he might further his own cause on some other measure.

"You may burn my body to ashes," Lincoln declared, his voice ringing in that tumble-down building, "and scatter them to the winds of heaven; you may drag my soul down to the regions of darkness and despair to be tormented forever; but you will never get me to support a measure which I believe to be wrong, although by doing so I may accomplish that which I believe to be right."

Nothing cringing about that.

The old state house being about to fall, a new structure was erected at a cost, according to the House Journal of 1836, of $16,378.22½, of which $5550 was paid by the state officers out of the contingent fund, $450 by individual subscriptions, leaving $10,378.22½ unpaid. You would think that someone might have at least paid the half cent to make the bookkeeping easier.

Here are some odd facts about the Illinois Legislature of Lincoln's days which you might find interesting. Of the more than 100 legislative members of the House and Senate, not one had been born in Illinois. This was true also of

the members of the Supreme Court. Thos. C. Brown of the Supreme Court is referred to in Beveridge's Life of Lincoln as a judge "who never refused nor offered a drink." James Shields, state senator in Illinois, later became a senator of the United States from three different states.

In the House with Lincoln sat the man who was his most formidable adversary in debate, who was to become a rival for the hand of his wife, an opponent for a seat in the United States Senate and his adversary for the Presidency of the United States—Stephen A. Douglas.

There was seriousness in that Legislature. Grave problems were being resolved, a great commonwealth was in the making, a greater nation, of which it was a part, was being formed. But the members were not always serious. At times they were very convivial and now and then a member was too drunk to debate well. A tavern close to the capitol advertised that it was ready to serve to the members of the Legislature at any hour of the day or night "Fried ham, turkeys, grouse, or prairie chicken, partridges, venison, pigs' feet, tripe, sausages, oysters, mackerel, herring and crackers: Coffee, tea, and soups together with many other nicknames unmentionable: hot punch, egg nogg, etc., at any time: all of which will be afforded with great goodwill and on the most accommodating terms. They have also on hand and for sale Best teas, loaf and brown sugars, tobacco, oranges, lemons, figs, lobsters, olives, mushrooms, walnut and tomato pickles, ketchups, rochelle, cherry, champaigne, cognacs, peach, American and other brandies; claret, teneriffe, sherry, dry, brown, port, malaga and madeira wines; Seidlitz and Soda Powders; Fire crackers, etc., etc."

On December 2, 1840, Lincoln introduced and obtained the passage of a resolution which became the foundation of the present school system in Illinois. It provided for the examination of persons offering themselves as school teachers; it made of education a system, and took it out of the realm of chance and favor.

He was one of the very first of public men to announce for woman suffrage.

In 1837, more through the efforts of Lincoln than any other single legislator, the capitol of Illinois was moved to Springfield and Lincoln took up residence in that metropolis of 1500 souls. The population of Vandalia had been 800, including the children.

In Springfield until the new capitol building was erected the legislature was housed ecclesiastically. The House held its sessions in the Second Presbyterian Church, the Senate met in the Methodist Church, while the Supreme Court sat in the Episcopal Church.

One who studies Lincoln's career in the Illinois Legislature can come to but one conclusion and that is that he was a statesman long before he became president. It had been the custom of biographers and eulogists to write down Lincoln's early days and to picture him as a coarse, ill-educated, uncultered man thrown by the rarest chance into the highest office in the land and that, there, through the expansiveness of his soul he developed overnight the genius of statecraft. This is all wrong. It was the years of seasoning, the grappling with the problems of the tumultous, pioneering people growing into the Commonwealth of Illinois which prepared him for the task of carrying the destinies of the people of the great Commonwealth of the United States. Allowing for his friendly manner and for a certain physical awkardness I am ready to say that with the exception of Thomas Jefferson a no more truly educated and cultured man of soul and intellect ever entered t White House than Abraham Lincoln.

Lincoln was strictly honest with himself. In a spee in the Legislature he condemned politicians, saying t they are "a set of men who have interests aside from t interests of the people, and who, to say the most of the are, taken as a mass, at least one long step removed fr honest men." And then he added that he meant nothi personal, since he was a politician himself.

It was during the days of his legislative career that L coln faced the most difficult problem of his private life

On January 1, 1841, the House of Representatives met session. At his place sat Abraham Lincoln. Rather the m sitting there looked like Abraham Lincoln. Tall, slend black haired, bettle browed. But the expression in the fa of this man was not that of the legislator from Sangam County. The eyes were not the eyes of the man who h battled for the Internal Improvement Bill, who had foug against tampering with the judiciary, who had skillfu maneuvered through both houses the bill transferring t capitol from Vandalia to Springfield. This was but t shell of that man. The face was but the mask of Abraha Lincoln. There was no spirit in that mask, no soul in th shell, no sparkle in those eyes.

A debate sprang up. The Whigs and the Democrats we at swords points on a highly controversial bill. The Whi looked to Lincoln for guidance. He merely sat. He glanc neither to the right nor to the left. The members n forgot him, he was but a carved figure on one of the bench The debate became a storm. Roll calls pattered like h in a wind. The light in Abraham Lincoln's eyes was s subdued; it did not even flicker in the gale of the vo cyclone raging about him.

In another section of the City of Springfield a you lady waited by a floral altar. She wore a bridal gown. H lips muttered: "Abraham." A minister stood by. Seve relatives waited with her. Anxiously they shot glanc out into the street for a familiar, tall, ungainly form. H the familiar awkward footsteps did not fall to disturb t snow flakes which orderly, systematically and harmonious were weaving a carpet of white on the street and on t lawn.

This was Abraham Lincoln's wedding day, but Abraha Lincoln was absent.

In the House of Representatives he was physically pre ent, but still absent. The fury of the debate had subside the vote had been recorded. The still figure stirred, slow rose and said: "Mr. Speaker, I move we adjourn."

But the youth of Abraham Lincoln, the spontaneo cheer of Abraham Lincoln had adjourned at the begi ning of that day. He had made a promise and failed keep it. He had pledged to marry a woman and n he knew he did not love her. His heart was there the banks of the Sangamon River with Ann Rutledg He could not be a hypocrite. He could not marry Ma Todd and let her believe he loved her when he knew did not. Not long after he wrote a letter to his frie John T. Stuart in which he said: 'I am now the m miserable man living. If what I feel were equally d tributed to the whole human family, there would not one cheerful face on the earth. Whether I shall ever better, I cannot tell; I awfully forbode I shall not. remain as I am is impossible; I must die or be better appears to me."

He wrote an article for the local newspaper entitl

"Meditations on Suicide." The editor of the newspaper, "The Sagamon Journal," urged Lincoln into writing other articles seeing in this an outlet for his hypochondria. Lincoln acceded to the request. Essays, political articles, poems flowed from his pen. He decided to put his hand to literary cartoons. In lively satire he lampooned James Shields who was state auditor and who had issued an order that certain paper money of which the people had more than they had of silver or gold money, would not be taken by the state government for taxes. Shields bitterly resented the attack and challenged Lincoln to a duel. Lincoln accepted the challenge. It fitted into his mood perfectly. It even bestirred his humor which had lain dormant since the weddingless wedding day. Riding in a rowboat to the duelling ground Lincoln said he was reminded of the time a Kentuckian enlisted for the War of 1812. The sweetheart of the soldier told him she was embroidering a bullet pouch and belt for him to wear in battle and she would stitch in the words, "Victory or Death." He asked her, "Ain't that rather too strong? Suppose you put 'Victory or Be Crippled'!"

Arrived at the duelling grounds cooler heads intervened between the antagonists, an amicable agreement was reached and the duel was called off.

In November, 1842, Lincoln married Mary Todd. From that time on it would seem that melancholy became an indelible part of his nature. Even after he achieved his highest ambition—he had become the President of the United States—he wrote:

"I had my ambitions—yes—as every American boy worth his salt has. And I dared to dream this vision of the White House,—I, the humblest of the humble, born in a lowly pioneer's cabin in the woods of Kentucky. My dream came true, and where is its glory? Ashes and blood. I have lived with aching heart through it all and envied the dead their rest on the battlefields."

This man of courageous heart and crusading spirit but of a gentle heart had been thrown into the cauldron of a civil war. This kind, tender, merciful man who could not bear to see a dumb beast suffer had become the head of a military machine which it became his duty to order out on to the field to kill and be killed. But the military machine was made up of boys.

The Civil War was a war fought by youth. Over 2,000,000 were under 21 years of age; a million not even 18, 800,000 less than 17; 200,000 had not reached 16, while 100,000 less than 15 years of age were standing on the battle lines under the Stars and Stripes.

For Lincoln, the world of beauty, of unfailing loyalties, of harmony had fallen apart. The sympathies of Mary Todd Lincoln, the woman to whom he had pledged undying fealty and who had equally pledged herself to him, were with the South. Her husband commanded the army fitted against the army in which her two brothers were soldiers. The husband of her sister was a general in the Confederate Army.

To whom could Lincoln turn for solace in the tidal flow of blood which was the Civil War?

Secretary of War Stanton relates how after the sanguinary Battle of Chancellorville with its frightful slaughter Lincoln, upon hearing the news, threw up his hands and exclaimed: "My God! Stanton, our cause is lost! We are ruined—we are ruined; and such a fearful loss of life! My God! this is more than I can endure!" He trembled, his face a ghastly hue, cold perspiration standing out on his brow. He paced the floor and then said: "If I am not about early tomorrow do not send for me, nor allow any one to disturb me. Defeated again, and so many of our noble countrymen killed!"

Lincoln had made up his mind that night to end his life, but as he strode down to the Potomac River, there to throw himself into the water, there came to his mind a speech which he had made in the Legislature 23 years before. "It may be true," he had said, "many free countries have lost their liberty, and ours may lose hers; but if she shall, be it my proudest plume, not that I was the last to desert, but that I never deserted her. . . . All may be swept away. Broken by it I, too, may be; bow to it I never will. Prospective defeat shall not deter me. If ever I feel the soul within me elevate and expand to those dimensions not wholly unworthy of its almighty Architect, it is when I contemplate the cause of my country, deserted by all the world beside, and I standing up boldly and alone, and hurling defiance at her victorious oppressors. Here, without contemplating consequences, before high heaven and in the face of the world, I swear eternal fidelity to the just cause, as I deem it, of the land of my life, my liberty, and my love."

Thus on that night in 1863, a cold rain dashing in his face, a pledge which he had registered over a score of years before in the halls of the Legislature but more accurately in the chamber of his soul came back to save his life and save his country.

It has been truly said of Lincoln that no American ever held more power and no one abused that power less, except in behalf of mercy. An old man comes to Lincoln pleading for his son who has been courtmartialled to be shot for falling asleep while on sentinel duty. Lincoln writes out an order: "Job Smith is not to be shot until further orders from me—Abraham Lincoln." The old man expresses disappointment: "But, Mr. President, you may order him to be shot next week." The President rejoins: "My friend, I see you are not very well acquainted with me. If your son never dies till orders come from me to shoot him, he will live to be a great deal older than Methuselah."

General Butler telegraphs Lincoln: "President Lincoln I pray you not to interfere with the courts-martial of the army. You will destroy all discipline among our soldiers."

A congressman calls at the White House in the middle of the night. He fears the President will be angry at his being disturbed at this late hour. He sees the President and says: "I am sorry I must disturb you. This young soldier," proferring his name and regiment, "is sentenced to be shot tomorrow morning!" "Well," drawls the President, "I do not believe that shooting will do him any good. Here let me telegraph a reprieve and then we'll see what it is all about."

His intimate friend Joshua Speed, witnessing one of these scenes of supplications of mercy, protests to Lincoln that he is wearing himself out.

"Yes, you are to a certain degree right," Lincoln agrees, "I ought not to undergo what I so often do. I am very unwell now; my feet and hands of late seem to be always cold, and I ought perhaps to be in bed; but things of the sort you have seen don't hurt me, to tell you the truth,

that scene is the only thing today that has made me forget my condition or given me any pleasure. . . . Speed, die when I may, I want it said of me by those who know me best, that I always plucked a thistle and planted a flower when I thought a flower would grow."

On November 19, 1939, it was my great honor to stand in the Gettysburg Cemetery and there repeat the Gettysburg Address 76 years after its original delivery. I stood on the very spot hallowed by the steps of the Great Emancipator at the time of the dedication of the cemetery. No single event reveals Abraham Lincoln more than that Gettysburg Address.

Libraries have been filled with books, articles and stories on this speech. Historians, statesmen, authors, playwrights, rhetoricians, and professors of English have analyzed, scrutinized, dissected and X-rayed the 266 word utterance. They have examined, fathomed and probed its every word, syllable, semi-colon and comma. They have ascribed to it literary, poetic, political, governmental, sectional and partisan significance. They have read Lincoln's mind in its preparation and delivery. But most of them have overlooked the one simple obvious fact, and that is that the speech was delivered in a cemetery about a cemetery; it was delivered in a graveyard, in a burial place of the dead.

What was Lincoln thinking of when he spoke at Gettysburg? He was thinking of the dead, of those young men in the ground; of those bodies mutilated and torn mixing with the cold damp clods of the earth; he was thinking of mothers that would wait in vain for the song of a footstep whose music had died away for all time among those hills and valleys of Pennsylvania.

To the generals the Battle of Gettysburg was a gigantic game of chess, a superb contest of strategy; to statesmen it was a victory or defeat of some policy or course of political action. To Lincoln Gettysburg was a cemetery. To him the ceremonies on November 19, 1863, were not a band-playing, flag-waving celebration of victory, because in death there is no victory. Death is the supreme pathos, the ultimate in grief and sorrow. And if death be premature, divine Justice demands a reason. And in the depths of the wells of human sympathy Lincoln was seeking the reason as to why these thousands of boys had been slain and their bodies stored away in the clay and the mud of those Pennsylvania hills.

The key to the spirit of the Gettysburg Address is found in the letter written by Lincoln to Mrs. Bixby on learning that her five sons had been killed in battle. Her five boys—five young trees which supplied the sweetest fruits of companionship, love, joy and honor. These five trees were felled by the lightning blast of war; and that orchard of love and comfort became a bare spot of desolation and loneliness. I can picture Lincoln and the piercing agony in his soul as he dwells on this heart-shattering tragedy. As he paces the floor, there forms in his mind the letter we all know:

"Dear Madam:

I have been shown in the files of the War Department a statement of the Adjutant General of Massachusetts that you are the mother of five sons who have died gloriously on the field of battle. I feel how weak and fruitless must be any words of mine which should attempt to beguile you from the grief of a loss so overwhelming. But I cannot refrain from tendering to you the consolation that may be found in the thanks of the Republic they died to save. I pray that our Heavenly Father may assuage the anguish of your bereavement, and leave you only the cherished memory of the loved and lost, and the solemn pride that must be yours to have laid so costly a sacrifice upon the altar of freedom.

Yours very sincerely and respectfully,

A. Lincoln"

Equally I can visualize Lincoln there on the platform at Gettysburg on November 19, 1863. He is looking out not at the 15,000 spectators, he is listening not to the martial airs of the bands nor to the polished utterances of the official orator, Edward Everett. He is looking out into the thousands of homes that have an empty chair, an empty bed and an empty heart. He sees the cradle in which the child had played, the fields in which the boy had worked, and the gate through which the youth passed on his way to war. And now he sees that lad's mother standing by that gate staring down the road knowing that its dust will never again be kicked into jolly clouds by the feet of her boy; she knows that the hinges of that gate will never again merrily laugh a welcome to her son. That son, slashed with sword and bayonet and weighted with lead and shrapnel lies there in the ground at Lincoln's feet.

On the platform Lincoln, with hat over his eyes, sits in melancholic reverie. Suddenly he is startled to hear the chairman announce: "The President of the United States." Confusedly he stands up and shuffles to the front of the platform. He sees no audience, there is no ceremony, he sees only these boys in the ground and their mothers at home; and in his anguished soul he seeks to resolve the night of sadness into the star of hope. He looks out at the horizon which is the finger of God writing in the skies, and from his lips there fall these words:

"Fourscore and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal. Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people, shall not perish from the earth."

Selections by Lincoln University Glee Club.

Mr. SHEPARD. The Chair presents Mr. Albert L. O'CONNOR of Cambria County.

Mr. O'CONNOR. Mr. Chairman, Your Honor Judge Masmanno, on behalf of the Chairman and Members of the Committee of this Lincoln's Memorial Service, on behalf of the Members of the House of Representatives of the State of Pennsylvania and on behalf of the other ladies and gentlemen here present, I extend to you our sincere thanks and gratitude for your kindness in being here today and delivering your eloquent and inspiring address on Abraham Lincoln.

To the authorities of Lincoln University and to the members of the Lincoln University Glee Club I extend similar thanks for making this celebration a memorable event.

Mr. SHEPARD. This brings to a close the ceremonies and I thank the Speaker for permitting us the privilege of conducting this celebration.

AFTER RECESS

The SPEAKER. The time of recess having expired the House will be in order.

The SPEAKER (Elmer Kilroy) in the Chair.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. READINGER asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Mr. KLINE. HOUSE BILL No. 358.

To further amend clauses three and four and subsection (b) of section 913 of the act approved the third day of June, one thousand nine hundred thirty-seven, (Pamphlet Laws 1333), entitled, "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" by fixing the fee for filing nomination petitions for the office of jury commissioner.

Referred to the Committee on Elections.

By Mr. MAXWELL. HOUSE BILL No. 359.

Requiring life insurance companies to deposit securities with the Insurance Department to secure payment of the cash surrender value of all policies insuring the lives of residents of this Commonwealth; authorizing payment of such cash surrender values therefrom in certain cases; and forfeiting the right to do business in this Commonwealth for failure to comply with this act.

Referred to the Committee on Insurance.

By Mr. McINTOSH. HOUSE BILL No. 360.

To further amend section six hundred and twenty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for suitable pupil ceremonies affirming and developing allegiance to the Flag of the United States of America.

Referred to the Committee on Education.

By Mr. DAVID P. REESE, JR.

HOUSE BILL No. 361.

Making an appropriation to the City of Harrisburg to compensate for the extra police protection afforded by the Harrisburg police force for the properties and activities of the Comomnwealth within the Capitol City.

Referred to the Committee on Appropriations.

By Messrs. BAKER and HEATHERINGTON.

HOUSE BILL No. 362.

An Act relating to hockey on Sunday; prohibiting hockey on Sunday unless the electors of a municipality or townships are in favor of the same, and requiring certain cases that a license has first been secured from the municipal authorities; providing for referendums to ascertain the will of the electors, and for the enactment and repeal of ordinances and resolutions in accordance therewith; providing penalties, and repealing inconsistent laws.

Referred to the Committee on Law and Order.

By Mr. REGAN. HOUSE BILL No. 363.

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election board, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by providing for the election of members of the registration commission, and the removal from office of the existing members of the registration commission.

Referred to the Committee on Elections.

By Messrs. HEATHERINGTON and MORAN.

HOUSE BILL No. 364.

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

Referred to the Committee on Workmens Compensation.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 365.

To further amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 794), entitled, "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exhibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," providing for additional exemptions and for exemptions from collateral inheritance and transfer taxes; and extending the provisions of said act to property, money and funds, passing before or after the effective date of this act, including property, money and funds passing to any public educational institution, museum or gallery of art of or under control of and wholly or partially maintained or supported by the Federal Government.

Referred to the Committee on Judiciary Special.

By Mr. HEATHERINGTON. HOUSE BILL No. 366.

To add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Referred to the Committee on Motor Vehicles.

By Messrs. BAKER and HEATHERINGTON. HOUSE BILL No. 367.

Legalizing the operation of bowling alleys, and participation in the sport of bowling on Sunday.

Referred to the Committee on Law and Order.

By Mr. CORRIGAN. HOUSE BILL No. 368.

An Act to amend section two of article five of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by classifying all firemen, fire alarm operators and officers of the fire department for the purpose of fixing minimum salaries for such classifications, and setting up minimum salaries for such classifications.

Referred to the Committee on Cities—First Class.

By Mr. FALKENSTEIN. HOUSE BILL No. 369.

An Act creating a State Lottery Commission; providing for the conducting of, and legalizing lotteries by the State subject to approval of the electors, and dedicating the net revenue received therefrom to the payment of old age assistance; making appropriations; and providing for a referendum to the electors.

Referred to the Committee on Ways and Means.

By Mr. DOLON. HOUSE BILL No. 370.

An Act to amend section nine hundred and fifty-four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine, (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth" by providing that said section shall be inapplicable to persons hunting or fishing under the authority of duly issued hunting or fishing license.

Referred to the Committee on Judiciary Special.

By Messrs. D'ORTONA and TATE. House Bill No. 371.

An Act making an appropriation to the Department of Forests and Waters, for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

Referred to the Committee on Appropriations.

By Mr. CORDIER. HOUSE BILL No. 372.

An Act to further amend section 4 of the act approved the twenty-eighth day of June, one thousand nine hundred thirty-five, (P. L. 463) entilted, "An act providing, for a limited period of time, for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes;" by requiring the consent of the electors before an authority is created or authorized to construct, acquire or lease certain projects.

Referred to the Committee on Municipal Corporations.

By Mr. HARKINS. HOUSE BILL No. 373.

An Act to further amend the penalty clause of section nine hundred and three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Comonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," in certain cases making the owner liable, and exempting from liability the operator, for violations of the said act relative to overweight vehicles on the highways.

Referred to the Committee on Motor Vehicles.

By Mr. BROWN. HOUSE BILL No. 374.

An Act to add clause (e) to section four of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "An act defining the term 'fiduciary'; prescribing the nature and kind of investments which may be made by such fiduciaries; validating certain investments heretofore made by such fiduciaries; and repealing acts and parts of acts inconsistent herewith," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

Referred to the Committee on Judiciary General.

By Mr. BROWN. HOUSE BILL No. 375.

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Referred to the Committee on Judiciary General.

By Mr. Messrs. McLANE and KNOBLE.
HOUSE BILL No. 376.

An Act to amend paragraph (a) of section eight hundred and sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

Referred to the Committee on Judiciary Special.

By Mr. YEAKEL. HOUSE BILL No. 377.

An Act making an apropriation to the National Farm School, at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. NAGEL (Concurrent) RESOLUTION No. 23.

In the House of Representatives, February 12, 1941.

Whereas, It appears that certain corporations chartered by the Government of the United States, or by the several states and having their main places of business within the United States, have entered into secret agreements with corporations and individuals outside the United States and with foreign governments ostensibly for the purpose of curtailing production and the maintenance of exorbinant prices and monopolies; and

Whereas, Such practice is contrary to the welfare and best interests of the citizens of the United States and the several states, and has seriously impeded the program of our national defense; therefore be it

Resolved, (if the Senate concur), That the Congress of the United States be memorialized to compel, by proper congressional action, all American corporations to file copies of all agreements made by them with foreign individuals, corporations and governments, in the Federal Department of State and the Federal Department of Commerce and with the Departments of State of all states in which they make contributions for unemployment compensation, and to require that all such agreements shall be open at all reasonable times for public inspection, and that adequate penalties be provided for the violation of such requirements; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. BENTZEL and MOUL RESOLUTION No. 24.

In the House of Representatives, February 12, 1941.

Whereas, The General Assembly by Act No. 4, approved May 16, 1940, transfererd certain moneys from the Fire Insurance Tax Fund to the General Fund; and

Whereas, Under the provisions of the act aforesaid, the Fire Insurance Tax Fund was to be reimbursed not later than June 30, 1941; and

Whereas, Legislation has been introduced to prevent further transfer of moneys collected and deposited in the Fire Insurance Tax Fund to the General Fund; and

Whereas, These funds can now be used for the benefit and relief of all firemen and volunteer firemen in the Commonwealth of Pennsylvania; and

Whereas, Retaining such unexpended funds in the said Fire Insurance Tax Fund would be consistent with the best public policy of the Commonwealth; therefore be it

Resolved, That the House of Representatives request the Governor to refrain from making any expenditure of the funds now deposited in the Fire Insurance Tax Fund until legislation accomplishing this purpose is enacted by the General Assembly.

Referred to the Committee on Appropriations.

COMMUNICATION

The SPEAKER laid before the House the following communication.

VETERAN CREDITS

A communication from the Veterans of Foreign Wars, Department of Pennsylvania, in answer to a public address by Howard L. Russell, Secretary of Public Assistance and requesting that he be required to appear before a committee to investigate statements made by him.

Referred to the Committee on Welfare.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Falkenstein for Mr. SAMUEL ROSE for the remainder of the week on account of death in the family.

Mr. Shepard for Mr. FINNERTY on account of illness.

Mr. Leisey for Mr. GYGER and Mr. RANK for today's session.

REPORT FROM COMMITTEE

Mr. MARSHALL M. COHEN, from the Committee on Judiciary General, reported as amended, House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 152, entitled:

An Act to amend section one of the act, approved the thirteenth day of May; one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred eighty-four) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws, three hundred forty-one), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigaretttes at wholsesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

The first section was read by the Clerk.

On the question,

Will the House agree to the section?

Mr. WINNER. Mr. Speaker, I desire to offer the following amendments.

The Clerk proceeded to read the amendments.

AMENDMENTS LAID ON TABLE

Mr. WINNER. Mr. Speaker, I move that the amendments offered by me be laid upon the table.

The motion was agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

AMENDMENTS TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the amendments offered by the gentleman from Montgomery, Mr. Winner, be taken from the table.

The motion was agreed to.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 228, together with the amendments be recommitted to the Committee on Ways and Means for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, may I interrogate the gentleman from Monroe, Mr. Achterman.

SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I should like to know from the gentleman whether he expects to make similar motions as to the other tax bills now on the calendar.

Mr. ACHTERMAN. That is correct, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman is making the motion under the direction of the Ways and Means Committee; in other words when the bills were reported out were they reported out for two readings, or was there nothing said until now about the readings?

Mr. ACHTERMAN. Mr. Speaker, as I understand, of course I didn't attend the meetings of the Ways and Means Committee, and second I don't know whether I would have been permitted to divulge that information had I done so. However, in as much as I did not attend the meeting, I do not believe there was discussion in the committee as to how long they should remain on the calendar or whether they should or should not be returned. My motion is made on behalf of our party.

Mr. WOODSIDE. Mr. Speaker, I want to continue the interrogation but as a comment on what has been said by the gentleman from Monroe, I would just like to state that the point I was trying to bring out, as he well knows, the Committee usually reports all bills brought out for two readings with the understanding in the Committee that they be returned at that time.

I was just trying to find out if that was the case in this instance, and whether anything was said in Committee about the readings and whether this motion is made at the direction of the Ways and Means Committee.

I would like to interrogate further, and ask the gentleman whether it was the intention of the party at the time the bills were reported out that they be returned after two readings?

Mr. ACHTERMAN. Mr. Speaker, we merely wished to report the bills out for the purpose of calling to the public's attention that the tax measures have been introduced. We are interested, of course, in getting the public's reaction to the tax measures as introduced, and the procedure that we are following now is a very, very common procedure that has been followed in this House for many years, of reporting legislation, subsequently re-committing it and giving the public an opportunity of contacting the Legislature to express their opinion.

Mr. WOODSIDE. Mr. Speaker, the gentleman has skirted the question very well without answering it. If he desires to refuse to answer it I wish that he would say that he refuses to answer, but I would like to know if it was the intention of the majority party of this House when the measure was reported out the Committee to re-commit it after two readings.

Mr. ACHTERMAN. Mr. Speaker, it was the intention of the majority party to have it reported out, with the thought in mind that we would learn what the public thinks about it.

After all, we are interested in the opinion of the country. I trust that answers the gentleman's question.

Mr. WOODSIDE. Mr. Speaker, I would like to further interrogate the gentleman as to whether or not it is the result of the public's reaction that he is now sending it back or whether it was originally his intention to send it back.

Mr. ACHTERMAN. Mr. Speaker, I realize that the gentleman would like to answer questions as well as

ask them. However, may I again repeat that we are following a procedure that has been common in this house of reporting legislation out, returning it to committee, and giving, of course, the public an ample opportunity to express themselves to us.

Mr. WOODSIDE. Mr. Speaker, if the gentleman were in court I would ask the Judge to require him to answer the question yes or no and then explain, but inasmuch as the gentleman is not in court I cannot do that. I would suggest, however, that the gentleman do answer yes or no and then explain. I will still ask him whether or not he will answer my question and then explain or whether he still refuses to answer the question.

Mr. ACHTERMAN. Mr. Speaker, do I understand that the gentleman wants me to answer yes or no? If he does I can say "yes or no."

Mr. WOODSIDE. Mr. Speaker, I think we all understand now that the gentleman does not desire to answer the question that I put to him. I would like the gentleman to explain the reason for referring the bill back to the Committee at this time, if he will, please.

Mr. ACHTERMAN. I will be delighted to, Mr. Speaker. This motion, Mr. Speaker, and the motion I intend to make on the subsequent tax measures at first blus,—and I can understand that that possibly is the motivating reason for the questions by the gentleman from Dauphin,—since they are tax measures that we all know and as the gentleman knows have been the law of this state for six years, and will undoubtedly be the law for two more years, even though they did say here two years ago that it would cease. You will say of course, "why return them for further study", but tax measures are a bit different than an individual computing his income. We know reasonably well that these tax measures will yield. I think we can compute it safely, so that, as I stated before, perhaps there would be no reason for returning these amendments for study except that in this instance tax measures are coupled with expenditures. By that I mean that we levy taxes only for the purpose of operating the government. We could scarcely justify ourselves for levying taxes in excess of needs. In this instance these tax measures are completely entwined with the budget. Now then, it is the budget that really needs the study, and we should not send from this House the tax measurers until we find that there is justification for the items that appear in the budget.

I do not intend to go into an extensive detail about the budget, but I will point out just a few items and assure the gentleman from Dauphin that there are many more items of a similar nature that need study. We heard the Governor stating in his message that the amount of relief that will be needed for the next two years is one hundred twenty million dollars. What the Department of Public Assitance may say is another story. I think the secretary, Mr. Russell, at one time said one hundred sixty-three milion dollars,—my memory may be faulty there,—and then I think at the request of somebody or other he reduced it a little, but his figures were somewhat higher. Certainly we ought to know whether it is one hundred twenty million dollars or one hundred sixty-three million dollars or whether it is one hundred forty-eight million dollars, or what the figures may be.

Now, this is of importance in connection with it; the Governor after considerable figuring and considerable juggling, incidentally, comes to the point of saying, "I have got eleven million dollars left over, so we'll toss that back to relief."

Now, if he is right on his figure of one hundred twenty million dollars then there is no necessity to toss it back to relief. Then what should we do with the eleven million dollars? Should we have tax reduction or should we instead go to the postponements that he refers to? You will notice in his message that there are five certain governmental functions that he proposes to postpone. Shoud we spend eleven million dollars there, or should we accede to the request to postpone? It needs serious study, and the tax measures quite conceivably will play a large measure in what we finally decide should be done.

Then again there are other items, and these are curious items. Going over the increases that he is asking for various Departments, I think there are only three or four Departments that he couldn't conceive of a reason why there should not be an increase in their allowance. I wonder what those three or four departments did to offend the Governor? We expect to find out. Also we are going to find out why the increases, and when we find the story then we will know where we are going to drive with the taxes, but the two, Mr. Speaker, are so entwined, so interrelated that this House cannot intelligently go forward with a tax measure without ascertaining first what are the proper expenses for governmental affairs.

Secondly, how much it would cost to carry on all the esential and necessary governmental expenditures, not at the expense of any particular community, Mr. Speaker, but in fairness and in honesty to all of the people of the State of Pennsylvania? Why postponement? Why juggling of figures? We are going to have the answer before we leave, and then, Mr. Speaker, and only then will the tax measures be brought to the floor of this house for final passage.

I hope, Mr. Speaker, that I have made the position of our party clear, and the reason for our motion.

Mr. WOODSIDE. Mr. Speaker, that is a rather long answer, and I would like to continue my interrogation.

I understand from the remarks that the gentleman made immediately after the Governor delivered his budget message, that he felt at that time that there was not sufficient tax revenue to meet the payment that ought to be met. Maybe I have misunderstood him, but I gather from some of the remarks that he made in the beginning of the answer to my question that he feels now that the revenues might be too much. I would like to ask the gentleman whether he feels, as the situation stands today, that one hundred thirty-one million dollars is too much, or not enough to be appropriated for relief during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, I would like to answer what I might term two questions, because the remarks made by the gentleman were predicated upon the assumption that I felt perhaps the revenue measures might produce too much money. I did not so state. I only stated that I felt that we knew reasonably well what the measures would produce, but unfortunately I do not know the justification for the figures contained in the budget. I do not know how much the Governor of Pennsylvania desires to squander moneys of the State. All I do know is that it is the largest budget that has ever been placed before any legislature of Pennsylvania, and I want a justification of those expenditures, and we propose doing what the Governor once promised to do we are going to wring

out the waste, and if there are sufficient proceeds left over; of course we could reduce the taxes, but at least we do not intend to permit the Governor of Pennsylvania to continue maintaining an uneconomical administration and operation of our government. We do not propose to accept at face value the figures he submitted. Taxes can only be justified upon the basis of governmental expenditures, and we are going to find that those governmental expenditures must be justified to this House before we give him the taxes.

Mr. WOODSIDE. Mr. Speaker, the gentleman has said that we can reasonably well anticipate the amount of revenue which will be received from these tax measures. I understand from that, do I, that he considers the estimate as set forth in the budget approximately accurate?

Mr. ACHTERMAN. Mr. Speaker, we have accepted some things on faith from the Governor of Pennsylvania. We have hoped that we could accept the budget as he submitted it to us in good faith. Our studies to date have indicated that perhaps we should not. I am assuming at the present moment that the figures of anticipated revenues are correct. We have had little time to determine whether that is so or not. In other words we are going to be shown everything, that is, we will certainly check back the revenues, but I believe the figures at the moment at least are reasonably correct. If they are not, in due course of time we will tell the House of it. We certainly do not intend to pull any punches or mislead the members of this House.

Mr. WOODSIDE. Mr. Speaker, we don't want any punches pulled. We will be glad to furnish all the information that is available to the Administration, I am sure, to the gentleman on the other side in order that this problem may be solved to the best interest of the Commonwealth of Pennsylvania.

However, I would still like to know from the gentleman since he has suggested that they are going to go through the Departments, what purpose he expects to accomplish that would affect the amount of revenue that will be necessary. And may I call attention to the fact that the full allowance appropriated for the Department including many items such as six hundred thousand dollars to the occupational diseases division, are included in the total for the operation of the Department which is only twenty-nine million five hundred eighteen thousand dollars. May I also call his attention to the fact that there has already been a cut in salaries in this Commonwealth, salaries of employes of this state over two million seven hundred thousand dollars a year, and a consideration of that I am wondering where he expects to make any substantial cut in any appropriation to or any Department which would make any difference in the appropriations to the Departments or in the amount of estimated revenues.

Mr. ACHTERMAN: Mr. Speaker, since the gentleman is wondering I will let him wonder on this one: Just what explanation we are going to receive, why the administrative cost of relief is going up while the relief that is being given is going down? It is just those little things to which our party would like to know the answer: why administrative costs go up and the expenditure of money for relief decreases. There are many other departments where we have heard there are savings in salaries, but when we start to look for them, we cannot find them.

Mr. WOODSIDE. Mr. Speaker, I think the gentleman included a statement that is not entirely accurate, but that is something that we would be glad to furnish him in detail. I would like to ask, however, whether he feels there is an obligation on the Commonwealth to pay back funds that have been borrowed from it, and whether that should not be paid back out of the general fund during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, the gentleman has forgotten back in 1940 the remarks I made on the floor of this House on the tapping of funds, and the highway robbery that existed in Pennsylvania, even though the magician said it was just taken out of his one pocket and put into another pocket; actually, you know, he got his hands into somebody else's pocket and I feel in honesty, Mr. Speaker, we should pay back; we should not steal.

Mr. WOODSIDE. Mr. Speaker, does the gentleman feel that during the next biennium we ought at least make an effort not to have to borrow money in order to carry on, so that the Governor who he hopes will be Democratic and I hope will be a Republican, will not have to borrow money to tide him over the biennium as Governor James has had to do?

Mr. ACHTERMAN. Mr. Speaker, I can assure the gentleman first of all that we told him in 1940 what was going to happen if they started stealing funds and did not have the honesty to prepare to repay. We told them that many on the other side of the House would not be here. We told them it was going to cost them the state of Pennsylvania, and it did. And we are telling them now that it not only cost them the House but it is going to cost them the Governorship next year. That is a prediction, gentlemen, with as much accuracy and certainty as the prediction of 1940.

May I state in regard to the so-called deficit that the gentleman speaks of, I mentioned it after the Governor's budget message, that that deficit was much less than the magic figures that the Governor called in. Of course, the Governor has always had trouble to find out what the deficit was. He said first I think twenty-six million dollars, and then fifty million, and then I think just for good measure that the WPA short-changed him. The Governor just doesn't know, but any kind of figure that pops up in his mind, he introduces, and in due course of time we will prove to them that the deficit that he received from the Earle Administration was only a few million dollars and was considerably under the amount that Earle inherited from Pinchot, who I think the Gentleman will concede was a member of their party.

Now, certainly, since it is our intention, Mr. Speaker, of taking over the control of the State of Pennsylvania next year, we certainly are going to do our best to see that the budgets for the last two years are balanced so that we are not compelled to shoulder the weight that the Governor of Pennsylvania apparently is trying to shove upon us with this budget that he submitted just a short time ago. I hope I have answered all of the gentleman's questions.

Mr. WOODSIDE. Mr. Speaker, finding the answer to that question is very much like hunting a needle in a hay-stack. If the gentleman answered it was lost, at least to me, do I understand that the gentleman feels that this money which has been borrowed from the special funds in the past should in the biennium be paid directly out of the general fund, if that is possible?

Mr. ACHTERMAN. If possible, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, does the gentleman

from Monroe feel that we should aim at this time and during this session toward establishing a budget for the next biennium that would in effect be balanced?

Mr. ACHTERMAN. Mr. Speaker, not only balanced, but honest. By that I mean honest to the people of Pennsylvania, all of the people, and that we pay the bills that we owe, and above all that we return the money that we stole. In other words, balanced and honest.

Mr. WOODSIDE. Mr. Speaker, the gentleman from Monroe is making a lengthy speech and I would like to answer all of his points but if I did so we would be here all night. I understand from the gentleman's answer, and if I am wrong, I wish he would say so, he feels that the budget during the next biennium should be balanced, in other words out of that budget we should repay into the general fund all of the money which will be borrowed from special funds. Perhaps I had better start that all over again.

I understand the gentleman's answer to be that he feels that the budget for the biennium should be balanced and by balancing he means that out of it should be paid from the general fund to the special fund all the moneys which have been borrowed and will hereafter be borrowed from it during this biennium. Furthermore, that the budget be so written that as far as we are able to see at the present time it will not be necessary to borrow additional funds from any of the special funds during the next biennium, in other words, at the end of the next biennium, on May thirty-first, the books of the Commonwealth will be balanced. Does the gentleman consider that a proper aim? Does he consider it proper at this time that the budget should be arranged with that end in view?

Mr. ACHTERMAN. Mr. Speaker, I might say and I think the gentleman will concur with me, that that would be a very sound aim and that it should be our aim.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman still feels that one hundred and thirty-one million dollars will not be sufficient money to carry on relief during the next biennium.

Mr. ACHTERMAN. Mr. Speaker, one of the reason for sending these measures back to the Ways and Means Committee is the fact that we do not know. The Governor said one thing and Mr. Russell of the Department of Public Assistance said something else. The figures which are released from week to week tell us something different. What are we to believe, with everybody juggling figures who is in a position to know or should know, and none of them in accord? How can I answer that question? Whether or not I believe that is enough, too much or what the answer may be, it is impossible to answer. We do hope finally to get some responsible source to give us figures upon which we can rely. In other words what we are doing now has been caused by the mirage which has been placed before this House by the Department of Public Assistance and by the Governor himself. Certainly they should not now complain if we question who is right and decide we are going to find out. They should not complain of that action.

Mr. WOODSIDE. Mr. Speaker, the gentleman realizes I think, that in the past relief has always been financed by putting all of the money which was not appropriated anywhere else into the relief appropriation, with the understanding always that it likely would not be enough, and a subsequent legislature, either at a special session or at the regular session at the end of the biennium, make an additional appropriation to meet the needs up to the end of the biennium. The gentleman realizes, I think full well, that it is impossible to estimate with any very great degree of accuracy what the relief needs will be six months ahead. It is doubly difficult two years ahead. I realize it has been impossible for him at this time and it will be impossible for him in April or May or June to give any accurate estimate as to the amount which will be needed for relief during the next biennium. I was interested in knowing whether the gentleman felt it was too much or too little or whether he was entirely up in the air about it.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 229, entitled:

An Act to further amend section four of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, for the reasons I have given before with reference to the prior bill, (House Bill No. 228), I move that this bill be recommitted to the Committee on Ways and Means for further study.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe, Mr. Achterman, permit himself to be interrogated?

Mr. ACHTERMAN. Mr. Speaker I will.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman what is the purpose of recommitting this bill outside of the stated purpose of "further study."

Mr. ACHTERMAN. Mr. Speaker, I feel that is a sufficient reason in itself.

Mr. TURNER. Mr. Speaker, is it for the same purpose as stated to the minority leader, to wit that they were not going to take up the bills until they knew something about the budget.

Mr. ACHTERMAN. Mr. Speaker, that is correct.

Mr. TURNER. Mr. Speaker, is it the purpose or hope of the gentleman that there will be some cut in taxes.

Mr. ACHTERMAN. Mr. Speaker, it is impossible to state and the thought of recommitting was not with the thought that there was going to be any tax reduction, on the contrary taxes should only be levied to the extent needed for necessary governmental functions.

We necessarily feel that the two subjects are in effect one, although they are represented in a number of bills and we also feel that this House would be derelict in its duties if it passed tax measures without ascertaining whether their requests for expenditures were not proper requests. In other words we would saddle taxes on the people of Pennsylvania without learning whether they were proper for expenditures. I cannot see how we can move forward until we learn, first of all, and be satisfied with a solution as to the needs, and then and only then shall we move forward with the taxes.

Mr. TURNER. Mr. Speaker, if the gentleman from Monroe does not expect to reduce the taxes then does he expect to increase taxes.

Mr. ACHTERMAN. Mr. Speaker, first of all may I call to the gentleman's attention that here is an administration that has been dodging five very essential governmental functions at the expense of that portion of the state that can least afford it. We do, as good business men, propose finding out what it is going to cost to operate the state. We are not going to accept on face value the Governor's figures. We are going to stop this robbing, of one part of the State for the benefit of another part of the state.

Mr. TURNER. Mr. Speaker, it seems almost impossible to get an answer from the gentleman from Monroe without a speech which might very readily be answered, and I might in turn be answered by the gentleman from Monroe, because I have some recollections of some past bienniums and one in which the Earle Budget was five hundred and ten million dollars and when we finally wound up for the biennium it was somewhere around six hundred million dollars which we expended. That does not seem to be the issue at this time. While I am transgressing perhaps upon the parlimentary rule of inquiry, still the gentleman on the other side has so flagrantly transgressed that rule for over a half an hour, it seems to me I might be permitted to do so. I have listened to the gentleman on two or three occasions. He has wandered all over the map on political questions.

I have not had much chance to study the Budget but I did study it on Sunday night to some extent. It seems to me that the statements are correct and that the figures set forth are very clear and plain.

I would like to know just exactly just what is intended now. The gentleman from Monroe after that long discourse he has engaged in, has not told me whether he expects to increase taxes. The budget now provides for some one hundred thirty-one million dollars for relief, and the budget is based upon anticipated revenues from these tax measures and from the present tax program. The gentleman from Monroe Mr. Achterman, introduced a bill providing for two hundred and ten million dollars for relief. That would be eighty million dollars above the present amount provided for in the Governor's Budget for relief. If the gentleman from Monroe does not necessarily anticipate that we are going to be able to reduce taxes, then he actually raises the question of where he anticipates getting the money to take care of that eighty million dollars that he wants for relief.

Mr. ACHTERMAN. Mr. Speaker, May I state that we have no anticipations. We do not know what we are going to find that this administration did. Goodness only knows and we don't know although all that we can promise him is that we are going to find out.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Monroe whether these provisions or functions of state government do not amount to about twenty-million dollars.

Mr. ACHTERMAN. Mr. Speaker, we are told by the Governor that that is correct.

Mr. TURNER. Mr. Speaker, does the gentleman have any doubt?

Mr. ACHTERMAN. Mr. Speaker, very frankly I do not know. There are so many other things we have found out, so that we will have to find this out for ourselves.

Mr. TURNER. Mr. Speaker, will the gentleman tell us what we found in the budget that is not so?

Mr. ACHTERMAN. Mr. Speaker, we have doubt about the one hundred and twenty million dollars for relief; we base that fact not only upon our own figures but on words what Mr. Russell has had to say. We have a Department head running out without consulting the Governor and we have the Governor running out without consulting a Department Head. We have complications. If that doubt is caused in our minds by the Republican Administration, why shouldn't we question it? It is the old rule of law if you find a witness not telling the truth in one instance you may disregard anything else he says.

Mr. TURNER. Mr. Speaker, is the gentleman through with his speech.

Mr. ACHTERMAN. Mr. Speaker, I am answering the gentleman's question but he might not like the answer.

Mr. TURNER. Mr. Speaker, the answer does not worry me one bit, because the answer to what he said is perfectly obvious. The question I asked him pertained to certain functions such as for instance transportation in school districts, high school tuition, and taking care of the insane. I think those are the three functions to which he refers. They amount to about twenty million dollars. If we take over that twenty million dollars and add eighty million dollars which he has added for relief, does the gentleman expect to be able to get that amount out of the operation and functions of the Government?

Mr. ACHTERMAN. Mr. Speaker, I would not be surprised. If we continue our investigation of the subject. we may find sufficient waste, to initiate everyone of those needed governmental functions.

Mr. TURNER. Mr. Speaker, I have a lot of personal friendship for the Majority leader, I have served with him on the floor of the House. I do not believe in any interrogation or debate that even what is purely in the mind of the gentleman from Monroe,—what will I say, a bit facetious. Because he knows as well as I know it does not cost one hundred million dollars in the ordinary operation of Departments under the Governor's control.

He knows that the cost is around ninety million dollars. What is he going to get out of that? He knows that a large part of the remaining expenditures for the operation of the Government come out of relief aged, and the blind and dependent children. The operation of the Departments under the Governor, while I have not the figures accurately in mind, costs about thirty million dollars. If you cut out of the whole operation the Departments under

the Governor, you cannot make up that one hundred million dollars that the gentleman from Monroe wants to increase the Budget by. Therefore I ask the very natural question whether he intended to increase taxes. The gentleman from Monroe has given me a long and round-about answer.

In concluding, what I have to say, if the gentleman from Monroe expects to increase taxes, I see no tax bills presented by the gentleman from Monroe or by anybody else on the other side of this House, to raise additional taxes to take care of that one hundred million dollars.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 230, entitled:

An Act to reenact and amend the title and the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (Pamphlet Laws, four hundred fourteen), entitled "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," as previously reenacted and amended, by continuing the State personal property tax and the emergency rate of tax on scrip bonds, certificates and evidences of indebtedness, assumed or on which interest is paid by corporations, for a further limited period of time.

The first section was read.

On the question,

Will the House agree to the section?

QUESTION OF INFORMATION

Mr. GATES. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question.

Mr. GATES. Mr. Speaker, if this bill is recommitted now will it be possible to insert amendments after it comes out of committee?

The SPEAKER. If the bill is agreed to on second reading and recommitted, after it is returned to the House by the Committee it will require the unanimous consent of the House to amend it. The amendatory stage is on second reading.

Mr. GATES. Mr. Speaker, I have asked the privilege of addressing you and you have very graciously granted my request. I will discuss the Governor's Messages to the House, the budget and the emergency tax bills now on our calendar for second reading. Of course, the tax bills must be taken out of the emergency class and now be listed under normal taxes.

Governor James said, in speaking of his budget, and I quote, "The Acts which will be introduced to carry out its provisions will not be "must bills." He then continued by saying if new ideas are brought forward, I will receive them with open mind, but here he slammed the door shut and locked it from the inside by saying he would veto any new tax bills. It reminds me of the old story of Henry Ford when he made the old reliable Model T Ford. For years he had things much his own way but eventually received real competition and his competitors were giving their customers the privilege of having their new cars painted with any color that they so desired while Henry stuck to the idea of only one kind of a car and that was a black car. Finally his dealers insisted on a meeting contending to meet competition successfully, they should be given the right to give to their customers any color of car that the customers desired. So a meeting was called of several thousand dealers and the General Sales Manager of the Ford Motors Company said, "Boys, I have taken the matter of having our cars painted in different colors up with Mr. Ford and he said you could select any color you desire as long as it is black." He soon saw the error of his ways and you can now purchase a Ford car in most any color you desire.

This gentleman, is the way with this tax program. You may select any tax program you desire as long as it is this tax program. In other words, where we formerly had three distinct branches of State Government—executive, legislative, and judicial, as far as these tax measures are concerned, we have now eliminated the Legislature and you are acting merely as another wills.

These taxes were originally enacted when everything that could be seen was taxed without regard to the equitable distribution of the tax burden. They remind me of the past hunting season when you had the privilege of shooting either a buck or a doe, and hundreds of thousands of hunters took to the woods and many inexperienced men took a pot shot at anything that moved. Consequently, many men were killed or wounded and these tax bills have severly wounded the corporations of our State and if continued it will lose for us the name of the great Industrial State of Pennsylvania by driving out these industries which for their own self-protection must move to other states. Oh, I know we have a new Department of Commerce and I personally have a very high regard for its head, Mr. Richard Brown, but with all his ability, energy, and efficiency, he cannot pull a rabbit out of a hat. For instance, if one habberdashery,, located on one side of the street sells Knox hats for $10 and another store just across the street sells exactly the same Knox hats for $8, it is very obvious who will eventually get the business.

Our Department of Commerce recently listed a large number of factory buildings available for work. They found 40,000 square feet of working space. The survey found 111 unused buildings of more than 100,000 square feet and 259 ideal factories with between 25,000 and 100,000 square feet. Many hundreds of smaller buildings were omitted from the list. Mind you, these are complete useable factories in such good condition that almost everything needed to put them in operation would be to unlock the doors and tear down the signs which read, "Closed, no help wanted." What can be done to reopen them? The answer is easy. Give the corporations in our State relief from this tremendous tax burden, keep them in Pennsylvania where they can give employment to our men and women and the direct and indirect benefits will be to decrease unemployment and increase our State income.

Now regarding the budget and his message regarding same. Governor James says the State is in better financial

condition than it has been for many years and the successful completion of his program will set the stage for a huge tax reduction program. I doubt very much if we can pat ourselves on the back and take too much credit for certain improvements. We all know a change in direction is now appearing as a result of the stimulation of the defense program producing the dual relief of a downward movement of expenditures for public assistance and an upward movement of tax yields. This, of course, affects advantageously both sides of the budget.

Our apparent prosperity is the direct result of the sorrow, suffering, hunger, lack of shelter, lack of food of the men, women and children caused by the human unChristian ambition of a man who would rule the World, starting with persecution of a particular race and ending by bringing everyone under his subjection. God forbid!

Again, Governor James says we have a balance of $11,000,000 unappropriated. He suggests that the amount be added as a safety item to the amount allocated to Public Assistance. Now, gentlemen, it is with this amount that I would make a suggestion to the Members of this House, realizing that the Democrats are in control of this House, the ultimate responsibility of an amendment I will offer to take a step in the right direction by starting now to give our people some immediate relief from taxes, will largely rest upon their shoulders.

I will offer an amendment to House Bill No. 230 to reduce the inequitious four mill personal property tax to three mills, a reduction of income to our State according to the Governor's budget of about six and one-fourth million dollars. This would leave about five million out of the eleven million dollars unappropriated. You say this is small and insignificant and I answer, "yes," but lets make a start and as this tax falls largely on the old people of our State who have passed the age when they are able to increase their income by personal efforts, I personally think it is making the start at the proper place by increasing the standard of living for these fathers and mothers rather than continuing to decrease their standard of living.

May I assure each of you that when this amendment is offered I will require no division of the vote or a roll call as I have no desire in my heart to either directly or indirectly due injury to any member of this House regardless of his political faith.

Now in conclusion to anticipate someone referring to Governor James speech where he says to cut taxes in his judgment would be counting chickens not yet hatched. During the Special Session of 1940 Governor James said to me sitting in his office that he was transferring funds from various accounts with a hope and a prayer that we would not have to increase taxes and I believe that he was earnest and sincere in this statement and for the first time since I have been a member of this Honorable body I voted for these transfers. I urge the members of this House to vote for my amendment with a hope and a prayer that we not only can make this reduction but that later Governor James will call a Special Session, recommend to this House the elimination of the balance of this three mills personal property tax and give reduction to corporation taxes when he can say again as he said after his election as Governor of this great Commonwealth, "Business men, unpack your trunks, stay in Pennsylvania, real relief is in sight." Once again we can take our place as the leading industrial state of the nation.

On the question recurring,

Will the House agree to the section?

Mr. GATES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting a light-faced bracket before and after the word "four"

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting after the word "four" the following: three

Amend Sec. 1 (Sec. 17), page 23, line 22, by inserting a light-faced bracket before and after the word "four"

Amend Sec. 1 (Sec. 17), page 23, line 22, by inserting after the word "four' the following: three

On the question,

Will the House agree to the amendments?

Mr. ACHTERMAN. Mr. Speaker I desire to interrogate the gentleman from Armstrong, Mr. Gates.

The SPEAKER. Will the gentleman from Armstrong, Mr. Gates, permit himself to be interrogated?

Mr. GATES. Mr. Speaker I will.

Mr. ACHTERMAN. Mr. Gates does the amendment that you offer reduce the personal property tax from four to three mills.

Mr. GATES. Mr. Speaker, that is correct.

Mr. ACHTERMAN. Mr. Gates I presume that you feel that this one mill of tax that you are eliminating from the measure is not needed to carry out the governmental function requested by the Governor in his budget.

Mr. GATES. Mr. Speaker according to the budget as I have studied it the Governor stated he had eleven million dollars unappropriated and from the eleven million dollars of unappropriated funds I hope and pray that this House will give some relief to taxpayers. I feel that by taking six and one quarter million dollars from that eleven million fund that will take care of my amendment.

Mr. ACHTERMAN. Do I understand Mr. Gates then feels that the Governor is not aware as to the amount of money he needs for relief.

Mr. GATES. No, I did not say that. I am simply taking the budget as it was reported to us. I think it is impossible for even Mr. Russell or Governor James in view of the increase due to the defense program to accurately determine the exact amount that is going to be needed for public assistance so I have chosen to take the figures of the Governor when he estimates that five million dollars will be adequate.

Mr. ACHTERMAN. Mr. Speaker I thank the gentleman. I do not know where I could have a more eloquent explanation of the position that I have maintained on the floor of this House that these tax measures should go back to the committee than has been demonstrated by the gentleman from Armstrong, Mr. Gates. In other words on the Republican side of the House they do not know. They are floundering. They are in a mirage, the same as we are. He does not know anything about the Governor's figures. The only thing he is doing is to say, "Well, we will reduce this amount, let us not study it. Let us go ahead and reduce and then hope." We discussed faith, hope and charity before in this House and, Mr. Speaker, it is time that we start studying. Possibly our study might disclose what the gentleman maintains. If it does then we can have tax reduction. If it does then we are prepared to do it, but certainly after his statement he does not know and Mr. Russell does not know and the Governor does not know, certainly we better get somebody who does know. Certainly we should find out before we do

anything with these measures. It is for that reason that I say these amendments should fall. If further study subsequently proves that the amendments are sound, so that there is no need for the money then the gentleman is on sound ground but at the present moment he is not. I have the same interest in these measures that apparently the other side has.

I do remember the day when they condemned these measures to the high heavens. Now, we have the reverse position. I never knew the Republicans to so cherish tax measures that they had previously condemned. I am saying that the gentleman from Armstrong is not on sound ground for the moment and therefore his amendment should fall at the present time and give us the opportunity to study. Certainly the gentleman wants to know the facts. He admits on the floor of this House that he does not know the facts. Therefore, I am saying that these amendments should fall and I am asking this side of the House to substantiate my motion.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

Mr. SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. GATES. Mr. Speaker, I would like to inquire of the gentleman on the other side, who is so prone to quote the Scripture in his statements, if he will tell the members of this House just where in Holy Scripture this particular verse that he refers to is found.

Mr. ACHTERMAN. Mr. Speaker, I would be delighted to do so later on, if the gentleman will come to my desk.

Mr. GATES. Mr. Speaker, I would like to inform the gentleman from Monroe right now that it is found in the thirteenth chapter of Corinthians, and my version of it says "faith, hope and love."

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read.

The SPEAKER. Does the gentleman from Armstrong, Mr. Gates, desire to withdraw his amendments to the title in view of the fact that his amendments to the first section have been defeated?

Mr. GATES. I do, Mr. Speaker.

The SPEAKER. The amendments offered to the title have been withdrawn.

On the question,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 231, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eight), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommended to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 232, entitled:

To further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (Pamphlet Laws, four hundred twenty), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 233, entitled:

To further amend section one of the act, approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws, six hundred forty), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens, and encumbrances; and of com-

panies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act, entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust, and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto,' approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies," by continuing the increased rate of tax for a further limited period of time, and reducing the rate of tax after such limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 234, entitled:

An Act to further amend section one of the act, approved the fifteenth day of July, one thousand eight hundred ninety-seven (Pamphlet Laws, two hundred ninety-two), entitled "An act to provide revenue by taxation," by increasing the rate of tax for a further limited period of time.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 235, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Sesion of one thousand nine hundred thirty-six, P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 262, entitled:

Making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

The first and second sections were separately read and agreed to.

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment as a new section.

The amendment was read by the Clerk as follows:

Amend bill, page 2, by inserting between lines 8 and 9 the following section:

"Section 3. Out of the moneys appropriated by section one of this act, the Governor, Auditor General and State Treasuer shall, from time to time, allocate to the Department of the Auditor General and the Treasuer Department such sums as they deem necessary to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act."

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, this is a very insidious amendment. It is placing into an appropriation bill for relief that which has never been in an appropriation bill for relief before, either under the Earle Administration or under the James Administration. It can have only one purpose. It is playing politics with relief in one of the worst possible manners because the only single purpose this amendment can have is to take money away from the reliefers and to provide more money for Democratic jobs in the Auditor General's and the State Treasuerer's Department. This amendment provides that "out of the money appropriated by section one of this act, the Governor, one, and the Auditor General, two, the State Treasurer, three, a Board of two Democrats and one Republican, shall from time to time allocate to the Department of the Auditor General and the State Treasurer such sums as they deem necessary; and so forth.

The only single purpose that this new type of amendment can have is to take money away from the reliefers and to give it to the Democratic job-holders in the Auditor General's and State Treasurer's Departments and for that reason I ask the members of the House to vote no on this amendment.

Mr. ACHTERMAN. Mr. Speaker, I appreciate the remarks of the gentleman from Dauphin, when he speaks about "insidious practices.' May I first of all state that the gentleman is in error when he states that the amendment which I offer does not appear in any of the other appropriation acts. On the contrary it was done in 1937 and it was done in 1939, and the insidious thing that he has mentioned would occur if we did not put this amendment in the bill introduced by him. May I explain to the membership of this House what happened? I mentioned earlier in speaking on the tax measures about certain Departments that apparently were not in good grace with the Governor. It so happens that the State Treasurer's and the Auditor General's Departments happen to be two of the few that I mentioned. Now, the Governor has endeavored to see that those departments are put in a position that they cannot function and operate normally. In other words, what he is saying to those Department

is. "Spend at our orders fourteen and one half million dollars and you guess how you are going to do it." He has the money and he will allocate money for his departments to be spent. But once again we have the old story of the expenditures for relief going down and the percentage of administrative cost to the Department of Public Assistance increasing. But, to allow any other Department to pay the ordinary expenses of auditing the money they spend, oh, no, no. It might be assumed that perhaps what the Governor desires is the right to spend this money without having the account audited. Why should he exclude the Auditor General's Department and the State Treasurer's Department from their usual and normal function? Why should we say, "we won't let you have any money to check on us." Doesn't he want to be checked on? Especially when the acts of 1937 and 1939 fully made provision to do those very things. Yes, I can agree with the gentleman from Dauphin in the proper use of the word "insidious." It would be insidious if we permitted the Governor to go on spending money in these departments without making provisions for a proper check on the manner in which his departments would spend that money. I am saying that this is one of the things that is needed in order to guarantee to the people of Pennsylvania the proper check, rein on the expenditures in the Department of Public Assistance which is now under his control. You would have that check if you pass the amendment that I am offering.

Mr. WOODSIDE. Mr. Speaker, through the courtesy of the Speakers office I have before me the Act of 1937. I want to call to the gentleman's attention and to the attention of the members of the House that that act did not have the same amendment in the form in which it is here. If the gentleman will put the amendment in the form it is here, unless there is some legal or budgetary reason why that should not be, I will withdraw my objection to the amendment. But the amendment is not in that form today as introduced by the gentleman from Monroe. I do not think it should be in the form it is.

The gentleman has thrown a smoke screen trying to make it appear that the Auditor General's department will not have an opportunity to audit the accounts for the Department of Public Assistance. Nothing is more ridiculous. I want to call to the gentleman's attention one other thing, that when in the 1939 session, towards the end, we were considering the amount which would be set aside for the Auditor General's department and the State Treasurer's department, the gentleman from York, Mr. Cohen, who is now there coaching Mr. Achterman, you might well remember, got up and objected to the cuts in the amount which was appropriated to the Auditor General and the State Treasurer in the Senate, and at that time I introduced facts and figures which I think conclusively proved that the administration, the Senate and this House in passing the amount which they did was more liberal to the Auditor General and the State Treasurer than had been the case during the prior administration. It is ridiculous to assume or think for one minute we should not expect the accounts of the Department of Public Assistance to be properly audited. This not only applies to the Auditor General but also to the State Treasurer. I ask you, members of the House, to vote down this amendment at this time.

Mr. ACHTERMAN. Mr. Speaker, I am curious to know why the gentleman from Dauphin did not prepare this bill in conformity with the acts of 1937 and 1939.

Mr. WOODSIDE. Mr. Speaker, I have been trying to find out why the act does not have the section in it that was in the act of 1939. I have been trying to contact the Deputy Attorney General who drafted the bill but I can not get him. However I do say as a possible answer that this being an additional appropriation and there being funds in the former appropriation specifically allocated to the Auditor General and the State Treasurer, or at least set forth as being allocated to them in the former bill, it may not be necessary for any funds out of this amount to be allocated to the Auditor General and the State Treasurer to carry on their regular functions. I will not say that is accurate, I do not know. I am not referring to the gentleman from Monroe, but other members of this House have been guilty of making statements on the floor of the House without having given the subject proper thought, and I do not like to make statements unless I am sure of my facts, but I think that is the answer.

Mr. ACHTERMAN. Mr. Speaker, I thank the gentleman. I think I can agree with him about how insidious this bill was as originally introduced, and therefore I am stating to the members of this House that my amendment is sound and should be supported.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. WOODSIDE, and Mr. WINNER were as follows:

YEAS 113

Achterman,	Gallagher,	McGrath,	Rosenfeld,
Baker,	Gerard,	McIntosh,	Rush,
Balthaser,	Goodwin,	McLane,	Sarraf,
Baugher,	Gryskewicz,	Melchiorre,	Scanlon,
Bentley,	Haberlen,	Mihm,	Schwab,
Bentzel,	Hamilton,	Monks,	Shaffer,
Boies,	Harkins,	Mooney,	Shaw,
Boney,	Harmuth,	Moran,	Shepard,
Bradley,	Heatherington,	Moul,	Skale,
Breth,	Hering,	Munley,	Stank,
Brown,	Herman,	Nagel,	Stine,
Brunner, P. A.,	Hersch,	Nunemacher,	Tarr,
Burns,	Hirsch,	O'Connor,	Tate,
Burris,	Holland,	O'Mullen,	Thompson, E. F.,
Chervenak,	Jefferson,	O'Neill,	Vincent,
Chudoff,	Jones, P. N.,	Owens,	Vogt,
Cochran,	Keenan,	Petrosky,	Voldow,
Cohen, M. M.,	Kenehan,	Pettit,	Weiss,
Cohen, R. E.,	Kolankiewicz,	Polaski,	Welsh, E. B.,
Croop,	Komorofski,	Polen,	Welsh, M. J.,
DiGenova,	Leonard,	Powers,	Williams,
Dolon,	Lesko,	Prosen,	Wolf,
D'Ortona,	Longo,	Rausch,	Woodring,
Early,	Lovett,	Readinger,	Wright,
Elliott,	Malloy,	Reese, R. E.,	Yester,
Falkenstein,	Marks,	Regan,	Young,
Finestone,	McClanaghan,	Reynolds,	Kilroy,
Flynn,	McDermott,	Rooney,	Speaker.
French,	McFall,		

NAYS 41

Auker,	Haines,	McKinney,	Stambaugh,
Boorse,	Huntley,	McMillen,	Stockham,
Cadwalader,	James,	Muir,	Taylor,
Dalrymple,	Jones, G. E.,	Reagan,	Turner,
Dennison,	Kline,	Reese, D. R.,	Van Allsburg,
Fisher,	Lee, T. H.,	Rhea,	Winner,
Fiss,	Leisey,	Riley,	Wood, L. H.,
Fleming,	Leydic,	Royer,	Wood, N.,
Foor,	Lichtenwalter,	Sarge,	Woodside,
Gates,	McDowell,	Sorg,	Yeakel,
Gillan,			

So the question was determined in the affirmative and the amendments were agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, during the roll call I received word from the Attorney General's Office that they had received word from the Budget Department that there were sufficient funds under the original appropriations bill which remained in the appropriation to the Auditor General and State Treasurer under that act for the carrying on of their functions in the relief appropriations bill. That is the explanation which I made at the time when the matter was being debated, but I now have received a confirmation of it and I would like that to go into the record.

Mr. ACHTERMAN. Mr. Speaker, may I state that I did not believe it was because of insufficient money to carry on the functions. I have no doubt that the Auditor General and the State Treasurer have sufficient funds to function properly, and of course they would not allocate any funds they did not have. They are in a position to determine whether they do or do not have money, and we certainly have injured nobody by adopting this section.

The third section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 2, line 9, by striking out the figure: "3" and inserting in lieu thereof: "4"

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 263, entitled:

Transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

CONDOLENCE RESOLUTION

Messrs. VOLDOW and SHEPARD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 12, 1941.

Whereas, News has reached the House of Representatives of the death of the father of one of its members; and

Whereas, Isaac Rose, father of Honorable Samuel Rose of Philadelphia was a man known for his kindliness and love of his family and fellowman; and

Whereas, The House of Representatives is desirous of paying tribute to his memory and conveying its heartfelt expression of sympathy to the family of the deceased; be it therefore

Resolved, That the Chief Clerk of the House send a copy of this resolution to the family of the deceased, and by this token commend Isaac Rose to the memory of his fellowman.

CONDOLENCE RESOLUTION

Messrs. McCLANAGHAN and SHEPARD offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 12, 1941.

Whereas, One of the most respected and industrious members of the House of Representatives is now receiving hospital care at the Misericordia Hospital in Philadelphia; and

Whereas, We of the House of Representatives miss his warm presence and desire him back at once, if not sooner; and

Whereas, He is a fighting Irishman and no microbe can long keep him down; be it therefore

Resolved, That the Chief Clerk of the House direct a copy of this resolution to the Honorable John J. Finnerty of Philadelphia, wishing him an immediate recovery from his illness so that he may rejoin us in the House of Representatives and assist us in the solution of the Commonwealth's problems.

REPORT FROM COMMITTEE

Mr. READINGER, from the Committee on State Government reported as committed, House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

PERMISSION TO ADDRESS HOUSE

Mr. RUSH asked and obtained unanimous consent to address the House.

Mr. Speaker, today a number of the Members of this House received in their mail boxes a statement that is unsigned and bearing no postage with reference to two bills which I have introduced here. Many of you know that in the city of Chester, in Delaware County, there is a case now pending where it is alleged almost one mililon dollars were mis-appropriated by someone. Here is the statement.

"You have a municipal authority in your county. Under House Bills 222 and 203, these authorities would be placed under the Public Utilities Commission. This would mean that everything which any small municipalities would want done would have to be continually submitted to the Commission, creating additional cost. The municipality would also have to pay a share of the cost of the operation of the Public Utilities Commission, as provided by law. This would place a burden upon many small municipalities.

If these acts pass, they will certainly mean the end of the fight to clear our streams from pollution, because sewer authorities, especially joint-sewer authorities which are needed in many places, would find it impossible to operate under the provisions of the Public Utility Law."

This statement is unsigned and does not bear postage and has no right in the post-office boxes of this House.

I object to having statements unsigned and with no postage placed in my post-office box. I think this is a very insidious statement from somebody.

ADJOURNMENT

Mr. MUNLEY. Mr. Speaker I move that this House do now adjourn until Monday, February 17, 1941, at 9 p. m.

The motion was agreed to, and (at 3:38 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, FEBRUARY 17, 1941. No. 10.

SENATE

MONDAY, February 17, 1941.

The Senate met at 4:00 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

O Blessed God, creator of us all, author and finisher of our faith in Thee, quietly and earnestly do we implore Thy presence to be definitely felt within us each one today. Thou art our Father; we are Thy children. May this beautiful relationship constantly be burned into our consciousness lest we be found in the way of unalterable prodigality and the end of the road of life prove to be a dead end.

Exceptional privileges of service to Thee, our State and our nation are ours today. We are Thy ambassadors in a high spiritual position, having entrusted to our keeping and use legislation affecting the lives and happiness of millions of God's people. We pray, then, that our labors and their proper issue into laws this day may not be haphazard nor slipshod but earnest, courageous and God-fearing that Thy will be done more perfectly through us entrusted with this grave responsibility. Without Thy direction we will ultimately fail; with Thee success must crown our efforts.

We pray that Thou will keep in Thy precious keeping the wife of Senator Geltz this day in her serious illness.

Be attentive to the voice of our supplications, Our Father, and may the words of our mouths and meditations of our hearts, be acceptable unto Thee, O Lord, our strength and our Redeemer. For Jesus' sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Walker asked and obtained leave of absence for the Senator from Allegheny, Mr. GELTZ, on account of the illness of his wife.

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, on account of illness.

Mr. Tallman asked and obtained leave of absence for the Senator from Chester, Mr. SCARLETT, on account of illness.

Mr. Becker asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

1940 REPORT OF DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY

The PRESIDENT. The Chair lays before the Senate 1940 Report of Delaware River Joint Commission of Pennsylvania and New Jersey, which will be noted in the Journal.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 17, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Edna B. McFrederick, Pittsburgh, 226 Fourth Ave., February 19, 1941.

Ray W. Nash, Munhall, February 23, 1941.

Miss Rose Walsh, Pittsburgh, South Side Hospital, South 20th and Mary Sts., February 23, 1941.

NORTHUMBERLAND COUNTY

James F. Kelley, Shamokin, February 23, 1941.

BERKS COUNTY

Miss Stella M. Hartman, Windsor Twp., Hamburg State Sanatorium, R. D. 1, Hamburg, March 1, 1941.

ERIE COUNTY

Miss Florence L. Brebner, Erie, March 1, 1941

PHILADELPHIA COUNTY

Mrs. Maude E. Baker, Phila., 1209 West Oxford St., March 1, 1941.
John J. O'Donnell, Phila., 127 Edward St., March 1, 1941.

ALLEGHENY COUNTY

Israel Greenberger, Pittsburgh, 805 Frick Bldg., March 2, 1941.
Miss Grace Leggate, Pittsburgh, 533 Fifth Ave., March 2, 1941.
C. F. Lilliquist, Pittsburgh, 435 Sixth Ave., March 2, 1941.
R. R. McWhinney, Pittsburgh, 1515 Berger Bldg., March 2, 1941.
Francis X. Plunkett, Pittsburgh, 7219½ Kelly St., March 2, 1941.
E. C. Weger, Pittsburgh, 1312 Berger Bldg., March 2, 1941.

BLAIR COUNTY

William T. Canan, Altoona, March 2, 1941.
Miss Katherine Redding, Altoona, March 2, 1941.
Robert B. Smith, Hollidaysburg, March 2, 1941.

BUCKS COUNTY

Chas. J. Happ, Doylestown, March 2, 1941.
Miss Bessie L. Williams, Sellersville, March 2, 1941.

DAUPHIN COUNTY

Edwin E. Bolton, Harrisburg, March 2, 1941.
Mrs. Helen M. Miller, Harrisburg, March 2, 1941.

GREENE COUNTY

D. Herman Roberts, Waynesburg, March 2, 1941.

HUNTINGDON COUNTY

Miss Huldah M. Wharton, Mount Union, March 2, 1941.

LACKAWANNA COUNTY

Joseph L. Donnelly, Scranton, March 2, 1941.

LAWRENCE COUNTY

Mrs. Sarah J. Thompson, New Wilmington, March 2, 1941.

LUZERNE COUNTY

John L. Estock, Nanticoke, March 2, 1941.

McKEAN COUNTY

Miss Emma Terrell, Bradford, March 2, 1941.

MERCER COUNTY

John J. Buday, Sharon, March 2, 1941.

MONTGOMERY COUNTY

Mrs. Elizabeth C. McDonnell, Jenkintown, March 2, 1941.

NORTHUMBERLAND COUNTY

Russell E. Hawk, Milton, March 2, 1941.

PHILADELPHIA COUNTY

M. F. Gormley, Phila., 5237 Oxford Ave., Frankford, March 2, 1941.
T. D. Hendricks, Phila., Pennsylvania Hospital, 8th and Spruce Sts., March 2, 1941.
Chas. A. Hild, Phila., 5043 Frankford Ave., March 2, 1941.
Isaac S. H. Jones, Phila., 1632 Chestnut St., March 2, 1941.
John H. Lebick, Phila., 445 Diamond St., March 2, 1941.
John F. Maguire, Phila., 5111 Frankford Ave., March 2, 1941.
Kenneth D. Matthews, Phila., 12 South 12th St., March 2, 1941.
Clement C. O'Rourke, Phila., Packard Bldg., S. E. Cor. 15th and Chestnut Sts., March 2, 1941.
Miss Minnie Shugar, Phila., 5833 North 6th St., March 2, 1941.
Mrs. Amelia B. Smith, Phila., 7043 Torresdale Ave., March 2, 1941.
John P. Stuhltrager, Phila., Roosevelt Bank Bldg., March 2, 1941.
Reynold C. Tropman, Phila., 1908 North 11th St., March 2, 1941.
Harry J. Woodward, Phila., 723-724 Commercial Trust Bldg., 7 South 15th St., March 2, 1941.

SCHUYLKILL COUNTY

John P. Jones, Ashland, March 2, 1941.

WESTMORELAND COUNTY

Mrs. Nellie M. Harrold, Greensburg, March 2, 1941.

YORK COUNTY

Alvin H. Hocke, York, March 2, 1941.

LACKAWANNA COUNTY

John F. Buckley, Scranton, March 3, 1941.

ADAMS COUNTY

Miss Mary Ramer, Gettysburg, March 5, 1941.

ALLEGHENY COUNTY

C. J. Brutscher, Pittsburgh, 629 Kirtland St., March 5, 1941.
Miss Mabel Gibson, Pittsburgh, 2007 First National Bank Bldg., March 5, 1941.
Robert J. Kurtz, McKeesport, March 5, 1941.
Ray Maxwell, Pittsburgh, 1621 Grant Bldg., March 5, 1941.
Julius N. Sopoliga, Pittsburgh, 306 Berger Bldg., March 5, 1941.
Miss Myrta L. Thompson, Pittsburgh, Rosenbaum Co., 6th St. at Liberty Ave., March 5, 1941.
W. H. Thompson, Bellevue, March 5, 1941.
Fabian W. Wright, Pittsburgh, 401 North Highland Ave., March 5, 1941.

BERKS COUNTY

E. H. Adams, Reading, March 5, 1941.
N. H. Blankenbiller, West Reading, March 5, 1941.

BUCKS COUNTY

J. Freeman Loux, Quakertown, March 5, 1941.
A. Paul Townsend, Jr., Langhorne, March 5, 1941.

CHESTER COUNTY

Miss Frances E. Trego, Phoenixville, March 5, 1941.

COLUMBIA COUNTY

LeRoy W. Creasy, Bloomsburg, March 5, 1941.

DAUPHIN COUNTY

Miss Ethel G. Davis, Harrisburg, March 5, 1941.
Miss F. I. Gallagher, Harrisburg, March 5, 1941.
R. C. Llewellyn, Harrisburg, March 5, 1941.

ELK COUNTY

Miss Nellie G. Cassidy, Ridgway, March 5, 1941.

ERIE COUNTY

Jacob O. Hertzler, Erie, March 5, 1941.
Miss Marion E. Taylor, North Girard, March 5, 1941.

HUNTINGDON COUNTY

E. S. Rinker, Rockhill, March 5, 1941.

LACKAWANNA COUNTY

J. Wesley Allgood, Scranton, March 5, 1941.

LANCASTER COUNTY

William S. Bixler, Ephrata, March 5, 1941.

LEBANON COUNTY

Miss Myrtle F. Cramer, Lebanon, March 5, 1941.

LEHIGH COUNTY

Miss Laura H. Miner, Allentown, March 5, 1941.
Ezra H. Smith, Allentown, March 5, 1941.

LUZERNE COUNTY

Peter J. Karazusky, Hanover Twp., 13 Garrahan St., Lyndwood, Wilkes-Barre, March 5, 1941.

MERCER COUNTY

Miss Anna C. Hart, Sharon, March 5, 1941.

MONTGOMERY COUNTY

John F. O'Brien, Bridgeport, March 5, 1941.

NORTHAMPTON COUNTY

George J. Ruyak, Bethlehem, March 5, 1941.

PHILADELPHIA COUNTY

Mrs. Ellen M. Bell, Phila., 1201 Ridge Ave., March 5, 1941.
John M. Brugger, Phila., 1027 West Somerset St., March 5, 1941.
Abner A. Bubbis, Phila., 4100 West Girard Ave., March 5, 1941.
Albert A. Drucker, Phila., 1420 Walnut St., March 5, 1941.
Miss Helen C. Hansen, Phila., Land Title Bldg., March 5, 1941.
Miss Adeline M. Heiser, Phila., Drexel Bldg., March 5, 1941.
Miss Annie L. Hoopes, Phila., 1420 Walnut St., March 5, 1941.
William R. Horn, Phila., 1537 Sellers St., March 5, 1941.
William M. Keenan, Phila., Land Title Bldg., March 5, 1941.
Miss Catharine G. Magee, Phila., 225 South 15th St., March 5, 1941.
James T. McCloskey, Phila., 303 East Lehigh Ave., March 5, 1941.
Mrs. Betty Monroe, Phila., 1204 Packard Bldg., March 5, 1941.
Mrs. Mary M. Morrow, Phila., 54th St. and Cedar Ave., March 5, 1941.
John V. Pfluger, Phila., 933 West Somerset St., March 5, 1941.
Harry Rademan, Phila., 667 North Broad St., March 5, 1941.
Frank E. Rubright, Phila., S. E. Cor. Westmoreland and Potter Sts., March 5, 1941.

SCHUYLKILL COUNTY

Elmer E. Johnson, Jr., Pottsville, March 5, 1941.

TIOGA COUNTY

Mrs. Ernestine E. Yoggy, Wellsboro, March 5, 1941.

VENANGO COUNTY

J. E. Taylor, Emlenton, March 5, 1941.

WARREN COUNTY

Miss Alice E. Davis, Warren, March 5, 1941.
Miss Frances L. Young, Warren, March 5, 1941.

WAYNE COUNTY

Mrs. Dorothy Edwards, Waymart, March 5, 1941.

YORK COUNTY

Fred J. Mumma, York, March 5, 1941.
Gilbert W. Myers, East Prospect, March 5, 1941.

ALLEGHENY COUNTY

H. Scott Schweinsberg, Crafton, March 6, 1941.
Miss A. M. Tapscott, Pittsburgh, 5660 Forward Ave., March 6, 1941.

BERKS COUNTY

Miss Marian M. Rhoads, Reading, March 6, 1941.

CARBON COUNTY

Miss Rose R. Watkins, Mauch Chunk, March 6, 1941.

CUMBERLAND COUNTY

D. Roy Hoffman, Lemoyne, March 6, 1941.

LACKAWANNA COUNTY

Mrs. D. P. Brundage, Blakely, March 6, 1941.

LANCASTER COUNTY

Merle R. Burkhart, Lancaster, March 6, 1941.

LAWRENCE COUNTY

Miss Ethel M. Dimond, New Castle, March 6, 1941.

LUZERNE COUNTY

Miss Catherine M. Saueraker, Hazleton, March 6, 1941.
Mrs. Anna M. Danko Welsko, Freeland, March 6, 1941.

MONTGOMERY COUNTY

Mrs. Mildred H. Zengel, Lower Merion Twp., 1109 Lancaster Ave., Bryn Mawr, March 6, 1941.

PHILADELPHIA COUNTY

Louis Alexander, Phila., 101 City Hall Annex, March 6, 1941.
Carl M. Bickert, Phila., N. W. Cor. Cedar and Ann Sts., March 6, 1941.
Mitchell M. Cohen, Phila., 1600 Walnut St., March 6, 1941.
Paul A. Riedel, Phila., 420 Walnut St., March 6, 1941.
Miss Laura K. Sickel, Phila., 466 Bourse Bldg., 5th and Ludlow Sts., March 6, 1941.

WESTMORELAND COUNTY

W. J. O'Connell, Jeannette, March 6, 1941.

ALLEGHENY COUNTY

Herbert Dean, McKees Rocks, March 7, 1941.
Harold C. Dunn, Pittsburgh, 2719 Preble Ave., March 7, 1941.
Miss Iona K. Morgenstern, Pittsburgh, Elizabeth Steel Magee Hospital, Forbes and Halket Sts., March 7, 1941.
Peter Reskovac, Pittsburgh, 1526 Page St., March 7, 1941.
Miss Jane Weisman, Pittsburgh, 414 Frick Bldg., March 7, 1941.

BUCKS COUNTY

David R. Bond, Newtown, March 7, 1941.

BUTLER COUNTY

Miss Helen M. Wise, Butler, March 7, 1941.

CRAWFORD COUNTY

Clarence E. Williams, West Fallowfield Twp., Hartstown, March 7, 1941.

LANCASTER COUNTY

Samuel Clerico, Lancaster, March 7, 1941.
M. Huber Hess, Lancaster, March 7, 1941.

LEBANON COUNTY

William G. Harbach, Lebanon Independent, March 7, 1941.

LEHIGH COUNTY

Miss Carrie I. Mill, Allentown, March 7, 1941.

LUZERNE COUNTY

Mrs. Alice Blake Ritchie, Wilkes-Barre, March 7, 1941.

NORTHAMPTON COUNTY

Miss Mar-- L. Shafer, Bethlehem, March 7, 1941.

PHILADELPHIA COUNTY

Mrs. Florence E. Achey, Phila., 6444 Germantown Ave., March 7, 1941.
Clifford P. Allen, 3rd, Phila., 2515 Germantown Ave., March 7, 1941.
James G. Berkheimer, Phila., 4215 Roosevelt Blvd., March 7, 1941.
Miss Charlotte M. Boob, Phila., Delaware Ave. and Mifflin St., March 7, 1941.
Miss Elizabeth Craig, Phila., 1318 Real Estate Trust Bldg., March 7, 1941.
Samuel M. Drew, Phila., 5039 Locust St., March 7, 1941.
Miss Mary Josephine Gallagher, Phila., 1781 South 65th St., March 7, 1941.
Samuel K. Joseph, Phila., 6032 Market St., March 7, 1941.
LeRoy J. Lamb, Phila., 2979 Frankford Ave., March 7, 1941.
Mrs. Rebecca L. Magitson, Phila., 250 North Broad St., March 7, 1941.
Irwin I. Margolis, Phila., 730 Sansom St., March 7, 1941.
Alex L. Rovine, Phila., 151 South 4th St., March 7, 1941.
Miss Jennie E. Watt, Phila., 902 Franklin Trust Bldg., March 7, 1941.

VENANGO COUNTY

C. B. Dolson, Franklin, March 7, 1941.

WESTMORELAND COUNTY

J. Arthur Brown, Irwin, March 7, 1941.
J. W. Fisher, New Kensington, March 7, 1941.
Jay B. Peterson, Youngwood, March 7, 1941.

YORK COUNTY

Ephraim C. Sheffer, York, March 7, 1941.

ADAMS COUNTY

Mrs. Lucretia Hafer, Abbottstown, March 8, 1941.

ALLEGHENY COUNTY

Sam Frankel, Pittsburgh, Oliver Bldg., March 8, 1941.

BUCKS COUNTY

Miss Helen Worthington, Langhorne, March 8, 1941.

LACKAWANNA COUNTY

Miss Bessie L. Smith, Scranton, March 8, 1941.

UNION COUNTY

John A. Beard, Mifflinburg, March 8, 1941.

WASHINGTON COUNTY

Oliver M. Frye, Bentleyville, March 8, 1941.
W. K. Pierce, Centerville, March 8, 1941.

WESTMORELAND COUNTY

R. D. Henry, Adamsburg, March 8, 1941.
Frank E. Pikulski, Jeannette, March 8, 1941.

YORK COUNTY

Mrs. Amanda E. Quickel, York, March 8, 1941.

ADAMS COUNTY

John F. Grinder, Gettysburg, March 9, 1941.

ALLEGHENY COUNTY

Miss Helen C. Ronnberg, Pittsburgh, Farmers Bank Bldg., March 9, 1941.

BERKS COUNTY

Mrs. Nellie C. Brady, Reading, March 9, 1941.
Harry B. Davis, Reading, March 9, 1941.

CLEARFIELD COUNTY

James A. Nelson, Sandy Twp., 623 S. Brady St., DuBois, March 9, 1941.

CRAWFORD COUNTY

G. Stanley Maxwell, Meadville, March 9, 1941.

DAUPHIN COUNTY

Mrs. Katherine E. Ott, Harrisburg, March 9, 1941.

NORTHAMPTON COUNTY

Mrs. Elizabeth K. Clemens, Easton, March 9, 1941.

PHILADELPHIA COUNTY

Israel Kohn, Phila., 1512 South 5th St., March 9, 1941.
Miss Edna E. Price, Phila., 4120 Main St., Manayunk March 9, 1941.
Mrs. Margaret Snyder, Phila., South Phila. National Bank, S. E. Cor. Broad and South Sts., March 9, 1941.
D. A. Willis, Phila., 1237 N. Broad St., March 9, 1941.

ALLEGHENY COUNTY

John E. Dunn, Pittsburgh, 746 North Negley Ave., March 10, 1941.

PHILADELPHIA COUNTY

Giocondo Marcolongo, Phila., 3914 Girard Ave., March 10, 1941.

WESTMORELAND COUNTY

M. H. Claster, New Kensington, March 10, 1941.

ALLEGHENY COUNTY

Frank Bozic, Pittsburgh, 2341 East Carson St., March 11, 1941.
Miss M. E. Conner, Pittsburgh, 514 Smithfield St., March 11, 1941.
Ernest C. Harper, Coraopolis, March 11, 1941.
William Rossi, Pittsburgh, 4028 Penn Ave., March 11, 1941.
Miss Vera Skelley, Pittsburgh, 2610 Grant Bldg., March 11, 1941.

BEAVER COUNTY

K. R. Wagner, Ambridge, March 11, 1941.

BLAIR COUNTY

T. Chester Parsons, Altoona, March 11, 1941.

CAMBRIA COUNTY

Mrs. Jennie B. Koontz, Johnstown, March 11, 1941.
Mrs. Margaret Caster Senft, Johnstown, March 11, 1941.

CHESTER COUNTY

Albert M. Suckle, Coatesville, March 11, 1941.

DELAWARE COUNTY

Mrs. Helen C. Taylor, Lansdowne, March 11, 1941.

LACKAWANNA COUNTY

G. Frank Couch, Carbondale, March 11, 1941.

LEHIGH COUNTY

Harold Long, Bethlehem, March 11, 1941.

MONTGOMERY COUNTY

Harr- Butera, Norristown, March 11, 1941.
John Durante, Norristown, March 11, 1941.

PHILADELPHIA COUNTY

Wm. L. Hascher, Phila., 3304 Kensington Ave., March 11, 1941.
Miss Mae Hofmann, Phila., 1011 Chestnut St., March 11, 1941.
W. R. Hummel, Phila., 1600 South 4th St., March 11, 1941.
Miss Elsie Lichtman, Phila., 502 Liberty Trust Bldg., N. E. Cor. Broad and Arch Sts., March 11, 1941.
Elmer Miller, Phila., 7151 Germantown Ave., March 11, 1941.

POTTER COUNTY

Chas. C. Van De Boe, Shinglehouse, March 11, 1941.

ALLEGHENY COUNTY

Miss Pearl Hollis, Pittsburgh, 1010 Berger Bldg., March 12, 1941.
N. O. Patterson, Pittsburgh, Grant Bldg., March 12, 1941.
Miss M. C. Young, Duquesne, March 12, 1941.

BERKS COUNTY

Miss Beatrice M. Raudibaugh, Reading, March 12, 1941.

BUCKS COUNTY

W. Aubrey Merrick, Newtown, March 12, 1941.

CUMBERLAND COUNTY

J. Harvey Line, Carlisle, March 12, 1941.

FAYETTE COUNTY

Alfonso Basilone, Connellsville, March 12, 1941.

INDIANA COUNTY

Mrs. Mary A. Moore, Blairsville, March 12, 1941.

LANCASTER COUNTY

Mrs. Mary S. Reisinger Columbia, March 12, 1941.

PHILADELPHIA COUNTY

Carroll Gallagher, Phila., 1430 South Penn Square, March 12, 1941.
Mrs. Anna T. Hild, Phila., c/o Lit Bros., 8th and Market Sts., March 12, 1941.
Anthony D. Pashuck, Phila., 322 North 8th St., March 12, 1941.
Miss Elizabeth C. Sailer, Phila., 27-29 South 40th St., March 12, 1941.

SCHUYLKILL COUNTY

Gametro Kapitula, McAdoo, March 12, 1941.

UNION COUNTY

Miss Kathryn M. Crowl, Lewisburg, March 12, 1941.

WASHINGTON COUNTY

R. A. S. Pollock, Washington, March 12, 1941.

WESTMORELAND COUNTY

F. I. Lyle, New Kensington, March 12, 1941.

CAMBRIA COUNTY

J. Wilbur Werry, Johnstown, March 13, 1941.

COLUMBIA COUNTY

Mrs. Zora Bower, Berwick, March 13, 1941.

FAYETTE COUNTY

H. P. Hannehill, Connellsville Twp., R. D. 2., Connellsville, March 13, 1941.

MONTGOMERY COUNTY

Victor S. Reichenbach, Lansdale, March 13, 1941.

PHILADELPHIA COUNTY

Miss Margaret C. Clancy, Phila., 1709 South 13th St., March 13, 1941.
Herman E. Schnaebele, Phila., 3110 North Broad St., March 13, 1941.

ALLEGHENY COUNTY

J. A. Shatum, Wilkinsburg, March 14, 1941.

DELAWARE COUNTY

John Lacusch, Chester, March 14, 1941.
Miss Margaret M. Mahoney, Chester, March 14, 1941.

LACKAWANNA COUNTY

George W. Rutledge, Scranton, March 14, 1941.

LEHIGH COUNTY

Harold A. Butz, Allentown, March 14, 1941.

MIFFLIN COUNTY

Ralph H. Taylor, Armagh Twp., North Main St., Milroy, March 14, 1941.

PHILADELPHIA COUNTY

A. Gordon Batzell, Phila., Witherspoon Bldg., March 14, 1941.
Mrs. Florence A. W. Black, Phila., 1410-12 South 20th St., March 14, 1941.
Chas. R. Innis, Phila., Room 1911, 1608 Walnut St., March 14, 1941.
Maurice Kaufman, Phila., Girard Trust Company Bldg., March 14, 1941.
Maurice Malakoff, Phila., 220 South 16th St., March 14, 1941.
Miss G. Evelyn Mauger, Phila., Architects' Bldg., March 14, 1941.
O. Rodger Melling, Phila., 4510 Frankford Ave., March 14, 1941.
Morris Perch, Phila., 1902 North 32d St., March 14, 1941.
Louis S. Rubin, Phila., 531 Vine St., March 14, 1941.

SOMERSET COUNTY

Mrs. Bessie E. Korns, Lincoln Twp., Sipesville, March 14, 1941.

YORK COUNTY

Mrs. Emily H. Swartz, Hanover, March 14, 1941.

ALLEGHENY COUNTY

Miss Margaret C. McConaughy, Pittsburgh, 6202 Alder St., E. E., March 15, 1941.
C. Leslie Phebus, Pittsburgh, 702 Bingham St., March 15, 1941.

CHESTER COUNTY

Mrs. Edna S. Matthews, Willistown Twp., Paoli, March 15, 1941.

CLARION COUNTY

Foster M. Mohney, Clarion, March 15, 1941.

DAUPHIN COUNTY

Lester L. Sands, Harrisburg, March 15, 1941.

DELAWARE COUNTY

Lewis S. Chester, Jr., Radnor Twp., 100 Lancaster Ave., Wayne, March 15, 1941.
Reuel S. McKee, Upper Darby Twp., 3200 Berkley Ave., Drexel Hill, March 15, 1941.

ERIE COUNTY

Miss Mona Murphy, Erie, March 15, 1941.

LANCASTER COUNTY

William W. Mundorff, Conoy Twp., Bainbridge, March 15, 1941.

LAWRENCE COUNTY

Mrs. M. P. Strohecker, Enon Valley, March 15, 1941.

LEHIGH COUNTY

Clifford L. Roehrig, Allentown, March 15, 1941.

LUZERNE COUNTY

Miss Marian Littleton, Kingston, March 15, 1941.

LYCOMING COUNTY

Mrs. Loretta Weston Swank, Williamsport, March 15, 1941.

McKEAN COUNTY

Miss Gladys G. Warren, Port Allegany, March 15, 1941.

MONTGOMERY COUNTY

Edward Davis, Lower Merion Twp., Ardmore, March 15. 1941.

PHILADELPHIA COUNTY

Miss Mabel V. MacKenzie, Phila., Packard Bldg., March 15, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Virginia E. Kreuer, Pittsburgh, 3215 McClure Ave., N. S., February 23, 1941.

CHESTER COUNTY

Miss Myrtle A. Harvey, Coatesville, March 2, 1941.

DAUPHIN COUNTY

Arthur W. Lebo, Harrisburg, March 2, 1941.

PHILADELPHIA COUNTY

L. A. Wirt, Phila., Commercial Trust Bldg., 20 South Broad St., March 2, 1941.

ALLEGHENY COUNTY

James V. Kline, East Pittsburgh, March 5, 1941.

HUNTINGDON COUNTY

A. N. Kerling, Three Springs, March 5, 1941.

LEHIGH COUNTY

Miss Beatrice M. Lagle, Allentown, March 5, 1941.

UNION COUNTY

Mrs. Miriam B. Snyder, Mifflinburg, March 5, 1941.

PHILADELPHIA COUNTY

Mrs. Edna H. Gerdine, Phila., Fidelity-Phila. Trust Bldg., 123 South Broad St., March 6, 1941.
Miss Rose F. Koch, Phila., 1213 Pennsylvania Bldg., March 6, 1941.
Miss Lillian J. Rickert, Phila., Fidelity-Phila. Trust Bldg., 123 South Broad St., March 6, 1941.

ALLEGHENY COUNTY

Charles H. Bode, Pittsburgh, 1541 Fallowfield Ave., March 9, 1941.
Edward F. Ende, Carnegie, March 9, 1941.
Stanley S. McGuire, Elizabeth, March 9, 1941.

PHILADELPHIA COUNTY

Owen J. Green, Phila., 1510 Walnut St., March 9, 1941.

LACKAWANNA COUNTY

Max F. Henkelman, Scranton, March 10, 1941.

MONTGOMERY COUNTY

Casper Puche, Norristown, March 12, 1941.

MONTOUR COUNTY

Charles V. Amerman, Danville, March 12, 1941.

PHILADELPHIA COUNTY

Dorsey F. Boston, Phila., 1400 Lincoln-Liberty Bldg., March 12, 1941.
Fred W. Cassidy, Jr., Phila., 1633 Orthodox St., March 12, 1941.
Leonard B. Friedman, Phila., Drexel Bldg., 5th and Chestnut Sts., March 12, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna C. Bauman, Wilkinsburg.
Francis M. Bechtolt, Pittsburgh, 63 St. Nicholas Bldg.
Miss Melva N. Logan, Pittsburgh, 439 Market St.
Fred C. Neubauer, Pittsburgh, The Union Trust Co. of Pittsburgh.
Alec Simon, McKeesport.
Andrew L. Snyder, Coraopolis.

LACKAWANNA COUNTY

Miss Sallie S. Jones, Scranton.

LYCOMING COUNTY

Miss Mary E. Riddell, Williamsport.

NORTHAMPTON COUNTY

Miss Helen Molesky, Northampton.

PHILADELPHIA COUNTY

Charles W. Bauer, Phila., 1509 North 29th St.
Jas. D. Chatterton, Phila., S. E. Cor. Germantown and Chelten Ave.
Miss Eleanor F. Demmert, Phila., 1847 Wynnewood Road, Overbrook.
Charles J. Falcone, Phila., 127 South 5th St.
Emanuel Green, Phila., 1330 Point Breeze Ave.
Miss Helen M. MacGregor, Phila., 130 Walnut St.
Wm. F. McLaughlin, Phila., 451 North 3d St.
Jacob H. Rementer, Phila., 2071 Simon St.
Miss Amelia H. Wurzer, Phila., J and Ontario Sts.

SOMERSET COUNTY

Joseph Hordubay, Windber.

VENANGO COUNTY

James B. Miller, Franklin.

WASHINGTON COUNTY

Clare Stewart, Donegal Twp., Claysville.

WESTMORELAND COUNTY

Earl L. Anderson, New Kensington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor Office, Harrisburg, February 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

ALLEGHENY COUNTY

Miss Margaret B. Schmale, Homestead.
George O. White, Pittsburgh, 1124-32 West Carson St.

CAMBRIA COUNTY

John W. McCall, Summerhill.
Miss Sarah J. Thompson, Johnstown.

FRANKLIN COUNTY

Miss Beulah F. Mumma, Waynesboro.

LACKAWANNA COUNTY

Albert Margolies, Scranton.

LEBANON COUNTY

Miss Mary Louise Batz, Lebanon.

LUZERNE COUNTY

Wheaton G. Ayers, Nanticoke.

MONTGOMERY COUNTY

E. F. Slough, Norristown.

NORTHUMBERLAND COUNTY

Miss Florence L. Renn, Mt. Carmel.

PHILADELPHIA COUNTY

J. F. DeLong, Phila., 208 South Warnock St.
Harold G. Frick, Phila., 432 West Allegheny Ave.
John C. A. Rigney, Phila., 705 Chestnut St.
Jacob Seidman, Phila., 2640 North 29th St.
Miss Mary M. Tasch, Phila., 4640 Roosevelt Blvd.

SCHUYLKILL COUNTY

Edwin Blew, Mahanoy City.

WESTMORELAND COUNTY

Arnold Weimer, Unity Twp., Latrobe.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. WALKER

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	DiSilvestro,	Letzler,	Stevenson,
Bartlett,	Ealy,	Mallery,	Stiefel,
Becker,	Edmonds,	McCreesh,	Tallman,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crider,	James,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM EXECUTIVE NOMINATIONS COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

MEMBER OF THE PENNSYLVVANIA PUBLIC UTILITY COMMISSION

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

DAUPHIN COUNTY

B. Frank Morgal, Harrisburg, from May 29, 1940, for the residue of the term ending April 1, 1947, and until his successor shall be duly appointed and shall be qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

APPOINTMENT AS JUSTICE OF PEACE OF MERCER COUNTY

J. Guy Carman, 190½ Main Street, Greenville, Mercer County, for appointment as Justice of the Peace in and for the Borough of Greenville, Mercer County, until the first Monday in January, 1942, vice E. L. Davis, deceased.

APPOINTMENT AS JUSTICE OF PEACE FOR NORTHUMBERLAND COUNTY

Willard K. Mettler, Elysburg, Northumberland County, for appointment as Justice of the Peace in the Township of Ralpho, Northumberland County, until the first Monday in January, 1942, vice William M. Martz, deceased.

ARTHUR H. JAMES.

On the question,

Will the Senate advise and consent to the nominations?

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, I understand there were two other nominations made at the same time. They have not been read.

The PRESIDENT. The correct procedure would be to consider each nomination separately unless there is a request for unanimous consent to take them all up at one time. What is the pleasure of the Senate?

MOTION TO CONSIDER NOMINATIONS COLLECTIVELY

Mr. JAMES. Mr. President, I ask unanimous consent that the nominations be considered collectively.

Mr. SHAPIRO. Mr. President, I ask that the clerk read the names for the information of the Senate before we act on the motion.

The Clerk read the nominations.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, it was my impression that the roll should be called in connection with the nominations.

The PRESIDENT. The point of order of the Senator from Philadelphia is well taken, and the roll will be called.

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, it is not proper to vote on appointments of this kind all at once. Each nomination ought to be voted on separately, for the reason there may be members of this Senate who might be willing to vote for Mr. Morgal and probably not want to vote for one or both Justices of the Peace.

Mr. REED. Mr. President, it is my understanding the gentleman from Bucks, Mr. James, has received unanimous consent to present them together. Is that right?

The PRESIDENT. That is correct. It was the Chair's idea, following the procedure and the rules, to take them up separately; however, the Senator from Bucks, Mr. James, moved that they all be taken up at one time.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. MALLERY

That Rule 38, which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. MALLERY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS 44

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Miller,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crider,	James,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. PRESIDENT, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Messrs. MALLERY and ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 187, entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

Which was committed to the Committee on Judiciary General.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 188, entitled:

An Act making an appropriation to the Nason Hospital Association, Roaring Springs, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. EDMONDS and WALKER read in their places and presented to the Chair Senate Bill No. 189, entitled:

A Supplement to the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws 463), entitled "An act providing, for a limited period of time, for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; defining the same; prescribng the rghts, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes;" requiring authorities constructing, acquiring or leasing any water works, water supply works, water distribution system, subway or motor buses to secure the consent of electors thereto and to secure certificates of public convenience from, file securities certificates with, and have its rates regulated by the Public Utility Commission; defining the powers and duties of said commission and the procedure in connection therewith; and providing for appeals.

Which was committed to the Committee on Public Utilities.

They also read in their places and presented to the Chair Senate Bill No. 190, entitled:

An Act to further amend section five of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws 463), entitled "An act providing, for a limited period of time, for the incorporation, as bodies corporate and politic, of "Authorities" for municipalities; defining the same, proscribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes;" regulating the sale of bonds by authorities.

Which was committed to the Committee on Public Utilities.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 191, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield; and making an appropriation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 192, entitled:

An Act to further amend section seven of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic of "Authorities" for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by further regulating the number and terms of members of the governing boards of authorities.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 193, entitled:

An Act to further amend section two hundred fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing a minimum salary for state employes.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 194, entitled:

An Act to amend section one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses", changing the pay of witnesses and the mileage of witnesses.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 195, entitled:

An Act making an apropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and the purchase of apparatus and equipment for, the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Which was committed to the Committee on Appropriations.

Mr. MILLER. Mr. President, I desire to present a bill of extreme importance to the welfare of the people of the anthracite area of Pennsylvania and equally important to the people of the bituminous area.

The PRESIDENT. The gentleman from Luzerne will proceed.

Mr. MILLER. Mr. President, in the Session of 1939, I introduced Senate Bill 269, which was enacted as Act No. 392 of that Session, creating a Research Bureau at the Pennsylvania State College under the supervision of the Department of Mines, for the purpose of conducting researches to discover a by-product for the use of anthracite and bituminous coal and to develop new scientific, chemical and other uses, for new and extended markets for anthracite and bituminous coal and its products, and making an appropriation therefor.

I am happy to report that this Research Bureau has been a success. It has made real progress. It is a pleasure to report that both the anthracite and bituminous coal industries of Pennsylvania have cooperated wholeheartedly in this program and that substantial progress has been made toward the development of new and improved uses for coal.

Mr. President, the welfare, the employment, the comfort, and the prosperity of the anthracite area and the bituminous area in Pennsylvania spells the public welfare and prosperity of Pennsylvania. Everything possible should and must be done to assist the future of the anthracite and bituminous districts in Pennsylvania. The welfare of the anthracite and bituminous areas control the general welfare of the entire Commonwealth of Pennsylvania.

The discovery of a by-product for new and more efficient uses of coal will greatly rehabilitate our people and constituents. A discovery of such a by-product by the Bureau of Research, under my plan, will automatically become the property of the Commonwealth and will not require the payment of any royalties for the discovery of such by-product in the producing and the using of anthracite coal and its products for these new uses.

I shall urge upon this Legislature the passage of the Bill I am introducing in order that no stone shall remain unturned to bring back contentment and prosperity to my constituents in the anthracite district. We must explore every field and not wait. It must be done now. I am for and advocate a vigorous and forceful attack upon the discovery of a by-product and feel that the good work already done by the Bureau of Research should not be retarded and discontinued. Let us take the pick and shovel and dig in.

Therefore, Mr. President, I submit a bill for the appropriation of $75,000 to the School of Mineral Industries of the Pennsylvania State College, under the supervision of the Department of Mines, to continue the Research Bureau for new uses of anthracite and bituminous coals.

Mr. SHAPIRO. Mr. President, before the bill is accepted, may I interrogate the gentleman from Luzerne.

The PRESIDENT. Will the Senator from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Luzerne state whether or not that sum of seventy-five thousand dollars has been appropriated in the budget of the Governor.

Mr. MILLER. That, Mr. President, I can not answer.

Mr. SHAPIRO. Mr. President, I have read it and I have not found it. Will the gentleman state whether or not that will result in a reduction in the appropriation for relief, if we appropriate seventy-five thousand dollars for that purpose, because as I understand the Governor's budget, any additional appropriations other than those provided, according to his message, will reduce the relief appropriation.

Mr. MILLER. Mr. President, in answer to the question of the gentleman from Philadelphia, I would state that that particular feature will rest entirely in the hands of His Excellency, the Governor.

Mr. SHAPIRO. Mr. President, I should like to further interrogate the gentleman from Luzerne.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be further interrogated?

Mr. MILLER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, do I understand then the Senate is giving up its perogative to make its own appropriations in order to allow the Governor to dictate which shall be made?

Mr. MILLER. Mr. President, the Senate can exercise its own perogative, and by taking the necessary action either approve the bill after it is reported out of committee or reject it.

Mr. SHAPIRO. Mr. President, before the bill is accepted, I should like to say to the gentleman what he proposes is a very worthy cause; I accept his statement that results have already been accomplished, and I ask him to join with me from now on in exercising the right of the Senate to make its own appropriations, if we do not agree with the Governor.

Mr. CAVALCANTE. Mr. President, on the subject just discussed I would like to convey some very helpful information to the gentleman from Philadelphia and the gentleman from Luzerne. In my wanderings about this capitol—domain—here I have discovered about two hundred and fifty thousand dollars that absolutely is saved to the Commonwealth and can be saved if we act judicially here. Mr. President, I say that I have found two hundred and fifty thousand dollars, not in the Governor's budget but outside of the Governor's budget.

Mr. President, this two hundred and fifty thousand dollars will not in any way affect the Governor's budget and I intend to point it out more definitely to the gentelman from Luzerne and the gentleman from Philadelphia later on.

I want one hundred and twenty-five thousand dollars out of that sum, Mr. President, specifically set aside for the erection of an auditorium at the Indiantown Gap Reservation and I will be willing to yield seventy-five thousand dollars of it to the gentleman from Luzerne. I forewarned you just what that would be.

Mr. President, for many years in this Commonwealth we have been collecting a mercantile tax and under that act we have been allowing the mercantile appraisers' lists to be advertised in counties and the advertisements have gone into two or three newspapers of each county at the tremendous cost to this Commonwealth of approximately three hundred thousand dollars.

Mr. President, my bill is at this time in process of writing wherein we will try to abolish that advertisement but if I have to compromise I will compromise to the extent that we will write into the bill that the advertisement will be limited to one newspaper in each county and that will still leave us the sum of about two hundred and fifty thousand dollars we can expend the way I have indicated without in any way interfering with the Governor's budget.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 196, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the supervision of the Department of Mines.

Which was committed to the Committee on Appropriations.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 197, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Which was committed to the Committee on Judiciary General.

Mr. CAVALCANTE. Mr. PRESIDENT, I rise in my place and read to the Chair a very innocuous bill for the purpose of cerrecting a very vicious practice at this time, which needs correction.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 199, entitled:

An Act to add section two hundred and thirteen to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it a crime to wilfully furnish false information relative to the budget estimates of any department or commission of the State government.

Which was committed to the Committee on Judiciary General.

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 200, entitled:

An Act making an appropriation to the National Stomach Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

LEAVE OF ABSENCE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to ask leave of absence for my colleague, the Senator from Luzerne, Dr. MUNDY. I have just received a telephone message asking me to do that on the ground that there is a death in his famliy.

The PRESIDENT. Is there any objection? The Chair hears none. The leave is granted.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The Senator from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President and members of this body, we have now completed five weeks of this session and nothing has been accomplished. Mr. President, a number of bills have been introduced but for some unknown reason the calendar has been very short and very brief throughout the last five weeks.

I realize, Mr. President, that within a month or so we will be confronted with many problems, many important measures or issues, and I would hesitate at that time to rise and discuss bills pertaining to public assistance; so, Mr. President, this afternoon I would like briefly to once again remind my colleagues of some of the bills I have offered that are now lying in committee.

A number of weeks ago, Mr. President, I talked about the bond that we all have knowledge of, which must be signed by the property owner before relief might be granted to him.

Last week, Mr. President, I spoke briefly of the policy practiced by the Department of Public Assistance with reference to making an indigent person assign his life insurance policy before relief could be granted.

I understand tomorrow afternoon, Mr. President, the secretary of the Department of Public Assistance, Mr. Russell, will appear before the Committee on Welfare, Public Assistance and Pensions to discuss some of these measures so, Mr. President, this afternoon I would like to bring up a third and one of the most important measures confronting relief.

Mr. President, I have a bill, Senate Bill No. 21, which I believe has been referred to the committee of which Mr. Bartlett is chairman, and I believe that bill deserves the consideration and study of each and every member of this body.

Mr. President, under the public support law we have this wording: "Relatives liable for the support of indigent persons. Procedure to enforce support. (a) The husband, wife, child, father, mother, grandparent and grandchild of every indigent person shall, if of sufficient financial ability, to care for, maintain or financially assist such indigent person"—if of sufficient financial ability.

Mr. President, when is a person able to assist a relative? I have a very specific case—I have hundreds of them but I have one very specific case of a person in my county who had been receiving old age assistance. This person had been receiving $28.50 per month. During the last few weeks, his son who is twenty-two years of age, received a job on WPA getting $48.00 a month and Mr. President this department ruled that son is able to assist the parent and they closed his case of $28.50 a month and now he does not get a dollar because the son is told he is able to keep that family.

Think of that, Mr. President, a man receiving $48.00 a month is told he is sufficiently able to care for and maintain a family.

Mr. President, I think all my colleagues agree we must start or stop some place. I do not think we should exonerate or exempt a son or daughter entirely. I believe they should be held responsible for taking care of their parents and their close relatives but I do not believe, Mr. President, a lad making $48.00 a month should be called upon to keep that family, and that person who has been receiving assistance denied one red cent.

In my bill, Mr. President, I have briefly stated and defined the word "sufficiently able". Why have I done that? I have done that because the Democrats say the Republicans are responsible for the public support law and the Republicans say the Democrats are responsible. Mr. President, I care not who is responsible, what party, that makes no difference to me, but Mr. President, I say this body should clarify the issue once and for all, not as Democrats, not as Republicans, but as men who have a human touch within themselves.

In my bill, Mr. President, I state very specifically that if a person is making a gross income of less than one hundred dollars per month, that is found to be not sufficient to take care of or maintain an indigent person, is there a man in this body can say I am wrong in my thoughts?

Mr. President, if a person is making less than a hundred dollars a month is it possible for him to maintain a family outside of his own—a grandfather, grandmother or in-laws? If a hundred dollars is too much, let us make it eighty dollars or seventy-five dollars or whatever you think is correct, but I believe you will all agree that $48.00 a month can be deemed as not sufficient to care for and maintain another family outside of his family.

Now, Mr. President, this is an important measure, it is an important issue. I am fully aware of the fact many of us have very little knowledge of this proceedure so, Mr. President, I bring it up this afternoon so that tomorrow we might be better acquainted with what we are speaking of and ask Mr. Russell who is able to care for and maintain an indigent person and after tomorrow I am trusting these bills will come out of committee—bring them before this body and either defeat them or

pass them, but give us an opportunity to express ourselves, to tell the people back home just how we feel about these most important measures.

Mr. President, this is the time to do it—not in April, May, June or July. We will have many other important issues and I am trusting tomorrow the Chairman of the Committee of Welfare, Public Assistance and Pensions will give my bills a hearing, will bring them before his Secretary and discuss them and pass upon them favorably from Committee, bring them out of Committee, so that the members of this body may have an opportunity to defeat the measures or to pass them, but once and for all clarify this most important issue.

RESOLUTION ASKING APPOINTMENT OF COMMITTEE TO INVESTIGATE STATUTES OF PENNSYLVANIA

Mr. REED. Mr. President, I am about to present a resolution and I would like to have unanimous consent to make a short statement preparatory to its introduction.

The PRESIDENT. The gentleman from Washington will proceed.

Mr. REED. Mr. President, I think it is generally conceded in Pennsylvania today there are many unnecessary laws on the statute books and many of these laws provide for the expenditure of public monies.

Among them, Mr. President, are numerous laws that place unreasonable and unnecessary burdens on the people of Pennsylvania and, as we all know, in a democracy such as ours economy is always to be desired I am about to present a resolution for the purpose of sorting out and repealing such unnecessary legislation.

Mr. President, I hope we might have the joint effort of all the Senators in the body in suggesting and recommending such unnecessary legislation as the members feel would fall within this unnecessary class.

I therefore, Mr. President, offer the following resolution and move its immediate adoption.

In the Senate, February 17, 1941.

Whereas, There are many laws and parts of laws on the statute books of Pennsylvania that are not necessary to the proper function of the government of the Commonwealth, and in many cases, burdensome to the people thereof, economically and otherwise; and

Whereas, In the interest of good government it is required that all such unnecessary legislation be repealed; N w, therefore be it resolved by the Senate of Pennsyl nia, That the President Pro Tempore thereof appoint a committee of three (3) Senators to investigate and consider the statutes of Pennsylvania with a view to the repeal of all laws and parts of laws unnecessary to the functions of good government, and report its findings to the Senate with its recommendation.

The PRESIDENT. Is there objection?

Mr. EALY. Mr. President, I would like to ask the Senator who introduced the resolution which has just been read to give some illustration of what he has in mind.

Mr. REED. Mr. President, the resolution speaks for itself and if the Senate is not willing to act on the resolution at the present time, let it go to committee, and later on I will discuss, if necessary, the subject in great detail, and point out in many particulars where there is legislation on the statute books carrying heavy expenditures that ought to be repealed in the interest of good government.

The PRESIDENT. The resolution is referred to the Committee on Rules.

Mr. REED. Mr. President, I should think the resolution should be referred to a committee that contains some lawyers in its membership.

The PRESIDENT. Ordinarily the Chair would refer such a resolution to the Committee on Judiciary General but in view of the fact that committee is considering a great many bills, the Chair is referring the resolution to the Committee on Rules.

Mr. EALY. Mr. President, I did not object to passage of the resolution. It contains, however, pretty comprehensive matter and I am wondering just what the Senator has in mind; but if he does not wish to state here on the floor of the Senate just what the resolution comprehends, I am willing to let it go on his statement.

Mr. REED. I think, Mr. President, the Senator from Somerset has been a member of this body a long time. I think the resolution is very clear and I think the Senator from Somerset can comprehend it.

Mr. SHAPIRO. Mr. President, the gentleman from Washington said he thinks the resolution should be referred to a committee which has in its membership some lawyers. I want to say, Mr. President, the Committee on Rules has two good lawyers. I am one of them.

Mr. REED. Mr. President, I do not care; it is all right if the resolution is referred to the Committee on Rules, but I do not want it to lie there; I want it brought out so we can discuss it.

The PRESIDENT. The resolution has been referred to the Committee on Rules.

RESOLUTION MEMORIALIZING CONGRESS NOT TO APPROVE CONSTRUCTION OF ST. LAWRENCE SEAWAY

Mr. WATKINS. Mr. President, I present the following resolution and ask its immediate adoption.

In the Senate, February 17, 1941.

Whereas, It appears that the present Congress of the United States will be called upon to pass upon the construction of the St. Lawrence Seaway; now therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania is opposed to the proposed St. Lawrence Seaway because of its economical impracticability, its entire lack of advantage as a defense measure and its detriment to business in the Commonwealth of Pennsylvania; and be it further

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence Seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of the United States Senate, the Speaker of the House of Representatives and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, whenever I hear a resolution memorializing Congress not to do something I become frightened, because they do not do so much now. I object to the resolution.

The PRESIDENT. The Senator from Philadelphia objects to the resolution and it is therefore referred to the Committee on Federal Relations.

RESOLUTION REQUESTING INFORMATION FROM STATE HOUSING BOARD

Mr. EDMONDS. Mr. President, I offer the following

resolution and as it is a resolution seeking some information I move its immediate adoption.

The resolution was twice read as follows and agreed to:

In the Senate, February 17, 1941.

Resolved, That the Senate of Pennsylvania hereby requests the State Housing Board to advise it as follows:

(a) How many local Housing authorities have been established in Pennsylvania, and in what communities?

(b) What is the total amount of the borrowings of each?

(c) What rate of interest is paid on the same?

Mr. EDMONDS. Mr. President, I have been trying to get some information concerning the status of the authorities in the State of Pennsylvania. One answer tells us there are above ninety municipal authorities now at work. I then sought to find out how much they had borrowed, how much was their financial investment. Mr. President, the Secretary of the Commonwealth could not tell us but suggested perhaps that the Secretary of Revenue could. I inquired of the Secretary of the Department of Revenue and he has answered my last resolution with a very brief letter in which he calls attention to the fact that in 1935 the authority was given to him to audit the authorities and in 1937 it was taken away again; consequently he has no information on the subject.

It seems to me, Mr. President, we ought to know what these authorities, these hybrid children of the General Assembly, are doing in Pennsylvania. If it becomes necessary, Mr. President, I will introduce a resolution asking the Secretary of the Senate to find out, but this is another vain effort to find out something at least of the extent of their financial operations.

That information, Mr. President, I think we are entitled to and I think we ought to get it.

Mr. SHAPIRO. Mr. President, I suggest to the gentleman from Montgomery the best place to find out what an authority can do is in Delaware County; I think it is in Chester, isn't it? Some gentlemen out there know more about what authorities can do than anybody else and I understand the Senator from Montgomery has not written any letter out there or made any requests but the records show the real authority on authorities lives in Chester.

Mr. EDMONDS. Mr. President, I have not communicated with any of the friends of the gentleman from Philadelphia and I do not intend to.

Mr. SHAPIRO. Mr. President, I call attention to the fact the gentleman cannot unfetter himself from his friends so quickly, because he along with twenty-seven other Republicans voted for that bill, and it was his friend, not mine.

The PRESIDENT. The Senator from Montgomery does not know the father of that hybrid.

TIME OF NEXT MEETING

Mr. CARR offered the following resolution which was twice read, considered, and agreed to:

In the Senate, February 17, 1941.

Resolved, (if the House of Representatives concur) That when the Senate adjourns this week, it reconvene on Monday, February 24, 1941, at 4:30 o'clock, p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 24, 1941, at 9:00 o'clock. p. m.

Mr. CARR. Mr. President, permit me to call attention to the fact that the weekly convening hour next will be four-thirty p. m. instead of four o'clock, as usual.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION THAT STATE OF PENNSYLVANIA RECORD APPROPRIATION TO EXTENSION OF FEDERAL TAXING POWER

Mr. THOMAS offered the following resolution which was twice read, as follows:

In the Senate, February 17, 1941.

Whereas, By vote of the Senate in September, 1940, the Congress of the United States decisively rejected the fiscally unsound and unconstitutional proposal for the imposition of a Federal tax on the income from state and municipal securities; and

Whereas, Despite this decisive defeat, the Treasury Department has recently announced and subsequently reiterated its intention of again urging that the present Congress enact such legislation; and

Whereas, The states and municipalities of the country have unanimously opposed the imposition of this tax on the ground that:

(1) Every state and municipal finance officer is in agreement that such a tax will cause an increase in the cost of state and municipal financing of at least 20%, which must necessarily be reflected in increased state and local taxes.

(2) Such a tax, even the Treasury concedes, cannot produce any revenue to the Federal Government for at least twenty years to come, while the incidence of the tax will be felt immediately by the states and municipalities.

(3) Reciprocal taxation by the states of Federal bonds would not defray by more than a fraction the loss to the states and cities, since, even those states which have income taxes have rates far less than the Federal Government; those states which have no income tax would receive nothing; and all cities would be left helpless, since Federal bonds would not be subject to a property tax.

(4) Such a tax, if approved by the Supreme Court, would remove the bar to complete Federal control of the fiscal operations of state and local government, and would establish what the Department of Justice itself, has called "The supreme Federal power to tax the states."

(5) Such a tax would hamper, not aid, national defense, since it cannot possibly result in any immediate increase in Federal revenues, and would cast an immediate and severe burden upon state and municipal finances just at a time when they will be called upon to expend vast sums of money in order to cooperate with the Federal Government in the national defense program.

(6) Such a tax would, by establishing supreme Federal control over the states and municipalities, completely destroy our constitutional system of a federated union of sovereign states.

Now, Therefore, It is hereby

Resolved, That the State of Pennsylvania hereby records its continued and determined opposition to the Treasury proposal to extend the Federal taxing power to the interest on state and municipal securities; and be it further

Resolved, That copies of this resolution be forwarded immediately to the Senators and Congressmen from this State, with the urgent request that they extend every effort to defeat this pernicious proposal, which would seriously jeopardize the financial welfare of the states and cities of the country, and would not benefit the nation as a whole.

Which is referred to the Committee on Federal Relations.

REQUEST THAT SENATORS COMPLY WITH RULES

The PRESIDENT. The Librarian of the Senate has requested the Chair to state to the members of the Senate

that the rules of the Senate provide that an original and five carbons of all resolutions be forwarded to the Chair. In other words there should be a total of six copies. There was only an original of the resolution just presented.

In addition there have been a number of bills introduced which did not show the date or the name of the sponsor thereon. The Chair asks that in the future the Senators comply with the rules as much as possible.

RESOLUTION FELICITATING THE CHAIR ON HIS BIRTHDAY

Mr. DENT. Mr. President, I yield to the gentleman from York, Mr. Lanius.

Mr. LANIUS. Mr. President, I introduce the following resolution and move its immediate adoption.

The resolution was twice read as follows:

In the Senate, February 17, 1941.

Whereas, Reliable information has reached our ears that this is the birthday of our distinguished Lieutenant Governor and presiding officer of this honorable body; and

Whereas, From all sources presently available to us, it has been impossible to definitely ascertain just what anniversary this happens to be in point of years; and

Whereas, We feel that it is fitting that upon this, the Lieutenant Governor's birthday, more than on any other day, we should pay tribute to the statesmanlike manner in which he continues to preside over the tribulations of this body, now therefore be it

Resolved that we record our felicitations, both as a Senatorial body, and personally, with the cordiality which expresses our feelings and which this distinguished gentleman so richly deserves, and now therefore be it further

Resolved, That in view of our friendly feelings upon this extraordinary occasion, we, on behalf of the juniors in the Senate, suggest that a canvas of our number discloses that we, all of us, are without engagements for dinner following the recess of this Session of the Senate.

The PRESIDENT. If there is no objection the resolution will be referred to the Committee on Old Age Assistance. Time goes on.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, may the Senate expect an answer to the last suggestion contained in the resolution—that there are fifty hungry Senators present?

The PRESIDENT. For the information of the Senator from Philadelphia, the Chair is now arranging to entertain the Senators down in York County some time when the weather will permit and it is to be an old York County Dutch set-up. However, I caution the Senators in advance I want everyone of you to accept the invitation when it is tendered—and that is a commitment, but the first person who brings up politics or business is going to be discharged from the Senate.

Mr. SHAPIRO. Mr. President, can't we even talk about the budget?

The PRESIDENT. You will not even be permitted to talk about the budget and the Chair will not permit the gentleman from Cambria to talk about old age assistance. It might be possible that we will have this meeting in the York Fair Grounds and possibly we will permit the gentleman from Cambria, Mr. Haluska, to discuss Bingo or horse racing or something of that kind. The Chair will not even stand for the asking of unanimous consent.

Mr. DENT. Mr. President, I believe the rest of the Senators would and I know I would enjoy the privilege of voting on the resolution. Therefore, Mr. President, I second the motion of the gentleman from York, Mr. Lanius, that the resolution be given immediate consideration and voted on.

The PRESIDENT. It has been moved by the Senator from York and seconded by the Senator from Westmoreland that the resolution just read be acted on immediately.

All in favor of the motion will please give their consent by saying "aye."

The resolution is adopted.

The PRESIDENT. The Chair wants to make a confession—he is so flabbergasted he does not know what the resolution contains beyond the first inquiry as to his age. The Chair might further state for the information of the Senators, he has gotten so old that the Philadelphia Inquirer no longer publishes his picture on his birthday. Pat Thorne and Charlie Waters have taken his place.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS JUSTICE OF PEACE FOR HUNTINGDON COUNTY

John J. Gannon, P. O. Box 142, Robertsdale, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Wood, Huntingdon County, until the first Monday in January, 1942, vice Edward Jones, deceased.

APPOINTMENT AS JUSTICE OF PEACE FOR NORTHUMBERLAND COUNTY

Mrs. Erie G. Hughes, 315 West Avenue, Mount Carmel, Northumberland County, for appointment as Justice of the Peace in and for the Borough of Mount Carmel, Northumberland County, until the first Monday in January, 1942, vice David M. Hughes, deceased.

ARTHUR H. JAMES.

SENATE BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 79, as follows:

An Act to amend subsection (a) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds right powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real

estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by authorizing the orphans' court to set aside the widows or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value

The General Assembly of the Commonwealth hereby enacts as follows

Section 1 Subsection (a) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans's court in all matters relating to fiduciaries concerned with the states of decedents" is hereby amended to read as follows

Section 12 (a) The widow if any or if there be no widow or if she has forfeited her rights then the children forming part of the family of any decedent dying estate or intestate within this Commonwealth or dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain or claim either real or personal property or the proceeds of either real or personal property belonging to said estate to the value of five hundred dollars and the property so retained or claimed shall not be sold but suffered to remain for the use of the widow or children It shall be the duty of the executor or administrator of such decedent to have the said property if personal appraised and set apart to said widow or children by the appraisers appointed to appraise the other personal estate of the decedent or if real then by two appraisers to be appointed by the orphans' court who may be the same persons appointed to appraise the personal estate Provided however That in any case where the property retained or claimed by the widow or children is of such nature that its value is apparent or readily ascertainable the orphans' court may allow and set aside such property to the widow or children without notice or appraisement If said five hundred dollars or any part thereof shall be claimed out of the proceeds of real property belonging to the estate it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said proceeds of said real property after he shall have sold the same Should any or all of the appraisers be unable to make the appraisement provided for by this section or should there be no such appraisers the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers to act in the place of said appraiser or appraisers of the decedent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Miller,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crider,	James,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL NO. 9 ON SECOND READING

Mr. SHAPIRO. Mr. President, over the weekend I made some inquiries in Philadelphia in connection with Senate Bill No. 9 and its effect, and since I am not a member of the Committee and since the bill is on second reading, I should like to give to the Committee and the Senate members the information I have obtained.

Mr. President, this bill as it now reads requires the various Bureaus of Vital Statistics in counties having offices in which births are recorded to send certified copies of such births to the State. In Philadelphia, Mr. President, we have been sending copies of birth certificates from 1906 on. Under the terms of this bill it would be required, as it is now written, that certified duplicates of those births be sent to the State. From 1860 until 1906 I find no birth certificates or any information concerning births have been sent to Harrisburg, so I made inquiry from the Department of Vital Statistics and I find that there have been over one million, four hundred thousand names which are recorded as births during that period. I would now like to read a letter which came to me as a result of my communication with Mayor Lamberton, that I received from Ruth H. Weaver, Registrar of the Division of Vital Statistics of Philadelphia. The letter is as follows:

February 14, 1941.

"Hon. Robert E. Lamberton
"Room 202, City Hall
"Philadelphia

"Dear Mr. Mayor:

"I have tried to make some sort of an estimate of the cost of making certified copies of all the birth records we have in this office. It is a wild guess, at best. This office has original birth records from 1860 to 1915, but we need not consider them from 1906 to 1915 as the State already had copies of the original records for those years."

Mr. President, under the provisions of this bill, I am not so sure we do not have to consider them; in fact, I think they will have to be forwarded also.

"The work involved in making certified copies of all the birth records from 1860 to 1905 inclusive would be gigantic as it involves approximately 1,400,000 records.

"There are many things to be considered. First, there is the material needed. Second, additiinal clerks would have to be hired. The current work of this office is unusually heavy because of the present demand for certified copies of birth records. The staff is not adequate for this purpose now. Any new undertaking could not possibly be tried without extra help. It is our belief that one clerk could make about fifty copies a day. Third, desks, chairs and typewriters would have to be provided as well as extra space where the clerks could do this copying. Fourth, there is the necessary over-head. Fifth, there would have to be a supervisor of this project. We are enclosing on a separate sheet of paper the approximate cost of the various items.

"Hoping this is the information you needed, I am,

"Sincerely yours,
"Ruth H. Weaver, M. D., Registrar,
"Div. of Vital Statistics."

This would entail an approximate cost of $223,200 for merely furnishing certified copies of the names from 1860 to 1906. Of course, Mr. President, the population has considerably increased since 1906; our birth rate is much higher and the figures would be much larger.

I have discussed the matter with the Chairman of the Committee, Dr. Chapman, and he suggests the bill should go back to the Committee after second reading. I am not so sure it might not be better to send the bill back before second reading so that it can be amended in committee, before it has passed second reading. This situation is prevalent and will affect all the larger counties like Allegheny, and I suggest the Committee give this matter serious consideration because it will involve a great deal of cost, more than I think some of the counties can bear at this time.

Mr. DENT. Mr. President, I requested last week some action be taken on the matter of passing some legislation governing the issuance of birth certificates.

Under the present system, Mr. President, I think we are aware of the fact it is difficult for a person to prove they have been born. After a reading of the act I find it does not touch the core of the trouble at all.

Mr. President, the trouble in my community as I find it is that a great many persons, either through neglect of doctors or midwives at the birth of children, failed to make any report whatsoever to any authority relative to the birth and therefore the matter of getting certificates to prove the fact that the birth took place is difficult, and under the present conditions many youngsters are bein kept out of important defense jobs because under th federal act they must have a birth certificate before the can take a job.

Therefore, Mr. President, in order to expedite matte I have prepared a piece of legislation in conjunction wit the gentleman from Philadelphia, Senator Kephart. W have discussed both bills and I ask that this bill go bac to committee before it has passed second reading in orde that whatever good suggestions are contained in my bi may be incorporated into the Chapman bill.

I feel, Mr. President, if a person has two witnesse either a doctor or some other person that attended th birth, or the mother—who incidentally was there—tw persons to testify to the fact that this is the certain part that is trying to get a certificate, that any Justice of th Peace or Register of Wills could issue the birth certificat under the supervision of the State Department of Healt and the Bureau of Vital Statistics. By so doing, M President, we keep the bureau in complete charge of a matters pertaining to registered births and also make convenient for the person desiring to obtain a birt certificate.

Mr. President, as an illustration here is a case that very common: This person has a copy of the regular for issued by the Department, which has been filled out ac cording to law, requesting a birth certificate or a duplicat he receives one letter telling him to get a certificate fro some person who was there or attended the mother, s we have a certificate from the doctor, at a cost of fift cents for notarization. He then receives another lette saying that was insufficient information and requestin another certificate; so that person went and had anothe certificate sworn to, at a cost of another fifty cents, b the priest who officiated at the baptism, and now he re ceives another letter stating it still is not sufficient in formation, and now he must get a certified baptisma certificate.

Mr. President, in those days they did not issue bap tismal certificates. All that was done was to write ther down in a book and perhaps the church burned down, o something, and you can't find the book. There are man youngsters in the state between the ages of eighteen an twenty-five who are trying to get jobs and can not ge jobs because they can not get birth certificates. We hav had cases where men have served as long as ten year in the armed forces of the United States government wh can not prove they are citizens of this country and wer born in the State of Pennsylvania.

Mr. President, I think the situation is one that meri our immediate attention and I therefore ask that th bill be sent back to committee before it receives secon reading in order that whatever amendments must b made shall be made by the Committee.

Mr. CAVALCANTE. Mr. President, there have been tw arguments as to why this bill should be sent back committee. As to the argument put up by the gentlem from Philadelphia, Mr. Shapiro, I trust that no one w t ke the position in this matter that just because this b might slightly inconvenience the empire of Philadelph that it should not be passed for the benefit of the rest the citizens of this Commonwealth.

However, Mr. President, I do appreciate the fact that t way this bill is now drawn in Section 1 it may requi

nsiderable work to furnish the information there re-uired to be furnished to the Bureau of Vital Statistics.

My personal opinion on that point, Mr. President, is is, that since we have established a Bureau of Vital atistics here at the site of the Capitol, there is no rther necessity for any of those records being left in e City of Philadelphia, nor in any county, city or any her community in this Commonwealth.

Mr. President, this section ought to be properly amended, that the City of Philadelphia or the authorities of hiladelphia County may take those records, box them and forward them, pack and parcel, to the Bureau of ital Statistics, without leaving them either in the City Philadelphia or anywhere else.

Mr. President, as to the objection here raised by the entleman from Westmoreland, it seems to me that some embers of this Senate—I am not saying this for the rpose of impugning the integrity of any member, but have personal knowledge of the fact that some bills me before us and some members of the Senate do not ke the pains to read the bills in the shape they appear the Calendar; Mr. President, if this bill had been ead by the gentleman from Westmoreland, he would have und that the amendment put in the original bill by e committee that reported it out covered the case stated y the gentleman from Westmoreland; it is specifically vered by Section 3.

I do not think there has been a section of any bill troduced to this date in this Senate that has received e careful attention that this Section 3 of this bill has ceived in order to cover every possible conceivable case birth in the Commonwealth of Pennsylvania. May I ead Section 3, as follows:

"It shall be the duty of the Bureau of Vital Statistics f the Department of Health of this Commonwealth to ccept from a person whose birth in this Commonwealth s not a part of a permanent record of such bureau

"(1) A baptismal record kept by a bona fide eccelsias-ical body and certified by a priest, minister or other fficer of said body or

"(2) A statement written in the English language signed nd sworn to by the doctor or midwife in attendance t the birth of such person."

As to sub-section (3), I wish the members of this Senate would pay particular attention to this sub-section nd see if it does not cover any conceivable case what-oever.

"(3) A statement written in the English language signed y such person and sworn to by a parent or near rela-ive of such person or two other persons who are reason-bly familiar with the information contained therein."

Mr. President, the words "reasonably familiar" are in-ended to cover some special cases. It may be that all ersons who might have actual knowledge of the birth, r who might have been living at the time of the birth, re themselves dead and no one would have actual nowledge of the birth of the child, so it was felt that that person who says he was born in the State of Penn-lvania can make a written statement and then get two eputable citizens or two citizens of this Commonwealth ho will swear under oath that they are reasonably miliar with this man and the facts set forth in his atement, then that man ought to have the right to have s birth registered, and any one who wishes to assume the burden of overcoming the oath of three people, the man who says he was born here and the oath of two other citizens, the person, I say, who wants to assume the burden of overcoming that, should have that right, and will have that right—he can have that right—but I say this bill covers every conceivable case, and since the subject has been editorialized upon by some very good newspapers in this Commonwealth—the Pittsburgh Press and a number of other papers—and in their editorials they have shown the wisdom of passing this bill and having legislation on the subject, and pointing out the dire necessity of it, I say we should not here be holding this bill up by sending it back without second reading; we ought to read it the second time and then send it back to committee, and we can make amendments if amendments need to be placed in it.

Mr. President, I think the criticism made by the gentleman from Philadelphia, Mr. Shapiro, does deserve some consideration—something ought to be done about that—but I think the Committee that has this bill is intelligent enough to prepare the amendments to cover that objection, but after it is amended to cover that objection then it can be reported out with the amendments, printed with those amendments, and we will have it on the Calendar for third reading as amended. By allowing it to be read the second time today, Mr. President, we will have saved one day, and I think that we should save every available minute and every available day that we can in passing legislation of this kind.

Mr. President, I have spoken as I have, because I think that we should not send the bill back to committee without second reading; it ought to be read the second time and then be re-referred to Committee for possible further amendment.

Mr. DENT. Mr. President, in order that we may make one point clear, when I left here last week I took the only copy of the bill available to the members of the Senate. I took it home and studied it thoroughly. This is the first time, Mr. President, that this bill has been presented to us in the form the gentleman from Fayette now says it is in. Therefore, in order that we do have an opportunity to see if it does the things he says it does, I think the bill should at least go over or be read thoroughly by the Clerk in order that we may become familiar with it.

Mr. President, I do not propose to say I read every bill that comes before the Senate, but I do read the ones I am vitally interested in. I want to say this, the present act covers practically every phase that is incorporated in Section 3 as amended. The only difficulty is this, when you come down here to get your birth certificate, you must wait at least one full day, two full days, or three full days. If you send for it by mail, this act will not in any way expedite matters as I see it. One thing I see in my mind, which will clarify the situation and expedite the issuance of certificates, is to allow the Register of Wills under the supervision of the Department of Health, the Bureau of Vital Statistics, to issue duplicate birth certificates at an increased cost of two dollars instead of one dollar, one dollar to be sent back here to the Department of Vital Statistics in order that records may be kept clear, twenty-five cents fee for the Register of Wills for the extra help that he must put on, and seventy-five cents for the justice of the peace, alderman, or magistrate that takes the oath.

Mr. President, I want to say to you I am as vitally interested as any person here, because I think if you will search the records of the department you will find I have had more cases before the department than any Senator on the floor, simply because we are situated in a region of Pennsylvania that is covered with defense industries, and because of the fact that a great many of the inhabitants there are of foreign extraction, it is difficult for them to get straightened out with the bureau.

Mr. President, I only ask that this bill be amended in order that it really do some good. I want to say here now that as it is amended it seeks to cure an evil, but it does not do that because you still have to write to the department or you still have to come down to the department for the birth cerificate, and that in a sense is the whole trouble.

Mr. President, I only ask that the bill go over if possible until we can become familiar with it, and if it can be, as the gentleman from Fayette says, amended by the committee, it still comes out on second reading. You can not pass committee amendments on to the Senate without Senate confirmation of amendments made by the committee. Maybe I am not too familiar with the procedure, but having been here six years I think I know a little about it.

This bill, Mr. President, will not gain one day or one minute by sending it back after second reading. It must lay over for printing after it comes out, if the Senate does agree, and my suggestion was just as much in the interest of haste as the suggestion of the gentleman from Fayette, and I still believe it should go back to committee before passing second reading.

SENATE BILL NO. 9 RECOMMITTED

Mr. CHAPMAN. Mr. President, I move that Senate Bill No. 9, on second reading, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics; and increasing the duties of certain county officials

be recommitted to the Committee on Welfare, Public Assistance and Pensions for the purpose of amendment, without being read the second time.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

An Act to further amend paragraph (c), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

The first section of the bill was read as follows and agreed to:

Section 1 Paragraph (e) of section five hundred and three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of money erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency therof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

(e) Any claimant filing a petition for refund under this section may appeal to the Court of Common Pleas of Dauphin County from an adverse decision of the Board of Finance and Revenue by petitioning said court within ninety (90) days after receiving notice of the action of the board Upon such appeal the case shall be heard by the order of the court and testimony may be taken Provided however That nothing herein shall be construed as relieving the appellant from submitting all essential facts in the first instance to the board at its hearing prior to its decision and provided further that the evidence produced before the board shall not be heard by the court de novo All or any relevant part of the record certified to the court shall be admitted in evidence by order of the court or upon motion of either party Any part of the record certified to the court which is not based on technical rules of evidence customary in actions at law shall not be disregarded by the court merely because of the violation of such rules The court shall thereupon determine whether or not the claimant is entitled to any refund and if so the amount thereof If the court finc that he is so entitled it shall report its findings to the board and order the making of a refund of the proper amount Thereupon the refund shall be made in the manner hereinbefore provided

Section 2 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

On the question,

Will the Senate agree to the title?

Mr. EDMONDS. Mr. President, due to a printer's error, I move to

Amend Senate Bill No. 40, in title, page 1, line 14, by striking out in dark face brackets, the whole of said line

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. EDMONDS. Mr. President, I move that Senate Bill No. 40, the bill just read, be recommitted to the Committee on Judiciary General, for the purpose of a hearing tomorrow.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

The first section of the bill was read as follows:

Section 1 The last paragraph of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of April one thousand nine hundred and thirty-seven (P. L. 329) is hereby further amended to read as follows

Section 439 Compilation of War Records

* * * *

For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a veterans' grave registrar who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners The veterans' grave registrar shall also perform service officers' duties in assisting war veterans in securing their rights as such in matters relating to their person property and family relations and shall be entitled to expenses incurred in connection therewith and such additional compensation for such services as shall be fixed by the salary board or county commissioners as the case may be

On the question,

Will the Senate agree to the section?

Mr. CAVALCANTE. Mr. President, I move to amend page 3, line 1, by underscoring the following words: expenses incurred in connection therewith and

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 66, the bill just read, be recommitted to the Committee on Military Affairs, for the purpose of further study and possibly a hearing.

Mr. MILLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 120, entitled:

An Act providing for payment of damages to motor vehicles caused by deer on the public highways out of the Game Fund; and appropriating moneys therein for such purpose.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CROWE. Mr. President, I move that Senate Bill No. 120, the bill just read, be recommitted to the Committee on Forests and Waters, Game and Fish, for the purpose of further study.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 145, entitled:

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as reenacted and amended, by conferring additional powers on the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MILLER. Mr. President, I move that Senate Bill No. 159, the bill just read, be recommitted to the Committee on Appropriations, for the purpose of further study.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN read in place and presented to the Chair Senate Bill No. 201, entitled:

An Act to amend a certain appropriation item contained in section two of Act 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, 1939, P. L. 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

Which was committed to the Committee on Finance.

ANNOUNCEMENT

Mr. BARTLETT. Mr. President, the Secretary has announced a meeting of the Committee on Welfare, Public Assistance and Pensions on Tuesday, February 18, 1941 at 3:00 p. m. I wish to state this is a committee meeting and not a public hearing but any member of the Senate who is interested is invited to be present.

ERRATUM

The PRESIDENT. The Chair's attention has been called to the fact that the election returns for the Thirty-First Senatorial District, as shown in the Legislative Journal of the Senate, January 7, 1941, at page 2, due to a typographical error, are incorrect. The correct returns as attested by the Secretary of the Commonwealth, were as follows:

THIRTY-FIRST SENATORIAL DISTRICT

	Hermas L. Weary	George N. Wade
Cumberland County	15,511	15,250
Juniata County	3,495	3,487
Mifflin County	6,565	6,466
Perry County	4,338	5,948
Total	29,909	31,151

And George N. Wade was accordingly declared elected The Journal will note the correction.

ADJOURNMENT

Mr. EALY. Mr. President, I move that the Senate do now adjourn until Tuesday, February 18, 1941 at 11:00 o'clock, a. m.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:45 o'clock, p. m. until Tuesday, February 18, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 17, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our God and Father, may our words be choice, our speech simple and sincere, and our lives dedicated to the highest things in life. We confess our infirmity, and cry to Thee to perfect that which concerneth us. Deliver us from dangers without, but still more from foes within. Strike off the chains that fetter us and set us free to a larger life and unstinted service. Free us from all fear and dread. Take from us the poison of venomous selfishness, which keeps us irritated and in a constant state of fretfulness and foolish warfare. Diffuse within each of us the peace of a trustful and generous heart. Make our lives roomy and hospitable, appreciative and genial.

Hear us, we humbly beseech Thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, February 12, 1941.

The Clerk proceeded to read the Journal of Wednesday, February 12, 1941, when, on motion of Mr. MARKS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. REUBEN E. COHEN. HOUSE BILL No. 378.

An Act making an appropriation for the payment of expenses of the Electoral College.

Referred to the Committee on Appropriations.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 379

An Act to amend section five of the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 144), entitled "An act prescribing the powers and duties of the Department of Agriculture with regard to farm products; providing for cooperation with the Department of Internal Affairs to establish standard receptacles for farm products; authorizing the Department of Agriculture to establish and promulgate standards for the grade and other classification of farm products, and to promulgate regulations for the enforcement thereof; defining farm products to include agricultural, horticultural, vegetable, fruit, and floricultural products of the soil, livestock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms, and honey; and providing penalties," by including certificates of the United States Department of Agriculture as evidence of grade and classification.

Referred to the Committee on Agriculture.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 380

An Act making an appropriation to the Treasury Department, for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Referred to the Committee on Appropriations.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 381

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

Referred to the Committee on Judiciary Special.

By Mr. READINGER. HOUSE BILL No. 382.

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Food Stamp plans therein.

Referred to the Committee on Municipal Corporations.

By Messrs. BONEY and KOMOROFSKI.
HOUSE BILL No. 383.

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

Referred to the Committee on Education.

By Messrs. BONEY and KOMOROFSKI.
HOUSE BILL No. 384.

An Act to add section 18.2 to the act, approved the fifteenth day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled, 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing that the Department of Health shall maintain a special file for the records of births of all persons in this Commonwealth prior to one thousand nine hundred and six.

Referred to the Committee on State Government.

By Mr. FALKENSTEIN. HOUSE BILL No. 385.

An Act to provide for the dismissal of students in the public schools before a regular session is concluded in order that such pupils may receive religious instruction.

Referred to the Committee on Education.

By Mr. BONEY. HOUSE BILL No. 386.

An Act to amend clause eighteen of section one thousand six, sections one thousand thirty-five, and one thousand sixty-two as amended, and section one thousand three hundred four of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," changing the fiscal year to the first Monday of July, and the dates fixed by the act for the performance of certain official duties to conform therewith.

Referred to the Committee on Boroughs.

By Mr. CROOP. HOUSE BILL No. 387.

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by exempting the real and personal property of resident indigent war veterans and their dependents from liability for expenses incurred for support and assistance.

Referred to the Committee on Welfare.

By Mr. WILLIAMS. HOUSE BILL No. 388.

An Act to limit the powers and prerogatives of office of constables and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. O'NEILL and MUNLEY. HOUSE BILL No. 389.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital; and making an appropriation therefor.

Referred to the Committee on State Government.

By Mr. DALRYMPLE. HOUSE BILL No. 390.

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie and for the use of the Pennsylvania State Park and Harbor Commission of Erie in cooperation with the United States Government and the Erie unit of the United States Coast Guard Service located on Presque Isle at Erie.

Referred to the Committee on Appropriations.

By Messrs. REUBEN E. COHEN and O'NEILL. HOUSE BILL No. 391.

An Act to amend sections four hundred one, four hundred three and four hundred four of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," reducing the waiting period and increasing the rate and amount of compensation.

Referred to the Committee on Labor.

By Mr. TARR. HOUSE BILL No. 392.

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

Referred to the Committee on Labor.

By Messrs. KNOBLE and VOLDOW. HOUSE BILL No. 393.

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," by extending the provisions thereof to vending equipment used in distribution of such articles and further defining parties having a right of action for unfair competition.

Referred to the Committee on Judiciary General.

By Mr. FISS. HOUSE BILL No. 394.

An Act relating to public education; making ineligible for appointment, election or employment in any supervising, executive or teaching position in the public school system in this Commonwealth any person who advocates the overthrow or change of the constitutional government of the United States or of this Commonwealth by means of force or revolution, or who shall have publicly advocated such violence since September 16, 1940, and prohibiting the payment of any salary or other compensation out of public funds for any service of such person in connection with public education, while holding any such office or position, after the enactment hereof, or the holding or receiving by such person of any provisional, professional, state, normal school or college certificate subject to the control, or to be issued or registered by the Department of Public Education; imposing certain duties upon said Department and upon the State Council of Education, and authorizing any competent court having jurisdiction over any county or district school board now or hereafter employing any such person in an executive, supervisory or teaching capacity to enjoin the payment of any such salary or other compensation to such person, notwithstanding any existing contract with him or her, and to declare such person disqualified from holding any such office or position; allowing any person alleged to be so disqualified a hearing, with a right of appeal, in accord with existing laws relating to the revocation of such certificates and/or registration, and limiting the use of any record of such proceedings or decree of disqualification in any criminal proceedings against any such person.

Referred to the Committee on Education.

By Mr. FISS. HOUSE BILL No. 395.

An Act relating to public offices; making ineligible for public office any person who advocates overthrow of the federal or state government by means of force or revolution, or who shall have advocated same since September 16, 1940, and prohibiting the name of any such person to be placed on any primary or official ballot or non-partisan

ticket at any primary, local, municipal or general election as a proposed candidate or nominee for any such office in this Commonwealth, and authorizing any competent court thereof having jurisdiction of any such matter to enjoin any such action or to direct such name to be stricken from any such ballot or ticket or to oust such person from such office, whether elective or appointive, upon a petition of five qualified electors of the proper county and reasonable notice to such person, after due hearing, without prejudice to the civil rights of any such person in any prosecution for seditious statements or subversive activities or other criminal offense.

Referred to the Committee on Elections.

By Mr. TURNER. HOUSE BILL No. 396.

An Act to amend the first paragraph of subsection (a) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," prescribing additional causes for termination of a contract of a professional employe.

Referred to the Committee on Education.

By Mr. HEATHERINGTON. HOUSE BILL No. 397.

An Act authorizing the Pennsylvania Liquor Control Board to issue limited malt or brewed beverage licenses to certain religious, charitable, fraternal, military and patriotic societies, corporations or organizations.

Referred to the Committee on Liquor Control.

By Mr. BENTZEL. HOUSE BILL No. 398.

An Act authorizing the Department of Highways to take over bridges, viaducts and other structures on State highways for the purpose of construction, reconstruction, maintenance and repair thereof when such highways are designated as essential National Defense Highways.

Referred to the Committee on Highways.

By Mr. O'NEILL. HOUSE BILL No. 399.

An Act to further amend section five hundred and one of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15; 1933-1934) entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in and use of alcohol, and alcoholic and malt or brewed beverages, conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents; the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State, except as herein provided; prohibiting certain sales or practices in connection with and transactions in such beverages by licensees; and others providing for the forfeiture of certain property making disposition of the receipts from State stores, and of fees, and imposing penalties, "by removing club licensees from provisions prohibiting sale of liquor in dry territory.

Referred to the Committee on Liquor Control.

By Mr. HEATHERINGTON. HOUSE BILL No. 400.

To further amend sections one and two of the act, approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days," declaring Roosevelt's Birthday, the thirtieth day of January, a legal holiday.

Referred to the Committee on Banking.

By Messrs. MATTHEW J. WELSH and O'NEILL. HOUSE BILL No. 401.

To further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

Referred to the Committee on State Government.

By Messrs. MATTHEW J. WELSH and O'NEILL. HOUSE BILL No. 402.

Providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

Referred to the Committee on Military Affairs.

By Messrs. MATTHEW J. WELSH and O'NEILL. HOUSE BILL No. 403.

An Act relating to the employment by the Commonwealth of Pennsylvania or any subdivision thereof of National Guard, Reserve and Retired personnel ordered into the active military service of the United States under the provisions of Public Resolution No. 96, 76th Congress, (S. J. Res. 286), and the re-employment of such personnel who satisfactorily complete such active military service.

Referred to the Committee on Military Affairs.

By Messrs. READINGER and ECKELS. HOUSE BILL No. 403.

An Act relating to marriage; and amending, revising, consolidating and changing the law relating thereto.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. D'ORTONA and DiGENOVA RESOLUTION No. 25.

In the House of Representatives, February 17, 1941.

Whereas, The City of Philadelphia, and particularly the citizens of the twenty-sixth ward thereof, recently experienced a horrible tragedy as a result of a series of gas

explosions resulting in the death of at least five of its citizens and injuries to at least twenty-five others; and

Whereas, A serious controversy regarding the cause of said explosions has resulted in a series of investigations being made by eight different city agencies; and

Whereas, Said agencies are to make a report to the Mayor of the City of Philadelphia; and

Whereas, The City of Philadelphia has an interest in the findings of said agencies, in that the city may be responsible for the occurrence of the catastrophe; and

Whereas, Said investigations may not properly enlighten the citizens of the City of Philadelphia as to the cause of the exposions; and

Whereas, It is deemed desirable to make a thorough investigation in order that the cause of the explosions be determined, and a recurrence thereof prevented; and

Whereas, Legislation may be necessary to prevent a recurrence thereof; therefore be it

Resolved, That the Speaker of this House appoint a committee of five members, whose duty it shall be to make a careful, thorough and impartial investigation of the causes and reasons for the explosions, and that the said committee shall make a report of its findings and recommendations to this House as early as possible.

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Referred to the Committee on Rules.

By Mr. STINE. RESOLUTION No. 26.

In the House of Representatives, February 17, 1941.

Whereas, Nationally organized poultry interests have announced the dates of March 6-12 inclusive and May 1-7 inclusive as Springtime Egg Festival; and

Whereas, This event is designed to increase the consumption of eggs during the period of peak production and thereby lessen the egg surplus that depresses the egg market for the remainder of the year; and

Whereas, Pennsylvania leads America in the dollar value of eggs produced annually; and

Whereas, Poultry and Eggs are a $67,000,000 annual industry in Pennsylvania with its 67 counties; and

Whereas, There are 167,000 farmers owning flocks producing eggs in Pennsylvania in every one of the State's 67 counties; and

Whereas, Merchants throughout the State have agreed to cooperate with the poultry raisers in the intensive promotion of Springtime Egg Festival

Therefore Be It Resolved, That the House of Representatives of the Commonwealth of Pennsylvania endorses Springtime Egg Festival and calls upon the consumers of the State to help Pennsylvania's 167,000 poultry raisers through materially increasing their use of eggs during Springtime Egg Festival.

Referred to the Committee on Agriculture.

By Messrs. MUNLEY and O'NEILL

RESOLUTION No. 27.

In the House of Representatives, February 17, 1941.

Whereas, It is the right of every individual under our Constitution, to exercise freedom of thought and speech, which right is inviolate in that it does not transgress upon the right of other individuals; and

Whereas, It is likewise the right of any minority, regardless of size, not to suffer political or econmomic discrimination, and

Whereas, Our Constitution does not purport to shelter any group or individual whose intent it is to carry on sabotage and subversive activities against our Government; and

Whereas, It is reported that there are individuals engaged in such activities who are the beneficiaries of public funds such as salaries, compensation and relief, the result thereof being that such public funds are aiding and abetting the purposes of such individuals; therefore be it

Resolved, That such legislation be enacted as will make it mandatory to remove from the ballot in the Commonwealth of Pennsylvania, any political party, or purported party, and to prohibit the placing upon the ballot at any time, the name of any individual, or candidate of any party, who/which shall have been indisputably proven an agent of subversive propoganda, and/or does subscribe to any doctrine inimicable to that form of government which it is our privilege to enjoy under the Constitution of the United States, and/or which doctrine proposes the change of that form of government by any means not provided for under the Constitution (to wit, violence or sabotage, etc.) or who/which does participate in, or is a party to any movement sponsored by, financed in whole or in part, or is in any sense directed by any government other than our own, or any agent of such foreign government.

Referred to the Committee on Elections.

By Messrs. WILLIAMS and BAKER. (Concurrent)

RESOLUTION No. 28.

In the House of Representatives, February 17, 1941.

Whereas, the stabilization of the bituminous coal industry through price fixing and the elimination of unfair competition is of greatest importance throughout many portions of the United State and particularly in the bituminous region of the Commonwealth of Pennsylvania; and

Whereas, the Act of Congress known as the "Bituminous Coal Act of 1937" (April 26, 1937 c. 127; 50 Stat. 72), has operated effectively to eliminate detrimental overproduction and savage competition in the bituminous coal industry; and

Whereas, the constitutionality of this Act of Congress has been finally sustained by the Supreme Court of the United States in the case of Sunshine Anthracite Coal Co. v. Adhins 310 U. S. 381 84 L. ed 1263 (1940); and

Whereas, the operation of this Act of Congress ceases by its own terms on April 26, 1941; and

Whereas, if the provisions of this Act of Congress are not extended for an additional period, free competition in the bituminous coal industry may again degrade into anarchy, now therefore be it

Resolved (if the Senate concur), that the General Assembly memorialize the Congress of the United States to further extend the effective period of the "Bituminous Coal Act of 1937", and be it further

Resolved, that one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt

The Vice-President, Henry A. Wallace, President of the United States Senate

Speaker Rayburn, House of Representatives

Senator Joseph Guffey

Senator Jame P. Davis and

All members of the House delegation from Pennsylvania

Referred to the Committee on Mines and Mining.

By Mr. SHEPARD and E. F. THOMPSON. (Concurrent)

RESOLUTION No. 29.

In the House of Representatives, February 12, 1941.

Whereas, the present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is $5.85 for families of one person, increasing to $9.75 maximum for families of three persons or more, and

Whereas, recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, the report of the survey of the Pennsylvania Department of Public Assistance, published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania," shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, the Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, the present inadequate shelter allowances make it impossible to carry out the provisions of the law, therefore be it

Resolved, that the House of Representatives hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowances to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, that a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the Secretary of Property and Supplies and to the members of the Pennsylvania Board of Public Assistance.

Referred to the Committee on Welfare.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications:

SCHOOL TAXES

Communications from Ross B. Mateer, Philadelphia, protesting action "which will perpetuate the present school tax rate in Philadelphia."

Referred to the Committee on Education.

SCHOOLS

A petition from the Beccaria Township School District, Clearfield County, requesting that consideration be given certain amendments to the School Code.

Referred to the Committee on Education.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 17, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, February 24, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 24, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. FINNERTY for the week on account of illness.

Mr. Woodside for Mr. HABBYSHAW for the week.

Mr. Muir for Mr. SERRILL for the week.

Mr. Readinger for Mr. PRESLEY N. JONES for Monday and Tuesday.

REPORT FROM COMMITTEE

Mr. READINGER, from the Committee on Rules reported as committed House Resolution No. 15.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ROSENFELD. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for further study and possible amendment.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 203, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency

thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. RUSH. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 222, entitled:

An Act to reenact and further amend the title and the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled, "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders for the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act" by changing the definition of corporation to include municipal authorities engaged in rendering a public utility service, and regulating such municipal authorities.

The first Article was read.

On the question,

Will the House agree to the Article?

BILL RECOMMITTED

Mr. RUSH. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 152, entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 262, as follows:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen million five hundred thousand dollars ($14,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance to provide assistance and for local and certain state administration expenses in the manner provided in the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred forty-one

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate from time to time among the several county boards of assistance funds with which to provide assistance and administrative expenses Allocations so made to a county board of assistance shall be available for expenditure in that county for assistance and for administration expenses in the manner provided by the Public Assistance Law

Section 3 Out of the moneys appropriated by section one of this act the Governor Auditor General and State Treasurer shall from time to time allocate to the Department of the Auditor General and the Treasury Department such sums as they deem necessary to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	Foor,	Marks,	Royer,
Allmond,	French,	Maxwell,	Rush,
Auker,	Gallagher,	McClanaghan,	Sarge,
Baker,	Gates,	McClester,	Sarraf,
Balthaser,	Gerard,	McDermott,	Scanlon,
Baugher,	Gillan,	McDowell,	Schwab,
Bentley,	Gillette,	McFall,	Shaffer,
Bentzel,	Goodwin,	McGrath,	Shaw,
Boles,	Greenwood,	McIntosh,	Shepard,
Boney,	Gross,	McKinney,	Simons,
Boorse,	Gryskewicz,	McLanahan,	Skale,
Bower,	Gyger,	McLane,	Snyder,
Bradley,	Haberlen,	McMillen,	Sollenberger,
Breth,	Haines,	McSurdy,	Sorg,
Bretherick,	Hall,	Melchiorre,	Stambaugh,
Brown,	Hamilton,	Mihm,	Stank,
Brunner, C. H.,	Hare,	Modell,	Stine,
Brunner, P. A.,	Harkins,	Monks,	Stockham,
Burns,	Harmuth,	Mooney,	Tarr,
Burris,	Harris,	Moran,	Tate,
Cadwalader,	Heatherington,	Moul,	Taylor,
Chervenak,	Helm,	Muir,	Thompson, E. F.,
Chudoff,	Hering,	Munley,	Thompson, R. L.,
Cochran,	Herman,	Nagel,	Trout,
Cohen, M. M.,	Hersch,	Nunemacher,	Turner,
Cohen, R. E.,	Hewitt,	O'Brien,	Van Allsburg,
Cook,	Hirsch,	O'Connor,	Verona,
Cooper,	Holland,	O'Dare,	Vincent,
Cordier,	Huntley,	O'Mullen,	Vogt,
Corrigan,	Imbrie,	O'Neill,	Voldow,
Croop,	James,	Owens,	Voorhees,
Cullen,	Jefferson,	Petrosky,	Wagner,
Dalrymple,	Jones, G. E.,	Pettit,	Watkins,
Dennison,	Keenan,	Polaski,	Weingartner,
DiGenova,	Kenehan,	Polen,	Weiss,
Dix,	Kline,	Powers,	Welsh, E. B.,
Dolon,	Knoble,	Prosen,	Welsh, M. J.,
D'Ortona,	Kolankiewicz,	Rank,	Wilkinson,
Duffy,	Komorofski,	Rausch,	Williams,
Early,	Krise,	Readinger,	Winner,
Eckels,	Lee, E. A.,	Reagan,	Wolf,
Elder,	Lee, T. H.,	Reese, D. R.,	Wood, L. H.,
Elliott,	Leisey,	Reese, R. E.,	Wood, N.,
Ely,	Leonard,	Regan,	Woodring,
Falkenstein,	Lesko,	Reynolds,	Woodside,
Finestone,	Levy,	Rhea,	Wright,
Fisher,	Leydic,	Riley,	Yeakel,
Fiss,	Lichtenwalter,	Rooney,	Yester,
Fleming,	Longo,	Rose, S.,	Young,
Fletcher,	Lovett,	Rose, W. E.,	Kilroy,
Flynn,	Lyons,	Rosenfeld,	Speaker.
	Malloy,		

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, as follows:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Treasurer is hereby authorized and directed from time to time between the effective date of this act and May thirty-first one thousand nine hundred forty-one to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of six million four hundred thousand dollars ($6,400,000) as the Governor shall direct Transfers shall be made under this act upon warrants of the Auditor General upon requisitions of the Governor

The purpose of this transfer is to provide funds for the payment of the deficiency appropriation for public assistance made by this session of the General Assembly for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be repaid to the Motor License Fund out of the General Fund not later than June thirtieth one thousand nine hundred forty-one

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	Foor,	Malloy,	Rosenfeld,
Allmond,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Nagel,	Trout,
Cohen, R. E.,	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Keenan,	Pettit,	Watkins,
DiGenova,	Kenehan,	Polaski,	Weingartner,
Dix,	Kline,	Polen,	Weiss,
Dolon,	Knoble,	Powers,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Duffy,	Komorofski,	Rank,	Wilkinson,
Early,	Krise,	Rausch,	Williams,
Eckels,	Lee, E. A.,	Readinger,	Winner,
Elder,	Lee, T. H.,	Reagan,	Wolf,
Elliott,	Leisey,	Reese, D. R.,	Wood, L. H.,
Ely,	Leonard,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lesko,	Regan,	Woodring,
Finestone,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

CONGRATULATIONS

Mr. HOLLAND offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

On last Saturday, February 15th, occurred the eightieth birthday of the outstanding figure in the preservation of wild life in this Commonwealth and on this continent.

John M. Phillips of Pittsburgh has devoted a lifetime of energy and devotion to a cause that has richly benefited through his untireing efforts. Among his outstanding achievements are the founding of the American Game Association, now the American Wild Life Institute, the organization of the game refuge system of Pennsylvania and its introduction in Canada for the preservation of the elk and antelope herd, and the bringing about of the adoption of migratory bird treaties with foreign countries, now embodied in the Lacey Act of Congress.

Mr. Phillips was a member of the Board of Game Commissioners from November 21, 1905 until November 17, 1923, and its vice-president for a number of years. He was the father of the Pennsylvania resident hunters' license law. He was interested and influential in securing the construction of the Pymatuning Dam as a sanctuary for migratory water fowl and as a means of flood control in the Shenango and Ohio River Valley. He has been active in the boy scout movement since its organization, and is still a member of the National Advisory Council of the Boy Scouts of America. He is and has always been a leader in all civic affairs in his native city of Pittsburgh; therefore be it

Resolved, That the House of Representatives congratulate this man of great accomplishments and sterling worth on his many years of consistent usefulness to his city, State and Nation, on the numberless dreams that he has converted into realities, and the priceless worth of the things that he has done for the sportsman and the millions of lovers of nature, and above all, on the occasion of his attaining his four score years.

Resolved, That a duly certified copy of this Resolution be transmitted by the Chief Clerk to Mr. Phillips at his home in Pittsburgh.

CONDOLENCE RESOLUTION

Mr. FALKENSTEIN offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

Whereas, All the members of the House of Representatives are profoundly shocked to learn of the death of the Honorable Edward P. Carney of Philadelphia, who died in the line of his duty as an employe of this Commonwealth; and

Whereas, Edward P. Carney won the respect and admiration of his fellow-citizens of Philadelphia, where he served for twelve years as a magistrate, administrating justice without fear or favor to all alike; and

Whereas, As a special investigator of the Department of Revenue he brought glory to himself and to the Department of Revenue for his sterling efforts; and

Whereas, It is fitting that this House pause in its deliberations to honor the memory of a distinguished citizen of this Commonwealth; therefore be it

Resolved, That the House of Representatives note with sorrow the passing of the Honorable Edward P. Carney; and be it further

Resolved, That the Chief Clerk of the House be directed to send a copy of this resolution to the bereaved members of his family as a token of its sincere sympathy for its great loss.

CONDOLENCE RESOLUTION

Messrs. MODELL and CULLEN offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

Whereas, We have learned with a profound sense of sorrow of the passing of Bridget Smith, mother of the Honorable James A. Smith, former member of the House of Representatives from Philadelphia; and

Whereas, Bridget Smith, by her indomitable will and courage, fostered a true appreciation of the values of true democracy in her distinguished son; and

Whereas, We of the House of Representatives sympathize with him in his bereavement; therefore be it

Resolved, That the Chief Clerk of the House send a copy of this resolution to the Honorable James A. Smith, and with it the deepest condolences of the members of the House of Representatives, especially those of us who are privileged to number him among our friends.

RESOLUTIONS

BIRTHDAY CONGRATULATIONS

Messrs. SOLLENBERGER and AUKER offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, February 17, 1941.

Whereas, Time in its relentless onward march, brings wrinkles to unfurrowed brows and dyspepsia to cheerful souls; and

Whereas, At the half century mark some men are ready to bring little cheer into the lives of those about them; and

Whereas, The Hon. George E. Jones is a striking illustration of how one escapes these ravages of time; and

Whereas, Today at fifty, as he was at twenty, he is affable, genial, generous to a fault, a fine friend and boon companion; and

Whereas, As a master of the slide trombone, which he can make sing, laugh or talk, and as the leader of the Hollidaysburg's Drum Corps he brings music into the lives of his friends and neighbors; therefore be it

Resolved, That the House felicitate George E. Jones on his fiftieth birthday and wish him many more birthdays to the accompaniment of the drums and the trombone.

CONGRATULATION

Mr. McLANE offered a privileged resolution which was read as follows:

In the House of Representatives, February 17, 1941.

Whereas, All members of the House of Representatives are known for their careful and sober judgment; and

Whereas, They apply themselves diligently in the solution of all problems confronting the Commonwealth; and

Whereas, They sometimes pause in their deliberations to ponder over some less weighty personal problems; and

Whereas, There too they come to a happy and perfect solution; and

Whereas, The Honorable Martin F. Kenehan has followed the above procedure, and been fortunate in his most admirable solution; therefore be it

Resolved, That the members of the House of Representatives felicitate him and his bride-to-be, Miss Gertrude McKenon on their mutual choice; and be it further

Resolved, That the Chief Clerk of the House send a copy of this resolution to both prospective bridegroom and his fiancee as a testimonial of the good wishes of the members of the House of Representatives.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Kenehan.

Mr. KENEHAN. Mr. Speaker, I rise to a point of matrimonial privilege.

The SPEAKER. This is the last opportunity the gentleman will have.

Mr. KENEHAN. Mr. Speaker, like in the picture "Mr.

Smith Goes to Washington," when he first went to Washington he carried under his arm a crate of pigeons, I carried detective stories. After being here for about three months, the Members of the Legislature sent me back a seasoned man with regrets. I wish to warn a few single members of the House who are left, such as brother Schwab, and a few more, to stay away from the cave-man from Luzerne. The few little things I may have done wrong in Harrisburg I lay them all on his platter.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION No. 21

Mr. MOUL. Mr. Speaker, I desire to call up at this time Resolution 21, Printer's No. 16.

The Clerk read the resolution as follows:

In the House of Representatives, February 10, 1941.

Whereas, The farmers of Adams County, Cumberland County and York County have asserted their right to resist unwarranted attempts to deprive them of low electric rates; and

Whereas, Said farmers have shown unusual courage, resourcefulness and solidarity of purpose in a long night vigil and by concerted action have resisted the attempt of the power interests to deprive them of an agency which would afford them low electric light rates; and

Whereas, Said farmers have been refused and denied the benefits of electric power and light at reasonable rates for many years; and

Whereas, The Democratic Administration of Governor George H. Earle gave to the farmers of Pennsylvania the model Rural Electrification Act of 1937; and

Whereas, The Democratic Administration of Franklin D. Roosevelt gave to the farmers of the nation the rural electrification administration for the purpose of establishing a method of securing electric light and power at low rates; now therefore be it

Resolved, That this House of Representatives this day assembled at Harrisburg, Pennsylvania, hereby renews its pledge of cooperation with the farmers of the State of Pennsylvania in an effort to secure for them an extension of rural electrification; and be it further

Resolved, That the House of Representatives hereby pledges to resist and to defeat any attempt to destroy or minimize the benefits of the Rural Electrification Act of the 1937 Session.

On the question,

Will the House adopt the resolution?

Mr. MOUL. Mr. Speaker, House Resolution 21 relates to the question of Rural Electrification. This resolution is of vital importance to thousands of farmers and rural folks in the counties of York, Adams, Cumberland and Fulton. We who come from the Counties mentioned feel that very shortly House Resolution 21 and the action which we take on this resolution will have a profound effect on hundreds of thousands of citizens of the State of Pennsylvania, especially the farmers and rural folks who do not now have the benefits of electricity.

Perhaps you have noticed during the past several weeks that we have witnessed in the counties mentioned some of the most unusual prosperity. So much prosperity that the utilities were forced to go out and dig pole holes in the middle of the night. It might be wise for the Department of Commerce to go out and take pictures, in the middle of the night, of this activity.

Perhaps you have noticed in the newspapers that over in Cumberland County several weeks ago there was so much prosperity developing on the question of rural electrification that the farmers suddenly discovered that the utility companies were digging holes in the middle of the night. I believe it would be interesting to have a photograph of this prosperity in the next issue printed by the Department of Commerce. Certainly the rest of the country would be interested in learning how we have developed here in Pennsylvania, especially on the question of rural electrification.

In the 1937 session of the Legislature, we passed a rural electrification act. An act that made it possible for the citizens of Pennsylvania, those rural folk and farmers who did not enjoy the benefits of electricity to form cooperatives and to work in cooperation with the National Rural Electrification Association so that it would be possible to form cooperatives that could go out into the rural sections and serve electricity on a cooperative basis.

In some sections of Pennsylvania we have splendid examples of Utilities who have been willing to serve the people in their communities with electricity at rates that were low and just. To these utilities, we take off our hats, with these we have no quarrel. But some of us have been living in a section where we can say that this is not true. This resolution is directed and our actions are directed only in the direction of those utilities who for the past 20 years have consistently said that they were not interested in furnishing current to the people in the rural sections who did not at the time enjoy it. We had many many examples where the farmers had asked for current and the utilities said it isn't possible to furnish current at a reasonable rate. They said we can't do it, it will wreck us.

The rural people have said for years that it is possible to furnish light and power to the rural communities at low and fair rates providing you take all of the people under the plan. The farmers and rural people said that there are sections of the country where it has been done, where lines have been stretched miles and miles and they, the good utilities have been able to furnish current at low rates.

But the sleeping utilities, like Rip Van Winkle, have slept for twenty years and have said that it couldn't be done. Now, we find that now that the Adams Cooperative operating in the counties of York, Adams, Cumberland and Fulton Counties is at work, suddenly overnight certain utilities decided that this business is so important and so profitable that, after sleeping for twenty years, they now must dig pole holes and plant poles in the middle of the night.

Isn't it a shame when you look at the beautiful farming section that we have in York County, a county that fronts on the beautiful Susquehanna River where we have some of the largest power plants that you find anywhere in the United States, beautiful large plants, large dams right on the edge of our County, plants which are producing millions of killowat hours of electricity daily and the farmers who live right next to those plants, even tonight, are unable to get electric current at any price, not even at a minimum of ten dollars or fifteen dollars per month. Think of it, they live right along side of these marvelous hydro-electric plants.

I ask you gentlemen, isn't it time that we step in, isn't it time that we, as a Legislature, say this can't go on any longer.

Compare this condition in York County where we have

some of the largest, most beautiful farms and industries as you will find anywhere, farms located right along side of those power plants with the St. Lawrence River section in Canada. Those of you who have traveled through this section, as I have, were undoubtedly surprised to find that all around the province of Quebec from the city of Quebec up the St. Lawrence River and around the Gaspie Peninsula for hundreds of miles through a sparsely settled country, every small home and farm enjoys electricity.

Those of us who were interested enough to check, learned that along the St. Lawrence they were receiving this electric power for one-half cent per kilowat hour, while we in the city of York pay five cents per killowat hour with thousands and thousands of consumers, yes, in the City of York we pay a much higher rate than they pay in the sparsely settled Province of Quebec.

So when the farmers in York, Adams, Fulton and Cumberland counties have been willing to organize on their own and do for themselves what the sleeping Rip Van Winkles have been unable or unwilling to do for the past twenty years, we suddenly find that the utilities have rushed in and are building lines for a purpose and that purpose being to stop the cooperative from building their own lines. Isn't it time that we, of the Legislature, put a stop to a spectacle such as we have before us.

We are told that on the 19th of this month which is Wednesday, certain utilities operating in the territory just mentioned are going before the Public Utility Commission of Pennsylvania and they are asking that Commission to rule that because they have set up poles through the Counties of York, Adams and Cumberland, that because of that, the Public Utility Commission should rule that the farmers' cooperative should not have the privilege of putting in a line of their own.

This, gentlemen of the House, is being done for one purpose and one purpose only and that is to stop the farmers' cooperative which is now building in Adams, York and Cumberland Counties from stepping in and taking care of the problem itself. And I might add that cooperative has not asked one person to enter the cooperative who is being served at a reasonable rate.

Gentlemen of the House, by voting for this resolution you will be doing three things. First we are saying to the public utilities of Pennsylvania, to the good utilities who have given current at a reasonable rate to the farmers, we will say by our votes our hats are off to you. We will say we nave no quarrel with you. We say it is up to you to get behind the movement and wake up the sleeping utilities in your midst.

To the sleeping utilities, we say get busy and do the right thing before we are forced to pass more stringent legislation to regulate your actions.

Second, to the farmers we say, we are behind you, we believe you are right. We say that if they, the utilities, didn't want to serve you for all these years, we are going to see that you get your rights to operate your own cooperative.

Thirdly, I want to urge each member of the House to vote for this Resolution tonight so that we can say to the Public Utility Commission of Pennsylvania, go down to Cumberland County, turn on the spot light so that you can see why they got so busy all of a sudden. See why they had to begin digging in the middle of the night. Turn on the spotlight and see what it is all about. To the members of the Public Utility Commission, we say we believe you will be fair in your decision and that you will give the farmers of York, Adams and Cumberland counties the opportunity that they deserve.

I want to appeal to all of you gentlemen of the House to support this resolution.

Mr. McINTOSH. Mr. Speaker, the resolution before the House can be further clarified by pointing out the situation which has arisen in Cumberland County.

For the past several years the rural people of Cumberland County have been requesting the utility company which serves that district to supply electricity to their homes. The answer of the utility has been either a flat refusal or a promise to install electricity if the consumer would pay an exorbitant rate. As a result these rural people joined a cooperative association, formed under the Federal Rural Electrification Act and the Pennsylvania Act of 1937 in order to obtain electricity for their homes. As soon as this was done the public utility of the district recognized a prospective competitor in the field, and made every effort to block the objective of the cooperative by offering power at reduced rates and by resorting to various legal technicalities.

This can probably be best illustrated by stating the experiences of several farmers who live in the area in question. In the first case one of these farmers contacted the utility for electricity. The utility stated that they would provide the electricity at an installation cost of three hundred dollars, and in addition to that, the consumer would have to pay a minimum rate of four dollars per month. The consumer signed up at these terms and the utility then stated that they would have to get other subscribers. Some time after that, the utility reported that they could not provide the electricity because they had not obtained the additional subscribers. The consumer then informed the utility that he was going to join a cooperative association and that the cooperative had quoted a minimum rate of two dollars and seventy-five cents per month, with no installation costs. Some time later the utility made an offer of two dollars and seventy-five cents per month as a minimum rate in order to meet the bid of the cooperative.

In the second case, one of the rural people of the district requested electricity and the utility refused to even quote a rate or discuss the problem with him. The power line of the utility, incidentally, was not more than a mile from the farmer's residence. This man then put in his own power plant at a cost of five hundred dollars. He has now signed up with the cooperative at their minimum rate, and he has received offers from the utility, since he has signed with the cooperative, of a minimum rate of four dollars and seventy-five cents per month, which has since been reduced to two dollars and seventy-five cents per month, to meet the bid of the cooperative. In addition, the utility offered this farmer sixty dollars for a right-of-way over his land and then advanced the offer to one hundred and fifty dollars.

In the third case, the farmer met with a flat refusal from the utility when he requested electricity. Later, he was quoted a minimum rate of eleven dollars to twelve dollars per month. Since this man has signed up with the cooperative the utility has offered their two dollars and seventy-five cents per month minimum rate to meet the bid of the cooperative.

These cases which I have cited are not outstanding but

are merely indicative of the course of events in Cumberland County. The number of people who have signed with the cooperative in Franklin and Cumberland Counties is about seven hundred, and many other cases could be cited if necessary.

One of the latest developments was the utility digging post holes over the land of several farmers who had signed with the cooperative in order to gain a preemptive right. The farmers followed the utility employees and filled the post holes as fast as the company dug them.

It is not my intention to bicker with a public utility simply because of the fact that it is a public utility. The practice of supplying electricity at the highest rate that the traffic will bear and the practice of attempting to throttle a prospective competitor may be sound from a business standpoint. However, the present situation has a social aspect as well as a business aspect. Rural electrification by means of a cooperative association formed under the Federal Rural Electrification Act and our own Act of 1937 vitally effects the living conditions of the rural people of the Commonwealth of Pennsylvania.

Therefore, it is both fitting and proper that this House go on record as commending the action of the rural people of Cumberland County in their effort to better their living conditions, and it is both fitting and proper that this House renew its pledge to the rural people of the Commonwealth of Pennsylvania to continue its fight for more liberal legislation in the field of rural electrification.

Mr. DIX. Mr. Speaker, as a rural legislator—I think that definition is correct—I want to say that I am heartily in favor of the practical end of this resolution, but I certainly oppose the political end. To listen to the gentleman from York one would have thought that every time we turn on the electric light we have to thank Franklin Roosevelt and Governor George Earle. Everybody knows that we have had electricity for the last fifty years, and it is not due to the scandalous Earle administration and it is not due to the extravagant and wasteful administration of President Roosevelt.

I think the gentleman is entirely out of order bringing in the name of Roosevelt and Earle into this resolution, and I for one resent it. On the other hand I am going to vote for it in spite of the fact that those two names were inserted purely for political purposes, and not for any practical reason or for any reason that anyone could determine. I believe the Scriptures start out with the words "Let there be light and there was light." I remember that much from the Bible, at least. I think light should be shed on a lot of things around here, and we should turn on the full spot light, and not the spite light, but the full spot light of this body on the sewing project, for instance, and the fact that the W. P. A. is responsible very largely for the ten thousand women being on the verge of being thrown out of work.

It is not necessary to cover up this scandalous Earle administration with any such resolution as this. As I said before, I am a rural member. I would like to have electricity brought up to certain properties that I have and I haven't been able to persude the electric light companies to do it. Now, if I go ahead and vote for this resolution, which I expect to do, I am a little bit afraid that the Democrats on the other side will come in here with a resolution saying that I am voting in favor of something from which I was benefitting, but I am going to take a chance and vote for this resolution in spite of the fact that I want rural electrification brought to my properties and I would derive some benefit from it.

Mr. MOUL. Mr. Speaker, I want to thank the gentleman for voting along with us, and if he votes for this resolution I assure him we will help him get the current up there, even though he is a Republican.

Mr. JAMES. Mr. Speaker, I approach the moment of decision on this resolution with mixed emotions. My emotions, at this time I think probably are mixed as much as those of the majority leader in the dramatic moment when he came face to face with the Governor's budget message.

As a rural legislator I do not think that I should deprive myself of sharing in the thunderous roar of applause that will rise from every grass-plot and wood-lot immediately upon the passage of this resolution. I want to offer a suggestion to my Republican colleagues. The point has been raised here that it was not the General Assembly of Pennsylvania and it was not the Congress of the United States that made these great blessings, that have been given us at great length, available to the farmers and rural people of Pennsylvania, but it was F. Roosevelt and G. Earle. Now if we rural Republicans can practice just a little mental gymnastics and sort of self evasion of mind, and when we vote on this resolution substitute "The General Assembly of Pennsylvania" for the words "G. Earle" and "The Congress of the United States" for the words "F. Roosevelt," I think then that we too could go along in this with good grace and share in the great applause that is bound to follow the passage of this resolution.

Mr. TURNER. Mr. Speaker, I do not arise either to support or oppose this resolution, but I think it is my duty to point out to the rural members of the House and to the urban members of the House that there is a paradox among these resolutions that should be given very careful consideration.

I didn't sleep very well last night, so sometime in the early hours of the morning I picked up the history and went through some of the bills and resolutions and I found among these resolutions, I think I remember one that provided that we were to hold an egg consumption week and that the purpose was to have us eat more eggs during the time when there was a great surplus of eggs and the chickens were laying more than the market could properly assimilate to keep high prices up for the farmers.

Now, I am heartily in favor of anything that will increase the consumption of eggs. They are a fine commodity and they mix well with certain things around Easter time and Christmas; they are all right when a skillful hand can stir them into an omulet. They sound well when you hear them calling through the early hours of the night "Two, sunny-side up." They are all right. I am in favor of anything that increases the consumption of eggs. But on the other hand as I ride through the country I have my doubts about this rural electrification because of its effect on the production of these eggs, because I, as a "dirty" farmer, as I said the other day, having raised chickens and had my chickens produce—I got called down for talking about producing milk, but my chickens produce eggs. As I rode through the country at night on my business, which keeps me up late, I notice almost all of the hen houses of the farmers are well lighted, and on inquiry I found that the purpose of the

light was to keep the hens up scratching at night so they would produce more eggs. This appears to me as one of those paradoxes. They ask us to eat more eggs to keep up the prices and on the other hand they do everything to increase the production. So on this resolution you ought to consider that question, as to whether you want to keep the hens up later at night to produce more eggs or to eat more eggs to increase the income of the farmer.

I want to sound a warning to those Members like myself from the rural counties in considering these questions as farmers. While we have something to do with bills and resolutions, I do not know what we have to do with the Public Utility Commission. The Public Utility law was written during a Democratic administration. This matter is now before the Public Utility Commission, and I do not know why the Legislature doesn't attend to its own business of producing bills, instead of telling the Public Utility Commission what to do. Nevertheless, if my friend Moul and this other gentleman from one of the country districts want to get a little advertising, that is all right. I can't hate a member for trying to get a little political prestige out of it. I like these fellows, even though they are Democrats. They may not be back with us at the next session. They have got a lot of electricity, they keep the chickens up at night, and they produce more eggs and break the market.

Mr. ACHTERMAN. Mr. Speaker, when I first learned about the case in Cumberland County I was in a quandary to understand why a public utility company had suddenly decided there was a profitable territory in Cumberland County that they had failed to service. As a matter of fact, every time I have learned of a utility company that had been approached to serve the farmers, they always maintained that there was no profit in serving the rural area, and this evening I have learned the explanation.

I presume that Mr. Turner in his midnight prowling has traversed various territories, has observed what the farmers are doing to their chickens, and has carried the story back to the utility companies. Then for the first time the utilities decided "Why, we certainly will not permit rural electrification because there is really a profit there." They are not going to stand for any territory being pre-empted unless they do the pre-empting.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Mr. MOUL and Mr. MORAN and were as follows:

YEAS 204

Achterman,	Foor,	Malloy,	Rosenfeld,
Allmond,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Hersch,	Nagel,	Trout,
Cohen, R. E.,	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Keenan,	Pettit,	Watkins,
DiGenova,	Kenehan,	Polaski,	Weingartner,
Dix,	Kline,	Polen,	Weiss,
Dolon,	Knoble,	Powers,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Duffy,	Komorofski,	Rank,	Wilkinson,
Early,	Krise,	Rausch,	Williams,
Eckels,	Lee, E. A.,	Readinger,	Winner,
Elder,	Lee, T. H.,	Reagan,	Wolf,
Elliott,	Leisey,	Reese, D. R.,	Wood, L. H.,
Ely,	Leonard,	Reese, R. E.,	Wood, N.,
Falkenstein,	Lesko,	Regan,	Woodring,
Finestone,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS 0

So the question was determined in the affirmative and the resolution was adopted.

HONORABLE MORTON WITKIN INTRODUCED TO HOUSE

The SPEAKER. The chair has a distinguished visitor. According to the Chairs' past experience it is going to be too dangerous to have him on the floor, so the Chair has invited him to the rostrum where he can keep his eye on him. If there is no objection I would like to introduce to the House the former Republican Floor Leader, Morton Witkin, of Philadelphia.

Mr. WITKIN. Mr. Speaker and Members of the House, after listening for a few moments I think I should add "And Members of the Rural League"

I want to thank you and the Speaker of the House for the honor and the privilege of just saying a word to you. It has been quite a few years since I spoke in this House of Representatives, but I want to say to those new Members and to many of the older Members of the House that the most pleasurable years of my political life were spent in the House of Representatives.

I do not care whether or not many of you are elevated to any public office, you will never forget and never have as good a time as you do in this House of Representatives. The friendships I have formed and the many fights and engagements I have been in were always mixed with a certain sense of humor, and good fellowship.

If I may presume for just a moment to lend what might be considered friendly advice, may I say to all of you that in these perilous times and in this dark age in which we are presently living there are many controversies that will come amongst you, but take my advice and always remember that as you leave the doors of this House, whether you be a Republican or whether you be a Democrat, there is no subject in the world that should be so great as to cause any personal ill feeling.

The greatest problem I find to-day is that all of us must be Americans first, last and forever. I want to close by saying that I hope that this House and the Senate

will adopt such legislation as will help our country, and may God give you all a proper sense of duty in order that all of us may perform that duty.

I cannot help but say to the Speaker of the House that I think it was very gracious of him to invite me to the rostrum and believe me when I tell you I was anxious to be invited, because it is one of the fondest memories I have ever had or ever shall have or ever hope to have, and that was being a member of this august and dignified body. I thank you.

The SPEAKER. The Chair thanks the County Commissioner from Philadelphia, Mr. Witkin.

BILLS RE-REFERRED

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 131, entitled:

An Act requiring the county treasurer to adjourn county treasurers' sales of seated and unseated lands for nonpayment of taxes in all counties except counties of the first class, and preserving the lien of all taxes on such lands.

The SPEAKER. This bill is re-referred to the Committee on Municipal Corporations.

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 155, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair requests the Members to sign all copies of bills and resolutions introduced. Copies have been coming to the desk that are not signed. Bills and resolutions should be signed plainly so that the signatures can be read by the Printer.

REPORT OF COMMITTEE TO INVESTIGATE SEWING PROJECTS

Mr. SHAW. Mr. Speaker, I wish to present the preliminary report of the Special Committee named under the House Resolution adopted January 7, 1941, to investigate the dispute on the sewing projects.

The report was read by the Clerk.

The SPEAKER. Copies of this report will be distributed to the membership tomorrow.

The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, February 18, at 9:30 a. m., in Room 329.

Education, Tuesday, February 18, at 10:30 a. m., in Room 326.

Federal Relations, Tuesday, February 18, at 12 noon in Room 327.

Judiciary General, Tuesday, February 18, at 10 a. m. in Room 246.

Judiciary Special, Tuesday, February 18, at 11:30 a. m. in Room 246.

Military Affairs, Tuesday, February 18, at 12:30 p. m. in Room 330.

Mines and Mining, Tuesday, February 18, at 2 p. m. in Senate Caucus Room.

Motor Vehicles, Tuesday, February 18, at 10:30 a. m. in Room 324.

Townships, Tuesday, February 18, at 11 a. m. in Room 329.

ADJOURNMENT

Mr. FLETCHER. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 18, 1941, at 1 p. m.

The motion was agreed to, and (at 10:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, FEBRUARY 18, 1941. No. 11.

SENATE

TUESDAY, February 18, 1941

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Standing today between the natal anniversaries of America's two greatest statesmen, Our Father, our pulses beat a little faster and our admiration is the deeper at the sound of their names—Washington and Lincoln. To stand upon the vantage ground of today causes us the better to see their true value and the clearer to discern their wondrous visions.

They were bulwarks of defense and towers of strength in times of national distress. They were humble and sincere in the conquest of life. Their humility and sincerity have been lifted to the ranks of the truly great. Their faith in God as an anchor of the soul in perplexing times actually sealed their universal esteem and gave them to the ages.

Let the great, the near great and the would-be great of our day, Oh Omnipotent Father, emulate their striking examples that our leaders may truly begin the trek back to Thee, the God of their fathers, and our people to follow in perfect accord. Then shall come to pass again the glorious days of yore in which men proclaimed: "The Lord is in His holy temple; let all the earth keep silence before Him" and "Great is the Lord and greatly to be praised."

Show us the way back to Thee, Oh God, even though it be humiliating, for in it only may we walk with peace and security without stumbling.

Justify the convention of this Senate this day and every day by the sincerity of our purpose to collaborate with Thee as we earnestly seek to be attuned to Thy infinite plan. In the name of our Master we humbly pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EALY, the further reading was dispensed with, and the Journal approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, on account of illness.

Mr. Crider asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

Mr. Walker asked and obtained leave of absence for the Senator from Allegheny, Mr. GELTZ, on account of the illness of his wife.

Mr. Shapiro asked and obtained leave of absence for the Senator from Luzerne, Dr. MUNDY, on account of a death in his family.

Mr. Mallery asked and obtained leave of absence for the Senator from Chester, Mr. SCARLETT, on account of illness.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, February 17, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 24, 1941 at 4:30 o'clock; p. m. and when the House of Representatives adjourns this week it reconvene on Monday evening, February 24, 1941, at 9 o'clock, p. m.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 262, (Senate Bill No. 202), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

Which was committed to the Committee on Appropriations.

House Bill No. 263, (Senate Bill No. 203), entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Which was committed to the Committee on Appropriations.

BILLS INTRODUCED

Mr. HEYBURN, by request, read in his place and presented to the Chair Senate Bill No. 204, entitled:

An Act to empower cities, counties, boroughs, incorporated towns and townships of the first class and of the second class to require the removal of advertising signs and the removal of used motor vehicles from areas designated as residential districts; authorizing the imposition of penalties and the employment of other appropriate remedies to compel such removal.

Which was committed to the Committee on Judiciary General.

Mr. THOMAS B. WILSON read in his place and presented to the Chair Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. THOMAS B. WILSON. Mr. President and members of the Senate, yesterday Senator Miller introduced an appropriation bill providing for an appropriation for research work relating to the coal industry.

That bill, Mr. President, is a very important bill and has the entire approval of the other mineral industries of Pennsylvania.

Mr. President, I am now introducing an appropriation bill to continue the research laboratory that has been at State College for a great many years, relating to the mineral industries. This is a general appropriation bill, partly containing an appropriation to the Trustees of State College and partly containing an appropriation that is to be matched by monies from the mineral industries. It does not in any way conflict, Mr. President, with the bill introduced by the gentleman from Luzerne; in fact that bill has our entire support. This bill, Mr. President, is for the purpose of continuing the very important research laboratory relating to the mineral industries of Pennsylvania that is now in existence at State College.

Mr. President, I invite the attention of the members of the Senate to both these bills, because they involve investigation of the mineral industries, which are exceedingly important to the State of Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 206, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing for the furnishing of statements to persons against whom claims are due for support, maintenance and assistance.

Mr. STEVENSON. Mr. President, this bill which I am about to introduce does not have the Kriss Kringle touch which has characterized legislation affecting public assistance. In fact, on the contrary, it is to provide the provender to build up the stamina with which jolly old Saint Nicholas' reindeer might be able to dash through the snowdrifts in the years to come.

Mr. President, under the present system of public assistance, if anyone wishes to make payment of money owed to Public Assistance, he must take the initiative himself. I do not believe any of us in business today would be in business very long if we depended upon our customers or debtors to come in voluntarily and make payments of their accounts. Under the present system, Mr. President, anybody who has the virtue and honesty to want to pay any of these accounts, meets with such obstacles that he is so discouraged that by the time he gets the statement, he has lost that virtue and honesty.

Mr. President, this bill provides that the Department of Public Assistance shall send out quarterly statements to all people whose cases have been closed. As we all know, a great many of our former recipients of relief have now become self-dependent, they are rehabilitating themselves through employment, and a great many of them wish to have their liens cleared off the docket, and I think that a lot of their children who have a certain expectancy also desire to contribute to see that these homes against which liens have been entered might come down to them free of encumbrances.

So, Mr. President, this bill is designed, as I say, for the Department of Public Assistance to send out these quarterly statements, and I believe this is a veritable El Dorado that will bring large sums of money back into the Commonwealth of Pennsylvania, if we give these people some encouragement to pay back this money and to let them know how much they owe and what will happen if they pay.

At the same time, Mr. President, I think we all should be concerned very greatly with the philosophy that is prevalent in this decade that the world owes every man a living regardless of his own efforts.

The last depression, Mr. President, left a large number of casualties and the morale of millions more of our people stood at the breaking point. If we are going to meet the depression of the tomorrow with the concepts we have today, the number of casualties will be double that of the depression of yesterday. We have to build that into the shock troops of the next depression, those tottering, teetering things such as self-dependency, self-respect, esteem and pride, and the fact that the meeting of one's obligations is still classed as a virtue—which is in a vulnerable state—and if we do not destroy or do something to counter the present concepts, I think that adding the number of casualties of tomorrow's depression with those of today, the burden is going to be unbearable and the consequences would be catastrophic.

Mr. President, I would like to present this bill, and urge that it be given very careful consideration, because I believe it is in the right direction and we must do something to counter this something for nothing policy and philosophy that exists in our America today.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Messrs. RUTH, HOMSHER, and EDMONDS read in their place and presented to the Chair Senate Bill No. 207, entitled:

An Act to further amend subsections (a) and (b) of section one thousand two hundred five of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the employment, suspension, and retirement of professional employes.

Which was committed to the Committee on Education.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 208, entitled:

An Act to amend sections 203. 204 and to further amend

section 205 of, and to add sections 205.1, 205.2, 205.3, 205.4, 205.5, 205.6, 205.7, 205.8, 205.9, 205.10 and 205.11, to the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the election of school directors in school districts of the second, third and fourth classes, by non-partisan ballots at special elections to be held in June of every odd numbered year.

Which was committed to the Committee on Education.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Warren will state his question of personal privilege.

WHAT'S WRONG WITH THE UNITED STATES

Mr. CHAPMAN. The National Defense Advisory Commission issues a weekly bulletin entitled "Defense." The lead article in the current number is a report by Sidney Hillman, member of the commission. No man on the commission has greater support of the President of the United States than Mr. Hillman.

In the bulletin Mr. Hillman says the time lost by strikes during 1940 was less than two hours per worker. It would be difficult to controvert him without the records. But with the country feverishly addressing itself to defense output why any strike loss at all?

According to a compilation made by the United Press, and published last week, defense orders are now delayed by strikes at ten large plants.

At the Allis Chalmers works 7,800 workers have been on strike since January 22. The Motor Wheel Corp. in Lansing, Michigan, engaged in a large order for airplane propellers, has 3,000 men idle.

At the Youngstown Sheet and Tube Co., producing steel for defense purposes, 800 workers are out. Three Bethlehem Steel mills at Lackawanna, N. Y., are shut down and two operating on reduced schedule by walkouts described as "spontaneous" and "unsponsored."

Strikes are in effect at the Foster Wheeler Corp. plants in Carteret, N. J., working on $15,000,000 worth of navy contracts. The firm failed to comply with contract terms. At the International Harvester plant in Chicago 5,800 workers have been out for thirteen weeks. These plants are working on $10,000,000 worth of defense orders.

At the Standard Tool Works at Cleveland, engaged on generators for submarines, 600 workers are idle. At Ridgeville, Pa., there is a strike of 400 workers in the vanadium plant because the company has hired six guards. At Dutch Harbor, Alaska, where the navy is building an air base, carpenters have just resumed work pending the decision of a conciliation board.

With the future of the United States hanging in the balance, this is a deplorable state of affairs. Its most terrifying implication is that the United States is without an adequate concept of the tremendous part she is called upon to play in this frightful world drama, and that our government has broken down. Nothing can do more than these strikes to prove the truth of what Hitler says, "that democracies are too weak to discharge their share of world government; that they must be liquidated and replaced by capable management."

However, these strikes are provocative of another inference. The people who call and participate in them are the ones who will suffer most if Hitler wins. The United States will have to pay tribute to him in one form or another. If our economy breaks down organized labor will break down. The American standard of living will be reduced to the European level. What has happened to labor in Europe will happen here—and all this may come well inside of a decade.

This is only the self-interest side of it. There is a still more sinister one. This country is practically in this war, and when any nation is at war it is the duty of every citizen to do his bit. National unity and loyalty demand it. To do otherwise is to contribute aid and comfort to the enemy. Decisive action by the government at Washington on this menace is overdue.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege, on the order of resolutions.

The PRESIDENT. The Senator from Fayette may proceed.

Mr. CAVALCANTE. Mr. President, some time ago there was presented to this body a resolution in which were charged some very serious offenses of misconduct to a member of the State Athletic Commission, and in that resolution there was particularly charged misconduct relative to a pugilistic event that I understand is now history, since last night.

Mr. President, since the charges lodged in that resolution were of such serious nature, and since the one event is now history, I think this Senate is entitled to have some information relative to the whole subject matter, and if it is not objectionable to the President or this Senate, I would like to interrogate the gentleman from Philadelphia, Mr. DiSilvestro.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. DiSilvestro, permit himself to be interrogated?

Mr. DiSILVESTRO. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, inasmuch as the gentleman from Philadelphia, Mr. DiSilvestro, was one of the co-sponsors of the resolution that I have referred to, will the gentleman from Philadelphia state whether he was in attendance at the pugilistic event last night in Philadelphia?

Mr. DiSILVESTRO. Mr. President, I was in Harrisburg last night.

Mr. CAVALCANTE. Mr. President, will the gentleman from Philadelphia state why he was not interested in attending the event that he had so charged with being unfair in his resolution?

Mr. DiSILVESTRO. Well, Mr. President, I could just skirt that question if I wanted to evade the question of my friend from Fayette, but being that I am not a sucker for pugilism as the newspapers put it one time, that is the reason I was not there.

Mr. CAVALCANTE. Mr. President, in other words, am I to infer from the statement of the gentleman from

Philadelphia that he considers all those who attended as pugilistic suckers?

Mr. President, I would now like to interrogate the gentleman from Philadelphia, Mr. Jaspan.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Jaspan, permit himself to be interrogated?

Mr. JASPAN. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Philadelphia state whether he attended the great pugilistic event last night.

Mr. JASPAN. I did, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Philadelphia state whether there were other members of the Senate present?

Mr. JASPAN. There were, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Philadelphia state whether he had free passes or whether he paid for his tickets.

Mr. JASPAN. Mr. President, I paid $23.40 in good hard earned money for four tickets.

Mr. CAVALCANTE. Mr. President, I wish to thank the gentleman from Philadelphia, Mr. Jaspan.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, with reference to the same resolution that my collegue from Fayette spoke on, introduced by my two colleagues from Philadelphia, Mr. Jaspan and Mr. DiSilvestro, I accepted an invitation last night to attend this Louis-Dorazio fight. I went to it and I might say it was not a pleasure.

Mr. President, I am sincere in the statement I am about to make. When my two colleagues introduced this resolution, I paid little attention to the contents of same. I thought they were talking out loud or thinking out loud but I am convinced they had inside information pertaining to this fight. The resolution speaks for itself. They told us in advance what would happen or what might have happened had the fight continued.

Mr. President, I think this body should pay some attention to that resolution. I think it is a disgrace to fool so many people, take their money to put on such a farce of a fight. In my opinion, Mr. President, and I sat close to the ringside, I am firmly convinced this man Dorazio took a perfect dive. I spent ten years in the ring myself, and when I speak of dives, I know what that means.

The PRESIDENT. I think the Senators would like the Senator from Cambria to explain what a dive is.

Mr. HALUSKA. Mr. President, I shall try to explain what happened last night, as to what a dive is, in pugilism, that is—a dive means in my opinion, if some one tells me in advance that at a certain time, on a certain day and at a certain hour I shall fall for a considerable sum, whatever it might be, we call that a dive in the ring.

Last night, Mr. President, as I witnessed this fight, when the world's heavyweight champion, Joe Louis raised his right arm, in the same moment this man, Dorazio, headed for the floor and they both met.

Mr. SHAPIRO. That was smart.

Mr. HALUSKA. I will say he was smart but I think we ought to pay more attention to this resolution.

Mr. President, I am fully aware of the fact that our Boxing Commission could not tell us who might win a fight, I am aware of the fact you could not match two men and the Commission have knowledge of who is going to win, but last night either one of two things happened, this man definitely sold out for a consideration or he was unfit to meet the champion for the world's heavyweight title.

Mr. President, if Philadelphia or this Commonwealth wishes to put on such fights as an exhibition, well and good. I see no harm in our Boxing Commissioner putting on exhibition fights, but in my opinion they had no right to call it a title fight, if they knew in advance there was not an equal chance or an equal match, so one of two things happened, either the Boxing Commissioners, the fighters or the promoters knew in advance at what stage of that fight the dive would take place, and I say it was a complete frameup, and we should investigate that fight and try to determine if possible who was responsible for such a farce of a fight.

QUESTION OF PERSONAL PRIVILEGE

Mr. BARR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny, will state his question of personal privilege.

Mr. BARR. Mr. President, I attended that fight last night, and I am convinced if any of the members of the Senate want to get a short-end bet when Joe Louis fights Billy Conn—bet on Billy Conn.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess until 12:00 o'clock, noon.

Mr. THOMAS I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 18, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 18, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wesley J. First, 612 Delaware Avenue, Erie, Erie County, for appointment as a Notary Public in the City of Erie, Erie County, for a term of four years to compute from the date of confirmation.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 18, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CAMBRIA COUNTY

Earl C. Wertz, East Conemaugh, February 23, 1941.

PHILADELPHIA COUNTY

Joseph F. Eckard, Phila., 734 South 2d St., February 23, 1941.

Edward H. Haws, Jr., Phila., 700 Commercial Trust Bldg., February 25, 1941.

WASHINGTON COUNTY

Robert Parkins, Roscoe, February 27, 1941.

ALLEGHENY COUNTY

Morris M. Freed, Pittsburgh, 1211 Plaza Bldg., March 2, 1941.

John R. Patterson, Swissvale, March 2, 1941.

MONTGOMERY COUNTY

J. Baird Caldwell, Narberth, March 2, 1941.

PHILADELPHIA COUNTY

Samuel P. Eckert, Phila., 2437 South 4th St., March 2, 1941.

C. H. Miltenberger, Phila., 801 South 21st St., March 2, 1941.

I. Gordon Peterson, Phila., Broad and Westmoreland Sts., March 2, 1941.

SCHUYLKILL COUNTY

Miss Anna M. Gottschall, Pottsville, March 2, 1941.

YORK COUNTY

Earl J. Gerber, Warrington Twp., Wellsville, March 2, 1941.

WESTMORELAND COUNTY

H. E. Dickey, Ligonier, March 4, 1941.

ALLEGHENY COUNTY

Miss J. M. McLain, Pittsburgh, 1732 Oliver Bldg., March 5, 1941.

BERKS COUNTY

Miss Anna M. Maxton, Reading, March 5, 1941.

BUTLER COUNTY

Miss Adellah McClimans, Butler, March 5, 1941.

CHESTER COUNTY

F. L. Wood, Coatesville, March 5, 1941.

LACKAWANNA COUNTY

Miss Teresa M. Cawley, Scranton, March 5, 1941.

LEHIGH COUNTY

Herbert W. Funk, Allentown, March 5, 1941.

LUZERNE COUNTY

Miss Mary M. Quinn, Wilkes-Barre, March 5, 1941.

ALLEGHENY COUNTY

Michael G. Masley, Homestead, March 6, 1941.

Walter E. Payne, Pittsburgh, 116 Beltzhoover Ave., March 6, 1941.

J. Meryl Silk, Pittsburgh, 3884 Perrysville Ave., N. S., March 6, 1941.

LAWRENCE COUNTY

Ralph A. Cooper, New Castle, March 6, 1941.

MERCER COUNTY

H. S. Williams, West Middlesex, March 6, 1941.

MONTGOMERY COUNTY

Miss Edna M. Breuninger, Jenkintown, March 6, 1941.

SCHUYLKILL COUNTY

Miss Helen P. Miller, Tremont, March 6, 1941.

ALLEGHENY COUNTY

Miss E. S. Brideson, Pittsburgh, 568 South Aiken Ave., March 7, 1941.

Mrs. Loretta G. Brueckner, Pittsburgh, 1610 Lowrie St., March 7, 1941.

DELAWARE COUNTY

Francis Lawler Upper Darby Twp., 7001 Pennsylvania Ave., Bywood, March 7, 1941.

LYCOMING COUNTY

Allan W. Scott, Williamsport, March 7, 1941.

PHILADELPHIA COUNTY

William S. Burkhart, Phila., 1649 North Broad St., March 7, 1941.

Jos. H. Simons, Phila., 3531 North 8th St., March 7, 1941.

ALLEGHENY COUNTY

Miss Dorothy L. Kunkle, Pittsburgh, 211 Michigan St., March 8, 1941.

WASHINGTON COUNTY

R. E. Plunkett, Houston, March 8, 1941.

WESTMORELAND COUNTY

Cecil T. W. Enlow, Youngwood, March 8, 1941.

ALLEGHENY COUNTY

G. L. Neel, Pittsburgh, 1926 Farmers Bank Bldg., March 9, 1941.

ELK COUNTY

Miss Wilda G. Irwin, Ridgway, March 9, 1941.

SCHUYLKILL COUNTY

Miss Kathryn Londergan, Pottsville, March 9, 1941.

WASHINGTON COUNTY

Mrs. Alice M. Smith, Charleroi, March 9, 1941.

ALLEGHENY COUNTY

Miss Bertha B. Prichard, Pittsburgh, 1321 Park Bldg., March 11, 1941.

Jno. P. McAndress, Pittsburgh, 1400 Keenan Bldg., 643 Liberty Ave., March 12, 1941.

Edward J. Ohl, Pittsburgh, 1551 West Liberty Ave., March 12, 1941.

Harry Bastow, Pittsburgh, 304 May Bldg., March 14, 1941.

BEAVER COUNTY

Mrs. Ruth Caplan, Ambridge, March 15, 1941.

WESTMORELAND COUNTY

Milton E. Uncapher, Jr., Vandergrift, March 15, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 18, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of fours years to compute from the date of confirmation:

ALLEGHENY COUNTY

H. C. Davies, Pittsburgh, 4400 Fifth Ave.

ARMSTRONG COUNTY

James Mahan Fye, Apollo.

CLARION COUNTY

Miss Naomi M. Baughman, Clarion.

DAUPHIN COUNTY

Raymond E. Messimer, Harrisburg.

DELAWARE COUNTY

Miss Mary Aruffo, Lower Chichester Twp., 222 Chichester Ave., Linwood.

FAYETTE COUNTY

Stephen K. Peary, Masontown.

NORTHAMPTON COUNTY

Stewart S. Bartholomew, Palmer Twp., Box 431, Easton.
Ammon E. Remel, Easton.

PHILADELPHIA COUNTY

Earl Simms, Phila., Montevista Apartments.

VENANGO COUNTY

Mrs. Elizabeth F. Kuhn, Emlenton.

WESTMORELAND COUNTY

Mrs. Alta L. Hanna, New Kensington.
Miss Margaret McCarty, New Kensington.

YORK COUNTY

C. E. Damuth, York.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Lanius,	Stevenson,
Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McCreesh,	Thomas,
Cavalcante,	Frey,	McGinnis,	Tyler,
Chapman,	Haluska,	McQuiddy,	Wade,
Coleman,	Heyburn,	Miller,	Walker,
Cox,	Homsher,	Reed,	Watkins,
Crider,	James,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Ziesenheim,
Dent,			

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 145, as follows:

An Act to amend further section fourteen of an act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws one hundred six) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and co-operation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by conferring additional powers on the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section fourteen of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws one hundred six) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and co-operation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the powers of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (Pamphlet Laws forty-three) and by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (Pamphlet Laws one hundred seventy-five) is hereby further amended to read as follows

Section 14 Relocation of Roads Streets and Bridges The Department of Highways and municipalities may enter into agreements with the board or Federal agencies with the approval of the board to relocate roads streets bridges and viaducts necessitated by the construction of any State or Federal flood control works and improvements and may agree therein to construct new roads streets bridges and viaducts and pay the cost of the same or any part thereof from the Motor License Fund or municipal moneys without any charge or only part of the cost charged against the moneys in the fund The board may consent in any such agreement to pay the whole or any part of the cost of constructing such relocated roads streets bridges and viaducts from the moneys in the fund. Such relo-

cated roads streets bridges and viaducts may be constructed by the Department of Highways or by contract let by said department or the municipality or by the board or by a Federal agency as may be agreed upon Relocation of State highways shall be made by plans properly approved as is required by law for the relocation of State highway routes and may be made without regard to terminal or intermediate points mentioned in the law establishing such routes The portions of State highway routes supplied by such relocations may be abandoned by the Secretary of Highways in the manner provided by law whereupon said abandoned portions of State highway routes shall revert to the authorities responsible for the maintenance of the public road or highway prior to its having been established as a State highway The Secretary of Highways may also at any time by and with the consent of the local authorities by written order declare the portion or portions of road or roads so abandoned to be vacated and closed to public use and travel and no longer a public road

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Lanius,	Stiefel,
Becker,	Ealy,	Letzler,	Tallman,
Carr,	Edmonds,	Mallery,	Thomas,
Cavalcante,	Farrell,	McCreesh,	Tyler,
Chapman,	Frey,	McGinnis,	Wade,
Coleman,	Haluska,	McQuiddy,	Walker,
Cox,	Heyburn,	Miller,	Watkins,
Crider,	Homsher,	Reed,	Wilson, H. I.,
Crowe,	James,	Ruth,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Ziesenheim,

NAYS—0

A constitutional majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON from the Committee on Appropriations reported as amended Senate Bill No. 202, (House Bill No. 262), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

He also from the Committee on Appropriations reported as committed, Senate Bill No. 203, (House Bill No. 263), entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

PETITIONS AND REMONSTRANCES

Mr. DENT. Mr. President, I have here some correspondence which I would like to have read for the information and approval of the Senate and then added to the Appendix of the Legislative Journal.

RESOLUTION OF ALLEGHENY VALLEY INDUSTRIAL COUNCIL OF NEW KENSINGTON, PA.

The Clerk read a resolution addressed to the Senate of Pennsylvania by the Allegheny Valley Industrial Council of New Kensington, Pa., condemning the recommendations of Secretary Hines and the Joint State Government Commission as an attack upon the legitimate rights of State employes and organized labor.

RESOLUTION OF LOCAL UNION 3257, U. M. W. A.

The Clerk read a resolution addressed to the members of the Senate by Local Union 3257, U. M. W. A. remonstrating against the Public Assistance Laws of the Commonwealth of Pennsylvania.

The PRESIDENT. The communications will be noted in the Journal.

RESOLUTION AUTHORIZING RECREATION OF JOINT LEGISLATIVE INDUSTRIAL TAX STUDY COMMITTEE

Mr. DENT. Mr. President, I present to the Chair a resolution urging re-creation by the General Assembly of Pennsylvania of the Joint Legislative Tax Study Committee, which was originally created in 1937, and, Mr. President, I ask that the resolution be read and then be laid upon the table.

Mr. DENT offered the following resolution which was twice read:

In the Senate, February 18, 1941.

Whereas, Pursuant to a Concurrent Resolution adopted by the Senate of the General Assembly of Pennsylvania on March 8, 1937, and concurred in by the House of Representatives on March 15, 1937, a Joint Legislative Committee was created to ascertain the tenability of then prevalent assertions pertaining to migratory trends of Pennsylvania's industries and to survey the industrial taxes of this Commonwealth; and

Whereas, Said Joint Legislative Committee, also known as the Industrial Tax Survey Committee, completed after two years of continuous and arduous work only one phase of its two-fold task, namely, the ascertainment of existence or non-existence of migratory industrial trends, but was prevented from undertaking the survey of Pennsylvania's industrial taxes because of the expiration of its term; and

Whereas, Both the Dent Report submitted by the Joint Legislative Committee to the General Assembly of Pennsylvania in March of 1939, and the Supplemental Report submitted on May 25, 1939, recommended the creation of a State Tax Commission conducive to a further study of our State Tax System and an eventual revision thereof; and

Whereas, Said recommendation about the creation of a State Tax Commission has not been heretofore carried by the General Assembly of Pennsylvania, thus leaving the archaic status quo in Pennsylvania's State taxation and the study thereof undisturbed and menacing; and

Whereas, The leading position of Pennsylvania among the States in the use of industrial taxes indicates the importance of these taxes to business and to the community, and clearly establish the urgent need for a scientific approach in the study thereof; and

Whereas, In the absence of any attempts to undertake a

thorough, exhaustive and scientific survey and study of Pennsylvania's industrial taxes, it would be to the advantage of our Commonwealth to recreate the Joint Legislative Industrial Survey Committee, in order to thus enable it to complete the second phase of its work, namely, to prepare a survey of the industrial taxes of Pennsylvania, possibly in the form of several monographs containing multifaceted studies of the origin of said taxes, their role in the revenue system of Pennsylvania as compared to other States and the Federal Government, the revenue potentialities thereof and future outlook therefor from view-points of bases of taxation, tax rates, incidence, equality or inequality of their distribution and above all, the possibility of their elimination, together with formulae aiming at the development of a tax system which will strive to attain the objective of obtaining maximum revenues with the minimum disturbance and costs to industry and the community; now be it

Resolved (if the House of Representatives concur), that the General Assembly of Pennsylvania recreate the Joint Legislative Industrial Tax Study Committee, in order that same may complete the above-stated second phase of its two-fold task heretofore assigned thereto; and be it further

Resolved, That the said Joint Legislative Industrial Tax Study Commission be and same is hereby authorized and empowered to apply the balance of the fund formerly appropriated thereto toward the completion of the survey and studies above mentioned.

On the question,

Will the Senate agree to lay the resolution on the table?

Mr. STIEFEL. Mr. President and members of the Senate, I know of no field that should be as free of political bias and suspicion as the field of taxation—a field in which the study of taxation the State of Pennsylvania has been not the best—and it is high time that a serious, scientific and exhaustive study should be undertaken and in the same way as is stated in the resolution, and since the work of the Dent Commission has been free of political bias and has rendered singular service to the Commonwealth of Pennsylvania, I desire to urge my colleagues to support this measure so as to enable us to complete the work.

The PRESIDENT. The gentleman from Westmoreland requested that the resolution be laid on the table after reading. Regular procedure would have been to refer the resolution to a committee, but if a motion is made naturally the Chair must entertain such motion.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, I understand unanimous consent is required in order that a resolution may be considered, and a motion to lay the resolution on the table would be a consideration of the resolution, and I object to the resolution being considered at this time.

The PRESIDENT. The point of order of the gentleman from Allegheny is well taken.

Mr. DENT. Mr. President, I do not want to argue the point but from my experience in parliamentary procedure a motion to lay on the table comes prior to any motion on any action whatsoever. However, we will not go into that point, as it will not do any good.

Mr. President, my suggestion to lay the resolution on the table, of course, was made after consulting with the majority leader of the Senate. If the resolution must be sent to committee that is perfectly all right, only I think it would be a waste of the state's money to print the resolution if it is going to committee, because it will probably rest in the pickling vat. I do not think it ought to be printed; let's save that money anyway for the people of Pennsylvania.

Mr. WALKER. Mr. President, may I advise the gentleman from Westmoreland it was not my desire in voicing my objection to have the resolution pickled. Mr. President, I would like to have the resolution printed and have a chance to study it. It is quite a lengthy resolution and if we lay it on the table we would not have an opportunity to study it, and it would be a sword hanging over our heads when we are out to lunch.

It is not our desire to pickle the resolution, Mr. President, but may I advise the gentleman from Westmoreland that it is our desire that we have a chance to study the resolution.

We are only interested, Mr. President, in good legislation and good government.

Mr. DENT. Mr. President, I appreciate the remarks of the gentleman from Allegheny, but if the same action is taken upon this resolution as was taken upon the resolution I introduced a week ago, when I was promised prompt action, I still say this resolution will be pickled.

Mr. WALKER. Mr. President, I do not want to engage in a pickling match with the gentleman from Westmoreland but may I suggest the resolution the gentleman from Westmoreland mentioned is reposing at the present time in the Committee on Judiciary General. Further, Mr. President, the gentleman from Westmoreland was advised when he introduced the resolution that I would personally go with him over to the department to help him get the matter straightened out, but I have not yet been invited to accompany him. The invitation I extended the hour the resolution was introduced, Mr. President, still holds good and I still will accompany the gentleman if he so desires.

MOTION TO PRINT RESOLUTION

Mr. WALKER. Mr. President, I move that the resolution just introduced by the Senator from Westmoreland be printed for the information of the Senate.

Mr. DENT. I second the motion.

The PRESIDENT. The resolution is referred to the Committee on State Government.

It has been moved by the gentelman from Allegheny and seconded by the gentleman from Westmoreland that the resolution be printed.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, is it not true that without this motion having been made the resolution would appear in the History of the Senate, as printed?

The PRESIDENT. The Chair so understands.

Mr. SHAPIRO. Mr. President, I should like to object to the motion because I think it will cost the State money to have the resolution printed. We would have a dupli-

cation and I do not think the motion serves any real purpose.

Mr. WALKER. Mr. President, I appreciate the desire of the gentleman from Philadelphia to conserve the state's finances. However, Mr. President, my motion was predicated on the thought there might be a large number of people interested in this resolution and we would like to get perhaps some independent thought. I might also say, Mr. President, I can not be mailing out Histories as my postage allowance does not permit me to do that. I can mail out a copy of the resolution much cheaper than I could a History. If the gentleman will have mercy on my postage allowance and permit the resolution to be printed I would rather put it on the taxpayers than on me. Thank you very much.

Mr. SHAPIRO. Mr. President, is that included in the budget?

On the question,

Will the Senate agree to having the resolution printed?

The PRESIDENT. The question is on motion of the Senator from Allegheny, Mr. Walker, seconded by the gentleman from Allegheny, Mr. Dent, that the resolution presented by the gentleman from Westmoreland be printed.

Mr. SHAPIRO. Mr. President, I object to the motion and ask for a roll call.

The yeas and nays were required by Mr. SHAPIRO and Mr. DENT and were as follows, viz:

YEAS 37

Bartlett,	Edmonds,	Letzler,	Stiefel,
Becker,	Farrell,	Mallery,	Tallman,
Carr,	Haluska,	McCreesh,	Thomas,
Coleman,	Heyburn,	McGinnis,	Tyler,
Cox,	Homsher,	McQuiddy,	Wade,
Crider,	James,	Miller,	Walker,
Crowe,	Jaspan,	Ruth,	Watkins,
Dent,	Kephart,	Snowden,	Wilson, H. I.,
Ealy,	Lanius,	Stevenson,	Wilson, T. B.,
			Ziesenheim,

NAYS 8

Barr,	Chapman,	DiSilvestro,	Reed,
Cavalcante,	Deitrick,	Frey,	Shapiro,

So the question was determined in the affirmative.

BILL INTRODUCED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 209, entitled:

An Act providing for the forfeiture and condemnation of vehicles used to store, possess or transport property, the possession or transportation of which is in violation of law.

Which was committed to the Committee on Judiciary General.

RECESS

Mr. EALY. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock, p. m.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT Pro Tempore, (CHARLES H. EALY).

The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 152, (Senate Bill No. 210), entitled:

An Act to amend section one of the act, approved the thirteenth day of May; one thousand nine hundred and twenty-seven (Pamphlet Laws nine hundred eighty-four) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES

Mr. FARRELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL from the Committee on Judiciary General reported as committed, Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER from the Committee on Judiciary General reported as committed, Senate Bill No. 86, entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court, providing such person is or shall become, during such term, financially able to pay for the same.

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES from the Committee on Judiciary General re-reported as amended, Senate Bill No. 38, entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to

the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS from the Committee on Judiciary General reported as committed, Senate Bill No. 58, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom," as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 349), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

He also from the Committee on Finance reported as committed, Senate Bill No. 201, entitled:

An Act to amend a certain appropriation item contained in section two of Act No. 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine, page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL from the Committee on Judiciary General reported as amended, Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales or transfers providing remedies for violations thereof, and establishing penalties therefor.

With the understanding that it be recommitted to the Committee on Judiciary General after second reading.

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART from the Committee on Judiciary General reported as committed, Senate Bill No. 172, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies.

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH from the Committee on Judiciary General reported as committed, Senate Bill No. 130, entitled:

An Act prohibiting judges of courts of record from engaging in political activity, except in furtherance of their own candidacy for the office of judge of any court of record; and imposing penalties.

BILL INTRODUCED

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE read in place and presented to the Chair Senate Bill No. 211, entitled:

An Act to decrease the expenses of the Commonwealth by providing that mercantile appraisers lists shall not be published in newspapers in any city or county of the Commonwealth; and repealing acts and parts of acts relating thereto.

Mr. CAVALCANTE. Mr. President, a day or so ago I stated to my colleagues that I was preparing a bill that would provide revenues for the purpose of erecting an auditorium at our Indiantown Gap Reservation, as well as some money to go toward the appropriation for the bill introduced by the gentleman from Luzerne, Mr. Miller, for research work at State College pertaining to mines, I think, and minerals.

Mr. President, I have now read in place and presented to the Chair a bill for that purpose.

May I say also, Mr. President, that I have obtained the exact figures of what it cost the taxpayers for these advertisements for the year 1940. The figures are these: $141,582.85, just for one year. In the biennium, it will amount to approximately three hundred thousand dollars.

Which was committed to the Committee on Judiciary General.

Mr. MILLER. Mr. President, I desire to interrogate the gentleman from Fayette.

The PRESIDENT PRO TEMPORE. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. With pleasure, Mr. President.

Mr. MILLER. Mr. President, I desire to ask the gentleman from Fayette if there is incorporated in that bill a stipulation to the effect that this money which he hopes to derive is to be spent for the erection of the auditorium at Indiantown Gap and for the continuance of the Bureau of Mineral Research at State College.

Mr. CAVALCANTE. Mr. President. it does not contain

that stipulation because it could not properly be put in there. That will be left up to the Governor to either approve or disapprove the appropriation when it gets there, and we will try our best to have attached thereto a memorandum to the Governor, privately, that we have provided the revenues without disturbing his budget figures.

Mr. JASPAN. Mr. President, it looks like a frame-up to me.

REPORT OF APPOINTMENT OF SUB-COMMITTEE OF COMMITTEE ON JUDICIARY GENERAL

Mr. WALKER. Mr. President, I desire to report at this time from the Committee on Judiciary General the action of that committee on the resolution introduced by the gentleman from Philadelphia, Senator Jaspan.

Mr. President, at the direction of the Committee on Judiciary General the resolution has been referred to a sub-committee to be appointed by the Chairman of the Committee on Judiciary General. For the information of the Senate the committee is composed of Senator Tallman, as Chairman, and Senators Farrell, Becker, Cavalcante and Reed.

MOTION TO READ BILLS THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FARRELL. Mr. Presiednt, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales or transfers providing remedies for violations thereof, and establishing penalties therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 58, entitled

An Act to further amend section nine of the Act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred sixty-three), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom," as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, three hundred forty-nine), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 86, entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 130, entitled:

An Act prohibiting judges of courts of record from engaging in political activity, except in furtherance of their own candidacy for the office of judge of any court of record; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand three hundred thirty-three), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 201, entitled:

An Act to amend a certain appropriation item contained in section two of Act No. 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine, page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 202, (House Bill No. 262), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 203, (House Bill No. 263), entitled:

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, February 19, 1941, at 10:00 o'clock, a. m.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:50 o'clock, p. m. until Wednesday, February 19, 1941, at 10:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 18, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Ever-living God, by whose mercy we have come to the gateway of another day; grant that we may enter it with humble and grateful hearts. Confirm our resolution, we beseech thee, to walk more closely in Thy way, and to labor more faithfully in Thy service, and as servants of the people may we see the needs of all men.

We thank thee for our state, its government, and its people. We pray Thee that it may continue to be a great industrial state in this material world of which we are a part. Also, Our God, cause us to see people in such a light that we become known to the world as a government where good will and fellowship mark the very fabric of its political structure.

Help us to be men among men, we pray in Thy name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. VAN ALLSBURG, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. MOONEY. HOUSE BILL No. 405.

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training, not exceeding one year.

Referred to the Committee on Public Health and Sanitation.

By Mr. HIRSCH. HOUSE BILL No. 406.

An Act providing that when judgment is recovered against any insurance company for money due and owing under the terms of a policy issued by such insurance company, an attorney's fee for the plaintiff shall be included in the costs of suit and paid in the same manner as other costs.

Referred to the Committee on Judiciary General.

By Mr. HIRSCH. HOUSE BILL No. 407.

An Act making an appropriation to the Department of Public Instruction for the purpose of purchasing and furnishing orthopedic and prosthetic appliances for children.

Referred to the Committee on Public Health and Sanitation.

By Mr. ROYER. HOUSE BILL No. 408.

An Act making an appropriation to the Department of Justice for the investigation and prevention of treasonable, seditious and subversive activities directed against the government of the United States or of this Commonwealth, or both, and for the prosecution of persons, associations or corporations engaged in such activities.

Referred to the Committee on Appropriations.

By Mr. FALKENSTEIN. HOUSE BILL No. 409.

Providing for and making lawful the establishment and operation of a Protective Investment Annuity Plan; creating a State Protective Investment Annuity Commission; authorizing and making lawful the sale of shares in such plan and the payment of annuities to persons selected therefor by the commission; and making appropriations.

Referred to the Committee on Insurance.

By Mr. VOORHEES. HOUSE BILL No. 410.

To enable counties that are contiguous and which together form a compact territory to be united in one consolidated county; providing for elections thereon and for the consequences of such consolidation; and imposing duties on certain State officers.

Referred to the Committee on Counties.

By Mr. CHUDOFF. HOUSE BILL No. 411.

To further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers

of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further regulating sale of such beverages for consumption on the premises.

Referred to the Committee on Liquor Control.

By Mr. CHUDOFF. HOUSE BILL No. 412.

Providing for the licensing and regulation of tourist homes, as defined herein, by the Department of Health and prescribing its powers and duties; fixing fees for such licenses; and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. CORDIER and KENEHAN. HOUSE BILL No. 413.

An Act prohibiting the employment by the Commonwealth or any political subdivision thereof, of persons whose philosophy proposes the change of the government of the United States by means not provided for in the Constitution of the United States; declaring inoperative any contract or civil service law or regulation providing for tenure in employment; and repealing inconsistent acts.

Referred to the Committee on State Government.

By Mr. CADWALADER. HOUSE BILL No. 414.

An Act regulating the employment and hours of employment of members of the police force in townships of the first class.

Referred to the Committee on Townships.

By Mr. CORRIGAN. HOUSE BILL No. 415.

An Act defining the duty of care of all bailors of property, chattels, goods, in the case of bailments for mutual benefit; defining the rights of such bailee in actions for the recovery of damages for loss, theft, or damage to such bailed property and further extending the amount of such damages that may be recovered.

Referred to the Committee on Judiciary General.

By Mr. POWERS. HOUSE BILL No. 416.

An Act creating licensing zones for the sale of liquor, malt and brewed beverages; regulating the hours thereof; and providing penalties.

Referred to the Committee on Liquor Control.

By Mr. POWERS. HOUSE BILL No. 417.

An Act providing that the Department of Highways shall pay to the various political subdivisions of the Commonwealth one-half the costs of maintaining the necessary traffic officers to direct and control traffic on through State highways located within their borders; authorizing the Secretary of Highways and the authorities of such political subdivisions to enter into agreements relative thereto; and making an appropriation out of the Motor License Fund.

Referred to the Committee on Highways.

By Mr. POWERS. HOUSE BILL No. 418.

Regulating the storage of abandoned or junked automobiles, and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. BRADLEY. HOUSE BILL No. 419.

Relating to foods; to provide for the public health and safety by licensing places where food is prepared for human consumption on the premises; providing regulations, restrictions and conditions under which food may be prepared and sold for consumption therein; providing for the administration of the act by the Department of Health; and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

By Mr. WINNER. HOUSE BILL No. 420.

To promote the general welfare and aid the afflicted by providing for the sexual sterilization of persons unfit for parent-hood by reason of mental deficiency; defining conditions under which sexual sterilization may be accomplished; and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. MARKS. HOUSE BILL No. 421.

To amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh, and eighth classes; and revising, amending and consolidating the laws thereto" by making mandatory the provision appropriating moneys to veterans' organizations for expenses of Memorial Day and Armistice Day.

Referred to the Committee on Counties.

By Mr. MARKS. HOUSE BILL No. 422.

Providing for the fixing of the salaries and compensation of officers, clerks, stenographers, (except court stenographers), and employes appointed by judges of the courts of this Commonwealth in counties of the fourth class where salary boards exist by law.

Referred to the Committee on Counties.

By Mr. MARKS. HOUSE BILL No. 423.

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the provision for the appointment of chiefs of police; and designating salaries.

Referred to the Committee on Cities Third Class.

By Mr. BOWER. HOUSE BILL No. 424.

An Act to further amend section six of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of cer-

tain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvements without a permit, and providing penalties therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purpose of this act," by imposing obligation on the Commonwealth of snow removal on request of city council.

Referred to the Committee on Highways.

By Mr. JAMES. HOUSE BILL No. 425.

An Act allowing mileage as a deduction in computing taxes on wages, salaries, income or occupations, imposed by any political subdivision with respect to persons residing outside its territorial limits; imposing liability on employers; and repealing laws and ordinances in so far as inconsistent.

Referred to the Committee on Cities First Class.

By Mr. WOLF. HOUSE BILL No. 426.

Making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

Referred to the Committee on Appropriations.

By Messrs. BONEY and MORAN.
HOUSE BILL No. 427.

To amend section seven of article four of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by imposing additional duties on mine owners.

Referred to the Committee on Mines and Mining.

By Mr. BRADLEY. HOUSE BILL No. 428.

To further amend subsection (a) of section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports; and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs or counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," distributing moneys in the Liquid Fuels Tax Fund to cities, boroughs, towns and townships instead of to counties.

Referred to the Committee on Ways and Means.

By Mr. ELWOOD B. WELSH. HOUSE BILL No. 429.

To add clause (i), (j) and (k) to section eight hundred and thirteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making all persons engaged in the inspection, maintenance and repair of motor vehicles to secure licenses from the Commonwealth; and imposing additional penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. LEVY and ELLWOOD B. WELSH.
HOUSE BILL No. 430.

An Act to further amend section 2 of the act approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, (Pamphlet Laws 408) entitled, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," as variously amended so to provide for the payment of the entire amount of said tax on premiums of foreign fire insurance companies to cities, boroughs and townships and for the use of said moneys; by providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the State Employes' Fund for certain purposes.

Referred to the Committee on Ways and Means.

By Messrs. MORAN and BONEY.
HOUSE BILL No. 431.

An Act to amend General Rule twenty-six of article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by imposing additional duties of safety on mine owners.

Referred to the Committee on Mines and Mining.

By Mr. HAINES. HOUSE BILL No. 432.

An Act to amend article three of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring resident hunter's license certificates and tags to bear thereon a number indicating the county of the licensee's residence.

Referred to the Committee on Game.

By Mr. TAYLOR. HOUSE BILL No. 433.

An Act requiring officers and employes of the Commonwealth and of political subdivisions and institution districts therein to take and subscribe an oath of allegiance to the

United States of America and the Commonwealth of Pennsylvania and providing penalties.

Referred to the Committee on State Government.

By Mr. WOLF. HOUSE BILL No. 434.

Making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

Referred to the Committee on Appropriations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 435.

Providing for the exempting of funds of beneficial organizations for the payment of sick and death benefits from seizure under attachment, garnishment or other legal or equitable process to pay debts, liabilities or taxes of such beneficial organizations where their constitutions and laws provide for creation and maintenance of, and revenues for, such funds for payments of sick and death benefits; and repealing inconsistent acts.

Referred to the Committee on Ways and Means.

By Mr. BONEY. HOUSE BILL No. 436.

Empowering certain aldermen and justices of the peace to perform the duties of certain other aldermen or justices of the peace absent from the conduct of their offices.

Referred to the Committee on Judiciary General.

By Mr. WOLF. HOUSE BILL No. 437.

Authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania, ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. MUIR. HOUSE BILL No. 438.

Making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon, through the Cornplanter Indian Reservation, in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. CADWALADER. HOUSE BILL No. 439.

Making an appropriation to the Valley Forge Park Commission for the purpose of constructing, erecting and dedicating at Valley Forge Park a suitable statue to the memory of George Washington.

Referred to the Committee on Appropriations.

By Mr. BRETH. HOUSE BILL No. 440.

To amend section one of the act, approved the ninth day of July, one thousand nine hundred thirty-five (Pamphlet Laws, six hundred thirty-nine), entitled "An act appropriating the moneys in the State Forests and Waters Fund," as amended, by providing for refunds.

Referred to the Committee on Appropriations.

By Mr. TARR. HOUSE BILL No. 441.

To amend clause (e) of section three hundred one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by providing for compensation for partial disability due to silicosis, anthracosilicosis or asbestosis.

Referred to the Committee on Workman's Compensation.

By Messrs. OWEN and CHERVENAK (By Request) HOUSE BILL No. 442.

To further amend section four hundred ten of the act, approved the twenty-ninth day of November; one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers, and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further defining the power of the board to revoke or suspend licenses, and imposing duties on court of quarter sessions.

Referred to the Committee on Liquor Control.

By Mr. CADWALADER. HOUSE BILL No. 443.

An Act authorizing the Valley Forge Park Commission to erect, construct and dedicate a suitable statue at Valley Forge Park to the memory of George Washington; making an appropriation to the Valley Forge Commission to enable them to erect and dedicate such a statue, said appropriation being contingent on an amount equal to said appropriation being raised by public subscription within this Commonwealth, and imposing duties on the Auditor General.

Referred to the Committee on Appropriations.

By Messrs. CHUDOFF and HEATHERINGTON. HOUSE BILL No. 444.

An Act authorizing the Department of Military Affairs, upon request, to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization, in the Commonwealth; and making an appropriation.

Referred to the Committee on Military Affairs.

By Mr. McKINNEY. HOUSE BILL No. 445.

An Act to amend section eight hundred thirty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by reconciling certain incon-

sistencies in said section as to the nature of the crime of cheating by fraudulent pretenses.

Referred to the Committee on Judiciary Special.

By Mr. CORDIER. HOUSE BILL No. 446.

An Act to repeal section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons, providing for the arrest and seizure and sale of the property of deserters; and providing procedure," eliminating the provision making the property of indigent persons liable for expenses incurred for support and assistance.

Referred to the Committee on Welfare.

By Mr. HAINES. HOUSE BILL No. 447.

To amend section one of the act, approved the eighth day of May, one thousand eight hundred and seventy-six (P. L. 136), entitled "A supplement to an act, approved the thirteenth of May, Anno Domini one thousand eight hundred and seventy four, fixing the pay of road commissioners, road and bridge viewers, and reviewers, and commissioners to run township lines and to divide boroughs into wards, and townships lines and surveyors, in this commonwealth," by increasing the compensation of chain carriers.

Referred to the Committee on Counties.

By Mr. CORDIER. HOUSE BILL No. 448.

To amend the first paragraph of section nine of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by redefining eligibility for assistance.

Referred to the Committee on Welfare.

By Mr. McGRATH. HOUSE BILL No. 449.

Abolishing the right of taxpayers, under contracts with townships of the first or second class, to open, make, amend and repair highways and bridges, in return for exemption from road tax.

Referred to the Committee on Townships.

By Mr. BENTZEL. HOUSE BILL No. 450.

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

Referred to the Committee on Cities—Third Class.

By Mr. BENTZEL. HOUSE BILL No. 451.

An Act to further amend section 15 of the act approved May sixteenth, one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled, "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing for the lien of taxes and municipal claims and for the revival of such liens and of judgments obtained thereon.

Referred to the Committee on Municipal Corporations.

By Mr. CHARLES H. BRUNNER. HOUSE BILL No. 452.

An Act to protect property by making criminal certain unlawful entries on, injuries to and interference with property, and attempts or conspiracies to do so; and providing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. AUKER and GEORGE E. JONES.
HOUSE BILL No. 453.

An Act providing for the establishment in certain teachers' colleges of courses of vocational training for persons desiring to become skilled workers and artisans in the various vocational trades; prescribing the powers and duties of the Superintendent of Public Instruction relative thereto; and making an appropriation.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 454.

For the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, incorporated towns and boroughs for road and street purposes; requiring such political subdivisions to reduce their tax rates; and conferring powers and imposing duties on the Department of Highways, and Treasury Department, and on cities, boroughs, incorporated towns and officers thereof.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 455.

Providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Referred to the Committee on Education.

By Mr. BRETHERICK. HOUSE BILL No. 456.

A Joint Resolution proposing an amendment to section four, article two, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. REUBEN E. COHEN and SKALE.

HOUSE BILL No. 457.

Limiting the time within which actions of assumpsit may be brought.

Referred to the Committee on Judiciary Special.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 458.

To further amend section seventeen of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by making optional the provisions requiring the sale of such properties by county commissioners.

Referred to the Committee on Municipal Corporations.

By Mr. WINNER. HOUSE BILL No. 459.

Making an appropriation out of the State School Fund, to the Treasury Department, for refunding Store and Theatre Taxes imposed and collected under the act approved the fifth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand six hundred fifty-six), and since declared unconstitutional by the Supreme Court.

Referred to the Committee on Appropriations.

By Mr. HOLLAND. HOUSE BILL No. 460.

Converting the State teachers' colleges and the Cheyney Training School for Teachers into advanced technical and trade schools to be known as "Pennsylvania State Trade School Defense Training Centers," to train men for defense work; providing for admissions to and regulation of such schools and alteration and equipment of buildings therefor; and conferring powers and imposing duties on certain state departments and agencies.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 461.

For the relief of the burden of local taxation; making an appropriation out of the Motor License Fund; providing for the allocation thereof to cities, incorporated towns, boroughs and townships for road and street purposes; requiring such political subdivisions to reduce their tax rates; and conferring powers and imposing duties on the Department of Highways and Treasury Department, and on cities, boroughs, incorporated towns and townships and officers thereof.

Referred to the Committee on Appropriations.

By Mr. HIRSCH. HOUSE BILL No. 462.

Providing for and regulating the state licensing and registration of nurses of several classes, the biennial recording of licenses, regulating nursing; imposing penalties; and repealing certain existing laws.

Referred to the Committee on Professional Licensure.

By Mr. MATTHEW J. WELSH. HOUSE BILL No. 463.

Making an appropriation to the Department of Military Affairs for the acquistion by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

Referred to the Committee on Appropriations.

By Mr. McFALL. HOUSE BILL No. 464.

To facilitate the collection of real estate taxes by all political subdivisions of the Commonwealth, by requiring all grantees, accepting delivery of deeds conveying interest in real estate situate in this Commonwealth to them, to record such deeds within thirty days after delivery thereof, and imposing penalties.

Referred to the Committee on Judiciary General.

By Mr. READINGER. HOUSE BILL No. 465.

To amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

Referred to the Committee on Cities—Third Class.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 79. (HOUSE BILL No. 466).

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. HEATHERINGTON and BAKER.

RESOLUTION No. 30.

In the House of Representatives, February 17, 1941.

Whereas, the acute housing shortage in Pennsylvania has been aggravated by the industrial expansion for defense work, and

Whereas, there is an immediate need for additional housing facilities near the steel mills of western Pennsylvania, the ship yards of eastern Pennsylvania and other sections of the Commonwealth where the defense program has reopened closed factories, and

Whereas, many Pennsylvania communities have appealed to federal agencies for defense housing funds, therefore

Be It Resolved that the House of Representatives petition John M. Carmody, Public Works Administrator, and Charles F. Palmer, Defense Housing Coordinator, to relieve the serious housing situation by allocating funds for the construction of defense housing projects to those communities which have requested them and that the chief clerk of the House be directed to transmit a copy of this resolution to the United States Senators and Representatives in Congress from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. HIRSCH and O'NEILL.

RESOLUTION No. 31.

In the House of Representatives, February 17, 1941.

Whereas, The last appropriation by Congres for the Works Progress Administration has caused the dismissal of many W. P. A. workers in Pennsylvania; and

Whereas, In counties comparable to Schuylkill County, the minimum monthly W. P. A. salary has been reduced from $60.50 to $44.40 by reason of such reduced appropriation; and

Whereas, It is recognized that $44.40 for a month's work is not sufficient to maintain a worker and his dependents; and

Whereas, The dismissal and reduction in salary of W. P. A. workers has and will injure business, lower purchasing power, promote insecurity and reduce living standards; therefore be it

Resolved, That this House does hereby memorialize Congress to increase the appropriation for the Works Progress Administration in order to prevent further dismissals of W. P. A. workers and to restore the minimum monthly wage to $60.50 in counties comparable to Schuylkill County, and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States and to the Chief Clerks of the Senate and House of Representatives of the United States.

Referred to the Committee on Rules.

COMMUNICATIONS

The SPEAKER laid before the House the following communication:

PUBLIC ASSISTANCE

A communication addressed to the Speaker from Tri-County Milk Marketing Committee, Johnstown, opposing any change in the Eckels Amendment of 1939 to the Public Assistance Law.

Referred to the Committee on Agriculture.

PERMISSION TO ADDRESS HOUSE

Mr. SHAW asked and obtained unanimous consent to address the House.

Mr. Speaker, in presenting the preliminary report of the select committee, I stated that mimeographed copies would be distributed to the members at todays's session. I would like the permission of the House to have the Page boys distribute them to the Members. I have the copies on my desk.

The SPEAKER. If there is no objection, the copies of the preliminary report will be distributed by the Page boys.

The reports were distributed.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 225, entitled:

An Act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 152, entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a conveyance release or sale may be made to or by two or more persons acting jointly and one or more but less than all of these persons acting either by himself or themselves or with other persons and a contract may be made between such parties

This section shall be construed as authorizing a conveyance of an interest in real property by either husband or wife to husband and wife as tenants by the entireties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constiution the yeas and nays were taken and were as follows, viz:

YEAS—157

Achterman,	Hall,	Melchiorre,	Shaffer,
Allmond,	Hamilton,	Mihm,	Shaw,
Baker,	Hare,	Modell,	Shepard,
Balthaser,	Harkins,	Monks,	Simons,
Baugher,	Harmuth,	Mooney,	Skale,
Bentley,	Heatherington,	Moran,	Snyder,
Bentzel,	Hering,	Moul,	Sollenberger,
Boles,	Herman,	Muir,	Sprg,
Boney,	Hersch,	Munley,	Stank,
Boorse,	Hirsch,	Nagel,	Stine,
Bower,	Holland,	Nunemacher,	Tarr,
Bradley,	Imbrie,	O'Brien,	Tate,
Breth,	Jefferson,	O'Connor,	Taylor,
Brunner, C. H.,	Jones, G. E.,	O'Dare,	Thompson, E. F.,
Brunner, P. A.,	Keenan,	O'Mullen,	Thompson, R. L.,
Burns,	Kenehan,	O'Neill,	Trout,
Burris,	Kline,	Owens,	Verona,
Cadwalader,	Knoble,	Petrosky,	Vincent,
Chervenak,	Lee, E. A.,	Pettit,	Vogt,
Chudoff,	Lee, T. H.,	Polaski,	Voldow,
Cochran,	Leisey,	Polen,	Voorhees,
Cohen, M. M.,	Leonard,	Powers,	Wagner,
Cohen, R. E.,	Lesko,	Prosen,	Watkins,
Cooper,	Levy,	Rausch,	Weingartner,
Cordier,	Leydic,	Readinger,	Weiss,
Croop,	Lichtenwalter,	Reagan,	Welsh, E. B.,
Dalrymple,	Longo,	Reese, R. E.,	Welsh, M. J.,
DiGenova,	Lovett,	Regan,	Wilkinson,
Dix,	Malloy,	Reynolds,	Williams,
Dolon,	Marks,	Rhea,	Winner,
D'Ortona,	Maxwell,	Rooney,	Wolf,
Early,	McClanaghan,	Rose, S.,	Wood, L. H.,
Finestone,	McDermott,	Rose, W. E.,	Wood, N.,
Fiss,	McDowell,	Rosenfeld,	Woodring,
Fleming,	McGrath,	Royer,	Wright,
Flynn,	McIntosh,	Rush,	Yeakel,
French,	McLanahan,	Sarge,	Yester,
Gerard,	McLane,	Sarraf,	Young,
Gryskewicz,	McMillen,	Scanlon,	Kilroy,
Haines,	McSurdy,	Schwab,	Speaker.

NAYS—0

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

CONDOLENCE RESOLUTION

Mr. HARE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read and adopted as follows:

In the House of Representatives, February 18, 1941.

Honorable Eugene C. Hostetler, Recorder of Deeds of Somerset County, died early Sunday evening at the Hazel McGilvery Hospital in Meyersdale, Somerset County, after an illness of several months.

Mr. Hostetler was born in Meyersdale fifty-eight years ago and spent his entire life in and about that locality. He was ever active in civic and religious affairs, and was well-known throughout the county. He possessed an unusually melodious baritone voice, which caused him to be much in demand, both to conduct and participate in various ceremonies, entertainments and meetings.

Mr. Hostetler was an engineer by profession, and graciously donated his very able services to his home community of Meyersdale on numerous occasions. Among other things, he surveyed the Meyersdale playground and the skating pond. In addition to his other activities in and about Meyersdale, Mr. Hostetler was head of the Meyersdale Bottling Works.

Mr. Hostetler was an active and loyal member of the Republican Party. In 1935 he ran for the office of County Commissioner of Somerset County, but was defeated by a narrow margin. In 1939 he became candidate for the office of Recorder of Deeds of Somerset County, and was elected. He assumed that office on January 6, 1940, and performed its duties faithfully and competently until the time of his last illness; therefore be it

Resolved, By the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, That in the death of the Honorable Eugene C. Hostetler, the County of Somerset has been deprived of the services of a conscientious and able public official, and the Borough of Meyersdale has lost an outstanding citizen and a staunch supporter; and be it further

Resolved, That the House extends its deepest sympathy to the family of the deceased who survive him, and instructs the Chief Clerk of the House to transmit a copy of this resolution to his widow, Mrs. Lulu Getty Hostetler.

RESOLUTION NO. 15

Mr. MOUL. Mr. Speaker, I desire to call up Resolution No. 15, Printer's No. 20.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 4, 1941.

Whereas, The mountains and hillsides of Pennsylvania feed the headwaters of important drainage areas of the Nation; and

Whereas, The wealth of topsoil has eroded from the hillsides of Pennsylvania with accelerated speed as the forest resources have been depleted and exploited and as the natural barriers of erosion have been broken by reckless and profligate methods of tillage and wasteage; and

Whereas, The Democratic Administration of George H. Earle enacted the Soil Conservation Districts Law of 1937 and created the Soil Conservation Board to cooperate with the Federal Government in a National program of conservation and erosion control; and

Whereas, The Democratic Administration of Franklin D. Roosevelt has provided funds to eventually control erosion on the hillsides of Pennsylvania and other headwaters states so that appropriations may be diminished for the dredging of harbours and waterways and the soil may be saved for future generations of farmers; and

Whereas, Said Federal funds have been accepted very generally by farmers of other headwaters states, while Pennsylvania has instituted only four soil conservation districts; and

Whereas, The inaptitude of the present administration has brought the General Assembly face to face with a major fiscal crisis with many funds raided and many appropriations hampered; therefore be it

Resolved, That the Speaker of the House appoint a committee of three from the House of Representatives to investigate into the operation and procedure of the Soil Conservation Board and the Extension Service of Pennsylvania State College so that the finding of said investigating committee may be made available to the House of Representatives before any appropriation is approved for said board and college.

On the question,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, last night we passed a resolution which expressed a purpose with which I think we were all in accord. I think in a sense that resolution was an insult to the intelligence of some of the people who are prepared to help, because I think that those people realize that the resolution was of absolutely no value to them, but inasmuch as it expressed the purpose with which we were all in general accord, at least as far as the resolves were concerned, the minority went along with that resolution. But this political resolution we now have before us stands in an entirely different category. We have before us a resolution with the same type political propaganda, about acts passed by President Roosevelt and Gov-

ernor Earle. The gentleman from Wayne, Mr. Dix, pointed out the fact that laws are passed by Congress and Legislatures and not by Presidents and Governors. However, passing over that and getting down to the meat of the resolution and passing over this entirely political propaganda that is being approached in the form of "whereases" and resolves, and they are irrelevant, the last "whereas" clause relates to the transfer of money we come down to the fact that the resolve itself is an attack upon a great educational institution of this Commonwealth, an attack upon all the graduates and students and the faculty of that institution, an attack which threatens this great educational institution with holding up their appropriation until a committee can go in and investigate something in connection with a program which is supposed to be carried on at Washington in connection with soil conservation.

I say, Mr. Speaker, we are interested in the welfare of the farmers but we are also interested in free education. We are interested in the fact that education institutions of the type of State College will not be harassed and threatened with the loss of their appropriations by an investigating committee of this Legislature. I think, Mr. Speaker, that the educational system of this Commonwealth, and these higher institutions of learning ought not be attacked in this manner, and for that reason, Mr. Speaker, I am asking the members of this House to vote against this resolution.

Mr. MOUL. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin, Mr. Woodside, permit himself to be interrogated.

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. MOUL. Mr. Speaker, will the gentleman please tell us where there is anything in this resolution that attacks anybody connected with State College.

Mr. WOODSIDE. Mr. Speaker, any effort to withhold an appropriation from an institution, or the suggestion that an appropriation of that institution should be withheld, is an attack upon that institution and this resolution as the gentleman well knows contains such a threat.

Mr. MOUL. Mr. Speaker, I do not think there is anything in this resolution that holds a threat over State College or anybody else. The resolution merely states that before an appropriation is made, an investigation shall be held. Since no appropriation of any kind has passed this House, that is, no appropriation to State College, or any appropriation of like manner, I do not think that there is anything wrong with attempting to see what has happened in the work that has been done, especially along the line of soil erosion control. We have definite knowledge that there has not been very good cooperation between certain individuals who we feel should be cooperating in the soil erosion program in Pennsylvania. We are not making a threat. We are simply asking that before we make an appropriation, we have an opportunity to find out why there has not been cooperation between State College extension service and those who are engaged in soil erosion control work.

I want to urge every member to vote for the resolution so that we may get first hand information, and can act wisely before we come to the question of making an appropriation to State College.

It might be possible that after the investigation is made, we might want to increase the appropriation to State College, if we find that they are cooperating or willing to cooperate.

Mr. WOODSIDE. Mr. Speaker, the last remark of the gentleman is rather amusing. I think a reading of the resolution will clearly indicate the insincerity of any thought that this investigation will be held for the purpose of finding out whether the appropriation to State College should be increased. The gentleman well knows that was put in the resolution with the sole purpose of holding a threat over State College and suggesting to them in no unmistakable terms that they are not going to get any appropriatin—and the word "any" is used in there—any appropriation until we see about their cooperating in this matter. It is not a matter of investigation in the approach to the question. The gentleman has already said we are going to find out why there has not been any cooperation, not whether there has been any cooperation, but why.

I say, Mr. Speaker, that this resolution is a dangerous precedent to hold over the educational institutions of this Commonwealth. I think this resolution should be defeated by this House.

Mr. REUBEN COHEN. Mr. Speaker, I think any inquiry into the failure, or the supposed failure, of State College or any other institution to cooperate with a program of the state or the federal government might be a proper subject for any group in this House to report back for the purpose of appropriating funds to carry out that purpose, and I think the resolution has touched upon something that perhaps may be a little more than an agricultural proposition. We may find out that they cannot go along on President Roosevelt's soil erosion program because they do not have enough facilities at State College, and we might find out why some of the lovely buildings at State College have not been used and that could be used and have not been used for the extension of this Soil Erosion work and research.

I think no one here has any doubt that State College is going to get a sufficient and adequate appropriation but I think we ought to know if State College will not go along with such a plan and program that we ought to be apprised of that fact. We might set up some other agency and give them a sufficient appropriation to give the farmers of Pennsylvania some help in educational methods and standards of soil erosion control which we all know they have never received and which have been accepted in other parts of the country, as so remarkably well handled in other parts of the country.

Mr. DIX. Mr. Speaker, I cannot understand why I did not get a copy of this resolution. I do not know whether there is any connivance between the Democratic Members of this House with the Page boys for failure to place this resolution on my desk. Last night I spoke in reference to rural electrification and I charged that that was a political resolution and not a practical resolution.

For some reason or other they saw fit not to put this resolution in my calendar. However I managed to borrow a copy and without consulting with representative Woodside or knowing what he was going to say I have come to exactly the same conclusion as far as this being a political resolution so far as State College is concerned. In fact I spoke to one of the Members near me and said "This direct attack upon State College. It is an effort

to withhold an appropriation unless an investigation is made."

In regard to Franklin D. Roosevelt and George H. Earle, it seems to me if the Democrats wish to worship Franklin Roosevelt and Governor Earle they should do so in private and not in public, in the Hall of this House.

POINT OF ORDER

Mr. TARR. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TARR. The gentleman is not speaking on the resolution.

The SPEAKER. The gentleman is speaking on the resolution. The point of order is not well taken. The gentleman will proceed.

Mr. DIX. Mr. Speaker, I believe the names of President Roosevelt and Governor Earle are mentioned in the resolution. Therefore they are proper subjects to discuss. Last night we heard about President Roosevelt and Governor Earle being such great wonderful soil conservationists and shedders of light, today they are tillers of the soil. I do not know what the resolution will be tomorrow. They may be digging anthracite or fishing or something of that sort. I object to hauling the names of the President and the former Governor into these resolutions every time one is presented. If I recall there needs to be some light shed on the Earle administration which the Republicans attempted to do to some extent. How about your gravel scandal? How about your Luzerne County payroll scandal? How about the Capitol Hill scandal?

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The Speaker. The gentleman will state his point of order.

Mr. ACHTERMAN. The gentleman is not now speaking on the resolution.

The SPEAKER. The point of order is well taken. The gentleman will proceed and confine his remarks to the resolution.

Mr. DIX. Mr. Speaker, as far as this resolution is concerned I believe the state is already cooperating in a much better manner in regard to this matter than the Federal Government is. Inasmuch as this resolution is merely a political one and is not for any purpose that is practical, I for one will refuse to vote for it.

Mr. MOUL. Mr. Speaker, I hoped we would be able to pass this resolution without going into too great detail. However, since the gentleman seems to insist that there is not any need for an investigation I believe it is my duty as the sponsor of this resolution to show the reason why there should be an investigation.

I have in my hands letters that came from some of the counties, written by constituents of Members on the other side of this House. Constitutents of their districts have written to me and have said there is need for an investigation and they hope something will be done about it. If the gentlemen on the other side of the House really want to know what has been said and if they want to take up the time of the House to hear the letters read that come from different sections of the State, I will be glad to read them into the record, then you will have first hand information and you can see for yourselves. There isn't any question but what there is a need for an investigation. There are four soil erosion control districts in Pennsylvania that are in full operation at the present time. They are located in the counties of York, Lancaster, Indiana and Clarion. They seem to think in the counties mentioned, namely York, Lancaster Indiana and Clarion that we need to do something at this time to see that the extension service at State College, being the one that controls this extension service, should be investigated to see why they have been unwilling to join with the local districts in helping to further the work of soil conservation in the districts now established, as well as in other districts where they would like to establish.

From Lancaster, for instance, I have this letter from the supervisors of the Lancaster soil conservation district.

The letter read as follows:

"The Supervisors of the Lancaster Soil Conservation District would like to bring to your attention the fact that since the autumn of 1938 when they were paid the expenses involved in the organization of their district, they have received no remuneration whatsoever for expenses involved in the conduct of District business.

"The Pennsylvania Districts Law specifically states, 'A supervisor shall receive no compensation for his services, but shall be entitled to expenses including travelling expenses necessarily incurred in the discharge of his duties.' The Supervisors of the Lancaster District are quite satisfied with this provision in the Districts Law and are not asking for compensation for their services but they do take this opportunity to point ut that they cannot give good service as a Board of Supervisors in administering District affairs unless they receive remuneration for expenses (mileage, meals), stationery, postage, and telephone. The Supervisors themselves have borne the abovementioned expenses during the past two years, and they do hereby request that this burden to District activity be removed.

'The Supervisors of the Lancaster District do believe furthermore that failure of the legislature to appropriate the rather small sum necessary to handle District expenses can be charged to the State Soil Conservation Board's toward soil conservation work.

"This Board of Supervisors would like to call your attention to Section 4, Article D, of the Pennsylvania Soil Conservation Act concerning the Duties and Powers of the State Board. This Board feels that the present State Board is not making any effort to carry out the provisions of this part of the Act which does most vitally concern the State Board.

Very truly yours,

Hartwell E. Roper,
Chairman."

I have lots of them here. They take up the general idea and I put it up to you gentlemen whether the men in Lancaster County want an investigation such as we are asking for here.

I have one here from Clarion County. I do not know the gentleman who wrote it but if you want to know whether there is any demand for such an investigation, I will be glad to read it. The letter reads as follows:

"We the Supervisors of the Clarion Soil Conservation District, feel that we should receive some compensation for our services; at least our expenses. You will find on page 12 in the Act No. 557 that it states: The Supervisors shall receive no compensation for his services, but he shall be entitled to expenses including traveling expenses necessarily incurred in the performance of his duty.

"To date, all the money we have received was for

our mileage incurred for the month of December, 1938.

"Since November, 1939, we have been called upon for regular monthly meetings and with the new procedure of group planning, we have been asked to travel over the county and help the District Technician's in conducting these meetings. This requires a lot of time and expense on our part. The reason that we are doing this is because we think it is a splendid project and would like to see as many farmers as possible in Clarion benefit by it.

"It has been our understanding in other districts in other states much smaller than Pennsylvania, that the Supervisor's receive pay for each meeting and with the taxes we all have to pay, we feel that the least the State Board could do is to pay us for our services. Then to, we are about the only agency that does not receive compensation for our services.

"In October, 1939, we wrote to Mr. W. S. Hagar, Deputy Secretary of Agriculture, asking about compensation for our services, and on October 19, 1939 we received a reply from him stating that he would refer our letter to the State Board at its next meeting. To date we have received no reply from the State Board.

"We are hoping that this letter will receive consideration.

Very truly yours,

Ray H. Shook, Chairman,
Clarion District Supervisors."

I would ask leave of the House to print all of these letters in the record so that the gentlemen can satisfy themselves that there is a demand throughout Pennsylvania for this investigation and that it is not confined to York County.

Mr. SPEAKER. The Chair would like to discuss that question with the gentleman after the debate. The letters which have been read will appear in the record.

Mr. HEWITT. Mr. Speaker, I am very deeply interested in this resolution inasmuch as I am President of the State College Alumni Association at this time. I am of the opinion that soil erosion is being handled properly in Indiana County and since Mr. Moul comes from York and has been mentioned, my own county I would like Mr. Moul to read the letter from Indiana County, and give the name of the man who signed it.

Mr. MOUL. Mr. Speaker, if the gentleman will allow me a few minutes to go back to the desk I will read the letter into the record. I find they sent a number of letters down here. That letter is missing. If you will grant me a few minutes, I will be glad to get it, and read the letter.

Mr. HEWITT. I do not care, Mr. Speaker, to take up any more of the time of the House, so I will not insist upon the gentleman reading the letter if he does not have it at his desk.

Mr. TURNER. Mr. Speaker, I do not want to delay the proceedings of the House, but it seems to me the gentleman from York should secure that letter and give us the benefit of the letter from Indiana, as requested by the gentleman from Indiana.

Mr. MOUL. Mr. Speaker, I have already sent for the letter if you want to wait.

Mr. TURNER. We have plenty of time. I was going to ask the Speaker to declare a recess for five minutes to give the gentleman from York a chance to get the letter.

The SPEAKER. If there is no objection, the resolution will be passed over for the moment.

PERMISSION TO ADDRESS HOUSE

Mr. STOCKHAM asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to speak for a moment to the preliminary report of the special committee named to investigate the sewing projects. This report was made to this House last night. It was impossible for me to attend last night's session or the committee's meeting yesterday, but I desire here and now to officially have my name affixed to this report.

I might further state that I want to commend to this House, as a minority member, the activities of this committee and particularly of its Chairman, a man who has said repeatedly that he is a Pennsylvanian before he is a Democrat. In all of our activities and all of our inquiries the work of that committee has been non-partisan as if there were no parties existing in this House, and I believe that this report is a very fair one.

I believe furthermore, Mr. Speaker, that the expressions and inquiries on the part of all Members of the House to federal officials were very direct and very pointed and without any equivocation, and they have in essence brought results. And then too, I would like to say that the Governor is showing his good faith by cooperating with this committee and its endeavor and its work by approving a new highway project which shall go to the credit of this Commonwealth as the set-up of this law of 1940, and that with this new project under way and duly accredited to this State, our contribution will go considerably over twenty-five percent, and by virtue of that the work of these women in sewing we will be assured without question. So, sir, I would have thus affixed my name thus verbally expressed to this report.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess for five minutes. The Chair hears none and declares a recess for five minutes.

AFTER RECESS

The SPEAKER. The time of recess having expired the House will be in order.

The SPEAKER (Elmer Kilroy) in the Chair.

The House resumed consideration of Resolution No. 15.

On the question recurring.

Will the House adopt the resolution?

Mr. MOUL. Mr. Speaker and fellow members of the House, I have quite a number of additional letters here. I checked over the list and find that the particular letter to which the gentleman refers is not in the file here on 'The Hill." Some of them are in my office in York and some are here. I will be glad to present all of these that we have here if the membership wants them, and in addition I will be glad to present the remainder of them when we get down to the question of soil erosion control. There is a bill now in Committee that will come out on the floor, and I will be glad to read all of them in the record if you want me to. It so happens that the one from Indiana to which the gentleman referred is not in my file at the present time.

Mr. Speaker, I would like to ask the membership of the House to vote for this resolution at the present time.

Mr. HEWITT. Mr. Speaker, I realize this is a matter on which the gentleman has received so much correspon-

dence that I accept Mr. Moul's apology in not being able to present this particular letter at the present time. I do, however, wish to make myself clear at the present time before the House, as a Penn Stater, having been connected with the schools for the last forty years, I would be the last man in this House to oppose any investigation of any activities of this school. However, I think the resolution is in poor taste when they bring in the appropriation in a resolution merely for an investigation. If they had asked for the investigation without affecting the appropriation I could have taken it with much better grace. I not only am a Penn Stater, but also my son, and I do not know any man in this House who ever went to this institution or had a son or a daughter attending it, or who has a friend attending it or is interested in agriculture who would vote for this resolution.

Mr. TURNER. Mr. Speaker, I have several objections to this resolution. I quite agree with the Members who have spoken that we are heartily in favor of any program that conserves and improves the soil of this state.

I spent some time last year down in the TVA, with the Chairman of the TVA Board, Mr. Morgan, and I learned a great deal about soil conservation and about the improvement of soil. If there is no cooperation on the part of State College in this program it is amazing to me, because upon my return from the South I spent one Sunday at State College with a group of men who had gathered together to discuss some problems pertaining to our river basin. As you all know, I am interested in the Delaware River basin and I am interested in conserving the water supply of that basin. I am interested in seeing that we get a uniform flow of water in that basin, and soil protection plays a great part in that program.

I found immediate response on the part of the men at State College. I found a great interest, and I know that they have carried on some experiments since that time along the lines that we discussed on that Sunday, but I see no reason for a Committee of the House to investigate this question. My own personal policy over a number of years has been that when I received letters—and during the last few years I have received great numbers from people over the State, complaining upon all kinds of questions, some of them having to do with the Commonwealth and many of them having to do with Federal questions. My policy usually is to sit down and write a letter to the person or institution or Department of the government complained of and ask them for information, and upon that I can usually base some idea as to whether the complaint is well founded, and I find in most cases it is not well founded.

In the second place, we have had a universal custom since I have been a member of this House, and especially since I have been a member of the Appropriations Committee, whether the Appropriations Committee was dominated by one party or the other, and that was to call in the different departments and go over their budgets and so forth. The problem here, as I see it, is not a question of cooperation as stated by Mr. Moul. The question is, that some of these people feel that they ought to get traveling expenses and haven't received them. Now, that may be the fault of this Legislature in its appropriations or may be somebody else's fault that that matter is not taken care of, and if Mr. Moul's soul is bleeding for these people in the different parts of the State whose pocketbooks were affected by traveling around on this soil erosion matter, he could easily have referred the matter to the Chairman of the Appropriations Committee, the gentleman from Monroe, Mr. Achterman.

When the State Highway authorities came here with their new budget, this whole matter could have been gone into; this request could have been taken up, and at that time it could have been determined whether appropriation questions were involved. As the gentleman from Philadelphia said, if appropriation matters were involved, then that matter could have been tackled. I believe with my friend from Wayne, Mr. Dix, that the purpose of the resolution is not to secure particularly further funds for soil erosion, nor to secure cooperation, nor to advance the program, but is a political move to force upon somebody at State College the ideas and policies of the gentleman from York.

Even though I feel that it would be a useless expenditure of money and a waste of time to have a committee appointed to go out and make the investigation when we already have the Appropriations Committee that can properly, in the course of its work, investigate this question, I do object most strenuously to this resolution and I shall not vote for it, although I am interested in this soil conservation question.

If the gentleman from York were to eliminate from his resolution by taking out the words, "before any appropriation is approved for said Board and College" then his resolution, even though I would have the objection that it could be done by the Appropriations Committee, still I think that I would go along with the resolution notwithstanding its obnoxious "whereas" clauses.

Oftentimes, it is the little things that start a precedent. Oftentimes, in adopting a course which for the time seems the expeditious course, we start on a course of action which later gets us into difficulty. I am strenuously opposed to any attempt to coerce the institutions of higher learning in this state by threats to withold their appropriations. There is such a dangerous precedent in that, there is so much danger to our free institutions, that I think every Member of this House should stand as one of the sentinels to prevent any such precedent that may lead to the coercion of these institutions to adopt any policy which we may determine.

I have seen educational institutions of higher learning in other states set up a course that ends in political turmoil, and destroys the value of the freedom that we seek for them. I frequently do not like some of the things that occur in the institutions; I may not like some of their policies, but I think rather than for me to try to bind them to the policies and the way that I think they should go, it is far better that I keep silent for the benefit of the people of this Commonwealth, in order that we may protect this democracy of ours and our institutions.

MOTION TO RECOMMIT

Mr. TURNER. Mr. Speaker, I move that this resolution, in view of the fact that there are questions of policy, and there seems to be some question in the mind of the gentleman from York as to coöperation on the soil erosion program, be recommitted to the Committee on Agriculture for the purpose of amendment.

On the question,

Will the House agree to the motion?

Mr. MOUL. Mr. Speaker, on the motion of the gentleman from Delaware, Mr. Turner, I want to urge the Mem-

bers of the House to vote "no," and Mr. Speaker, I ask for a roll call.

Mr. ACHTERMAN. Mr. Speaker, I have listened rather carefully to the remarks of the gentleman from Delaware, Mr. Turner, and I assume the reasons for his remarks are based mostly upon the fact that involved in the resolution is the proviso that no appropriations are to be approved to the Board and College until the completion of this investigation, and that apparently without that in the resolution he would not have made the present motion.

It strikes me, Mr. Speaker, that the thought of the gentleman from Delaware is not sound. Apparently moneys have been appropriated in the past to the college. It is quite apparent that many letters, much correspondence, has come to the gentleman from York, Mr. Moul, complaining of a lack of cooperation and coordination between the Soil Conservation Boards of their counties and State College.

All that Mr. Moul apparently is seeking is to have the House say, "We do not intend to appropriate any money until we learn what you have done in the past." Certainly that is a duty that is imposed upon this House; and any motion to delay this investigation by recommitting, any effort to prevent this House from intelligently appropriating money, would be far afield from the duty of this House, and therefore the motion to delay now should be defeated.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. MOUL and Mr. MELCHIORRE and were as follows:

YEAS—72

Auker,	Foor,	Lee, T. H.,	Sorg,
Boorse,	Gates,	Leisey,	Stambaugh,
Bower,	Gillan,	Leydic,	Stockham,
Bretherick,	Gross,	McClester,	Taylor,
Brunner, C. H.,	Gyger,	McDowell,	Thompson, R. L.,
Cadwalader,	Haines,	McMillen,	Trout,
Cooper,	Hall,	McSurdy,	Turner,
Cordier,	Hare,	Muir,	Van Allsburg,
Dalrymple,	Helm,	Rank,	Voorhees,
Dennison,	Hewitt,	Reese, David P.,	Wagner,
Dix,	Huntley,	Rhea,	Watkins,
Eckels,	Imbrie,	Riley,	Weingartner,
Elder,	James,	Rose, W. E.,	Wilkinson,
Ely,	Jones, G. E.,	Royer,	Winner,
Fisher,	Kline,	Sarge,	Wood, N.,
Fiss,	Knoble,	Simons,	Woodside,
Fleming,	Krise,	Snyder,	Yeakel,
Fletcher,	Lee, E. A.,	Sollenberger,	

NAYS—123

Achterman,	Flynn,	McClanaghan,	Regan,
Allmond,	French,	McDermott,	Reynolds,
Baker,	Gallagher,	McFall,	Rooney,
Balthaser,	Gerard,	McGrath,	Rose, S.,
Baugher,	Goodwin,	McIntosh,	Rosenfeld,
Bentley,	Greenwood,	McLanahan,	Rush,
Bentzel,	Gryskewicz,	McLane,	Sarraf,
Boies,	Haberlen,	Melchiorre,	Scanlon,
Boney,	Hamilton,	Mihm,	Schwab,
Bradley,	Harkins,	Modell,	Shaffer,
Breth,	Harmuth,	Monks,	Shaw,
Brown,	Harris,	Mooney,	Shepard,
Brunner, P. A.,	Heatherington,	Moran,	Skale,
Burns,	Hering,	Moul,	Stank,
Burris,	Herman,	Munley,	Stine,
Chervenak,	Hersch,	Nagel,	Tarr,
Chudoff,	Hirsch,	Nunemacher,	Tate,
Cochran,	Holland,	O'Brien,	Thompson, E. F.,
Cohen, M. M.,	Jefferson,	O'Connor,	Verona,
Cohen, R. E.,	Jones, P. N.,	O'Mullen,	Vincent,
Corrigan,	Keenan,	O'Neill,	Vogt,
Croop,	Kenehan,	Owens,	Voldow,
Cullen,	Kolankiewicz,	Petrosky,	Weiss,
DiGenova,	Komorofski,	Pettit,	Welsh, E. B.,
Dolon,	Leonard,	Polaski,	Welsh, M. J.,
D'Ortona,	Levy,	Polen,	Williams,
Duffy,	Longo,	Powers,	Wolf,
Early,	Lovett,	Prosen,	Woodring,
Elliott,	Malloy,	Rausch,	Wright,
Falkenstein,	Marks,	Readinger,	Yester,
Finestone,	Maxwell,	Reese, R. E.,	Young,
			Kilroy, Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House adopt the resolution?

Mr. WOODSIDE. Mr. Speaker, I desire to offer an amendment.

The amendment was read by the Clerk as follows:

Amend page 2, line 7, by striking out the words "before any appropriation is approved for" and all of line 8.

On the question,

Will the House agree to the amendment?

Mr. ACHTERMAN. Mr. Speaker, in my prior remarks I pointed out to the members of the House why I believed the phrase "before any appropriation is approved for said board and college" is both essential and necessary in this resolution. It makes contingent the appropriation in relation to the investigation. We do want to know for what we are appropriating money, and secondly, we want to know whether it finally finds itself in the place where it is intended to be spent. I cannot conceive of any House that would be perfectly willing to proceed to make appropriations when there have been laid before the House charges of lack of cooperation and coordination with Federal agencies.

I cannot conceive of any House that would not desire to have that information before it proceeded to appropriate to any agency, funds to carry on in a manner that has caused disturbance and that will result in an investigation.

I, therefore, say to the Members of this House that the present motion to amend should be defeated for the purpose of preserving to this House the freedom of action that is essential and necessary.

Mr. BROWN. Mr. Speaker, I regret to find myself in disagreement with the majority floor leader, and I hope the Members will vote to allow this amendment to go into this resolution. This is setting a dangerous precedent. As I understand this "resolved" in this resolution, a committee of three Members of this House can if they wish delay their report as long as they desire. I am not interested in the political controversy; I am only interested in the precedent, and it does seem to me a rather Hitlerized proposition—three Members of this House are given that authority. Now, they may exercise that authority very properly, and they may do it very quickly, but we do not pass laws presuming that people will always act on them in good faith. We pass them for the protection of those who may suffer if they do not act rightly. As I understand the resolution it absolutely binds this House to await the report of a committee of three before an appropriation may be made to a great state institution of this Commonwealth.

If there were a charge that the entire appropriation to State College were connected with this matter, I would say it may be possible to do this, but as I understand it, and I am not familiar with soil erosion, that is only one of the many, many projects carried on at State College. This holds up the appropriation to the Department of

Forests, to the Engineering School and to the Graduate School and to all the departments of State College.

I regret to be in disagrement with our floor leader and perhaps with the majority of the Members, but I am going to vote for this amendment; I think it is fair.

Let me warn you Members of this House that the time has not yet arrived, and I hope it will never arrive, when we can exercise our authority as a threat. That is not the purpose of the legislature; I hope that it will not be the purpose of the legislature in the future.

I repeat, Mr. Speaker, I am not willing to give the power to three Members of this House on a matter which concerns only one of the subjects of a great State College such as we have, to make the threat of holding up their appropriation indefinitely. There is no time set here for the report to come to this House; they may if they see fit hold it out until the end of the session. Isn't that a precedent which would go down in the future as most dangerous and most arbitrary and capricious? I say this amendment should go into this resolution, and I urge and ask all the Members of the House to vote for this amendment.

Mr. ACHTERMAN. Mr. Speaker, in reply to the gentleman from Allegheny may I say that I desire to cure just one of the things that he says has not been alleged on the floor of the House. I have been informed that there was an appropriation made to State College in the sum of ten thousand dollars, and that little if any of that money has been used, but instead has been returned to the general fund. Now, was there a reason why that money was not spent? If there was, let us know the reason. Was it a capricious reason? Was it a political reason? Was it a desire not to cooperate in carrying out one of the functions in this state, or do we want to go ahead driving on as we did once before to make an appropriation with no intention on their part to use it.

Certainly, we have some control over our money; certainly we have some right to know what they need and where they are going to spend it; certainly we have a right to know what they did with the money received from the former legislature, the former session. Certainly, it is our right, and certainly it is the best thing to do; certainly this House has no intention nor any desire to use that power to threaten any official at State College, but we do intend to see that the officials at State College do perform their work and that they cooperate in deeded functions of government; that the soil of this state is important to us, and that State College is one of our colleges intended to function for the benefit of the State and that it shall play a part in functioning with the federal government.

Certainly it is the only method by which we can arrive at an equitable decision, holding up everything pending this investigation. Certainly if the committee appointed by the Speaker fails to move expeditously or to report within a reasonable time, we still have control over that committee and we can very easily see that the report is filed and see that either the report is adopted or the committee discharged, and that the House proceed with its business. I am saying, Mr. Speaker, that all the fault found here today is not found for the purpose of a real opposition, but is found solely of delaying the investigation that they do not desire and that, unless I am greatly mistaken is an investigation that they fear.

Mr. WOODSIDE. Mr. Speaker and members of the House, I am indeed surprised to hear the remarks of the gentleman from Monroe. He is Chairman of the Committee on Appropriations, and I think he has been extremely unfair to the members of his committee by abdicating his responsibility as Chairman and the responsibility of the committee itself to determine questions concerning appropriations. If it is a question of cooperation, all right, appoint a committee and investigate the question of cooperation. If it is a matter of an appropriation, it is a matter for his committee, and by his abdication of his job and the job of his committee, he is unfair to the members of his committee and he is unfair to the members of this House.

Mr. Speaker, when it is a question of the appropriations that should be made, whether they are to State College or wherever they are made, or what they are for, it is the responsibility of the Appropriations Committee and not any special committee appointed by this House of two or three of its members to determine that question, and I say the amendment is not made for the purpose of delay because we have pointed out before that it is these objectionable features of the resolution that we want to remove from it.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. Mr. Speaker, I shall.

Mr. BROWN. Did I understand the gentleman to say that it was his opinion that the sum of ten thousand dollars was appropriated for this question of soil erosion?

Mr. ACHTERMAN. So I have been advised, Mr. Speaker.

Mr. BROWN. Thank you, Mr. Majority Floor Leader.

Mr. Speaker, I should like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York, Mr. Moul, permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, may I ask the gentleman from York, Mr. Moul, if it is a fact that the amount of the appropriation made to State College for soil erosion was ten thousand dollars?

Mr. MOUL. Mr. Speaker, it is correct. In the 1937 session of the Legislature the sum of ten thousand dollars was appropriated for use by the "said state board" to take care of soil erosion control work, that is, to take care of the work for the state of Pennsylvania, and that board is controlled by State College. I might add in answer to that question still further, that the ten thousand dollars that was appropriated, after the administration changed, the greater portion of that sum was not used for erosion control, but was returned to the general fund, and that is the reason why all these people are up in arms. The act itself specifically said when we passed it here that it was to be used for that work, for that purpose. I cannot understand why the gentlemen of the House here would object to an investigation that would try to show why the gentlemen who were supposed to enforce that act, that being State College, if that is the body to do so, did not do so. If the gentlemen seem to feel that the body we are hitting is State College then they must take the responsibility. I cannot see why they should object to our trying to find out why those gentlemen violated the trust that we gave them. We certainly told them that we wanted them to use that money

for soil erosion control work in Pennsylvania, and I cannot see why we as a Legislature do not have a right to find out why they violated the trust that we put in them.

Mr. BROWN. Mr. Speaker, may I ask the gentleman from York, Mr. Moul, another question? Would the gentleman from York have any objection to amending his resolution by substituting "before any appropriation for soil erosion is approved by this House."

Mr. MOUL. No, Mr. Speaker. I am informed that there are some conditions that exist that are similar in other fields, and I think that while we are investigating one field we might as well take in the whole show. We might just as easily investigate the whole program as one small portion of it.

Mr. BROWN. Mr. Speaker, am I correct? I do not gather exactly what the gentleman is answering. Do I understand that the gentleman does object to his resolution confining itself to the appropriation for soil erosion? Does the gentleman object?

Mr. MOUL. I do, Mr. Speaker, because it also takes in the question of the whole extension service and if you limit it to soil erosion control you do not take in the whole of the extension service.

Mr. BROWN. Then, Mr. Speaker, how far would the gentleman have to investigate to find out? I mean how far would he have to investigate the whole curriculum, the whole of the administrative functions of State College before he can locate soil erosion?

Mr. MOUL. Mr. Speaker, we propose under the resolution to investigate all individuals who have anything to do with soil erosion control work and the extension service, and we intend to go as far as necessary to carry out the mandate of this House if the resolution is passed.

Mr. BROWN. Mr. Speaker, in the answer of the gentleman from York, Mr. Moul, lies the dangerous precedent in this type of resolution. It does seem to me that soil erosion is such a thing that could be catalogued without going out into the whole of the curriculum of State College. I am not a graduate of State College, but I do say that a resolution that does not confine itself to the problems to be investigated puts the power in the hands of three men, and I understood quite well, even before he made his remark, that we could discharge the committee, but these three men could go ahead and go to a great institution like State College, and just roaming around is a dangerous precedent to be allowed to go into this resolution.

Mr. ACHTERMAN. Mr. Speaker, I desire to take just a few moments for the purpose of answering the remarks of the gentleman from Dauphin, Mr. Woodside. I quite frankly feel that I am not surrending any of the powers of my committee when I say that I am perfectly willing to hold in abeyance any appropriation measure to permit a reasonable study by this House, through a committee designated by it, to determine whether or not there has been cooperation and coordination between the federal government and one of our state agencies.

The question to be answered finally as to the amount of the appropriations will be determined by the Appropriations Committee, not by the committee that has been designated or that will be designated by the Chair to make the investigation. I am equally confident that any committee named by the Chair will proceed with the study of the subject before it, and will make its report in ample time. If it fails to do so, and I find that their failure to make the report is in any manner detracting from the work of the Appropriations Committee I will be the first one to come before this House and ask for the committee's discharge.

Mr. TURNER. Mr. Speaker, and members of the House, I hesitate to arise to say anything further in extending the remarks of the gentleman from Allegheny, Mr. Brown, who I think has so clearly and so well stated the whole proposition.

I would like, however, to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York, Mr. Moul, permit himself to be interrogated.

Mr. MOUL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, did I understand the gentleman from York, Mr. Moul, to say that the appropriation of ten thousand dollars was to the Board.

Mr. MOUL. That is correct, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I should like to ask, is the appropriation to State College or to the Board.

Mr. MOUL. Mr. Speaker, the apropriation is made to the Board. I presume the gentleman from Delaware was talking on soil erosion. There are two things covered in the resolution, soil erosion control and the question the gentleman is asking me now refers to the Soil Erosion Control Board. Ten thousand dollars was appropriated to the Soil Erosion Control Board, and the Soil Erosion Control Board is managed by the Agricultural Department of State College, and indirectly managed by the extension service.

Mr. TURNER. Mr. Speaker, I think the gentleman from York is somewhat mistaken in his statements. Under the act the Board shall consist of the Secretary of Forests and Waters, the Secretary of Highways, Director of State College Experimental Station, Chief Engineer of the Water and Power Resources Board, and the Secretary of Agriculture ex officio.

Now, Mr. Speaker, I have no objections to any resolution to investigate this Board. I do believe, however, as stated by the gentleman from Dauphin, Mr. Woodside, that the responsibility in reference to the appropriation primarily rests with the Appropriations Committee of this House. It has a contingent fund with which it employes assistants. It has been the custom of that Committee, whether it has been controlled by one party or the other, to have its men, who are accountants or bookkeepers or statisticians or whatever you want to call them, go out and investigate hospitals, homes and all kinds of institutions. Therefore, if we would merely approach the one question, which the gentleman from York seems to stress, that ten thousand dollars was appropriated and has not been spent, we want to know if we should appropriate another ten thousand dollars, which is within the proper sphere of the Appropriations Committee. It has the money with which to make this investigation and it is the proper agency to make such investigation.

Mr. Speaker, we find now that the real purpose has now come out. While the gentleman from York has talked about soil conservation, while he has talked about the necessity of different groups cooperating in soil conservation, he now tells us that he wants to investigate the whole thing, and that is an investigation of State College. That returns to the very principle which I first enunciated, and the principle upon which the gentleman from Allegheny, Mr. Brown, has made his objection here

During the session of 1939 when I was Speaker of the House a group came to me wanting to investigate a certain University in Pennsylvania. I objected to that and protested, and I opposed it and fought it, and I am opposed to this on the same grounds. If this were an honest and sincere effort to find out whether we should appropriate ten thousand dollars, then there would be no question about putting such a resolution before this house. There would be no opportunity to set such a dangerous precedent as is set by this resolution, but if the intent here is to go in and find out whether State College is cooperating with all the plans and programs of the Federal Government which some Members of this House feel State College should undertake, then I say you are setting a precedent that may lead into other fields of investigation, and where, as the gentleman from Allegheny, Mr. Brown, has said, we may use our power in the future to force our ideas and our policies upon the educational institutions of this State, and no matter how good may be the purpose of the resolution that comes before this House, if it entails the opportunity to stick our noses into the affairs of our state educational institutions and to govern their appropriations in the future if they do not abide by the wishes and policies and the ideas of this House on some particular subject, then I say to you I am opposed to that, because it constitutes a danger to free education in this State, which I think every Member of this House can see without having it explained to him.

Mr. LOVETT. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny County permit himself to be interrogated.

Mr. BROWN. Mr. Speaker, I shall.

Mr. LOVETT. Mr. Speaker, I would like to know if the gentleman from Allegheny was on the investigating committee of the University of Pittsburgh.

Mr. BROWN. Mr. Speaker, I was.

Mr. LOVETT. Does the gentleman feel that we should have had that investigation.

Mr. BROWN. Mr. Speaker I believe we should have had it.

Mr. LOVETT. Does the gentleman feel that the committee at that particular time in its findings in the investigation and in its reports made to this House was fair and honest?

Mr. BROWN. I believe it was, Mr. Speaker.

Mr. LOVETT. That is all, Mr. Speaker.

Mr. BROWN. Mr. Speaker and members of the House I tried to answer categorically the questions propounded to me by the gentleman from Westmoreland. I should like him to recall that the investigation of the University of Pittsburgh set up very definite standards and did not carry provision that we were to report and that unless we made a report the appropriation would be withheld. The resolution also had us inquire about two or three very definite subjects and those subjects we inquired into. I believe if this resolution said, as did the resolution of the University of Pittsburgh, academic freedom and academic tenure, or if this resolution purported to say in definite terms, that they were inquiring only into the question of soil erosion and the facts pertaining thereto, I would agree to it.

Mr. LOVETT. Mr. Speaker, since I have been a Member of this House I have always considered Mr. Brown and his opinions very carefully. In other words I have been guided by his opinions on matters of law. Today I think we all are very much disturbed about something concerning which I do not think we should be so much disturbed. Mr. Brown has stated that he does not feel that power should be given to a committee of this House. I feel that investigation committees of this House have always been fair.

Do you recall this morning when one of the Republican Members got up and commended on the fairness of the committee on the Sewing Project? I feel that we as Members of the Legislature are sent here by the people to represent the people of the State, and our first qualification should be honesty, and I do not think we should be one bit alarmed in giving to any committee of this House the right to investigate any organization or any institution of this state.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. TURNER and Mr. WOODSIDE and were as follows:

YEAS—80

Auker,	Gates,	Leisey,	Simons,
Boorse,	Gillan,	Leydic,	Snyder,
Bower,	Gillette,	Lichtenwalter,	Sollenberger,
Bretherick,	Greenwood,	Lyons,	Sorg,
Brown,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Haines,	McKinney,	Taylor,
Cooper,	Hall,	McMillen,	Thompson, R. L.,
Cordier,	Hare,	McSurdy,	Turner,
Dalrymple,	Helm,	Muir,	Van Allsburg,
Dennison,	Hewitt,	O'Connor,	Voorhees,
Dix,	Huntley,	O'Dare,	Wagner,
Eckels,	Imbrie,	Rank,	Watkins,
Elder,	James,	Reagan,	Weingartner,
Ely,	Jones, G. E.,	Reese, David P.,	Wilkinson,
Fisher,	Kline,	Rhea,	Winner,
Fiss,	Knoble,	Riley,	Wood, L. H.,
Fleming,	Krise,	Rose, W. E.,	Wood, N.,
Fletcher,	Lee, E. A.,	Royer,	Woodside,
Foor,	Lee, T. H.,	Sarge,	Yeakel,

NAYS—118

Achterman,	Flynn,	McDermott,	Rooney,
Allmond,	French,	McFall,	Rose, S.,
Baker,	Gallagher,	McIntosh,	Rosenfeld,
Balthaser,	Gerard,	McLanahan,	Rush,
Baugher,	Goodwin,	McLane,	Sarraf,
Bentley,	Gryskewicz,	Melchiorre,	Scanlon,
Bentzel,	Haberlen,	Mihm,	Schwab,
Boies,	Hamilton,	Modell,	Shaffer,
Boney,	Harmuth,	Monks,	Shepard,
Bradley,	Harris,	Mooney,	Skale,
Breth,	Heatherington,	Moran,	Stank,
Brunner, P. A.,	Hering,	Moul,	Stine,
Burns,	Herman,	Munley,	Tarr,
Burris,	Hersch,	Nagel,	Tate,
Chervenak,	Hirsch,	Nunemacher,	Thompson, E. F.,
Chudoff,	Holland,	O'Brien,	Verona,
Cochran,	Jefferson,	O'Mullen,	Vincent,
Cohen, M. M.,	Keenan,	Owens,	Vogt,
Cohen, R. E.,	Kenehan,	Petrosky,	Voldow,
Corrigan,	Kolankiewicz,	Pettit,	Weiss,
Croop,	Komorofski,	Polaski,	Welsh, E. B.
Cullen,	Leonard,	Polen,	Welsh, M. J.
DiGenova,	Lesko,	Powers,	Williams,
Dolon,	Levy,	Prosen,	Wolf,
D'Ortona,	Longo,	Rausch,	Woodring,
Duffy,	Lovett,	Readinger,	Wright,
Early,	Malloy,	Reese, R. E.,	Yester,
Elliott,	Marks,	Regan,	Young,
Falkenstein,	Maxwell,	Reynolds,	Kilroy,
Finestone,	McClanaghan,		Speaker

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER declares the nays appeared to have it.

Whereupon, a division was called for, one hundred eighteen Members voting in the affirmative and eighty in the negative the question was determined in the affirmative, and the resolution was adopted.

REPORTS FROM COMMITTEES

Mr. READINGER, from the Committee on Judiciary General, reported as committed, House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

Mr. BOORSE, from the Committee on Military Affairs, reported as Committed, House Bill No. 402, entitled:

Providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

Mr. WILLIAMS, from the Committee on Motor Vehicles, reported as committed, House Bill No. 366, entitled:

To add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Mr. KOT ANKIEWICZ, from the Committee on Military Affairs, reported as committed, House Bill No. 202, entitled:

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

Mr. BRETHERICK, from the Committee on Judiciary General, reported as committed, House Bill No. 374, entitled:

An Act to add clause (e) to section four of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "An act defining the term 'fiduciary'; prescribing the nature and kind of investments which may be made by such fiduciaries; validating certain investments heretofore made by such fiduciaries; and repealing acts and parts of acts inconsistent herewith," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 51, entitled:

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

Mr. ELLIOTT, from the Committee on Townships, reported as committed, House Bill No. 183, entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

Mr. FRENCH, from the Committee on Agriculture reported as committed House Resolution No. 26.

Mr. SCHWAB, from the Committee on Military Affairs reported as amended House Resolution No. 19.

Mr. MELCHIORRE, from the Committee on Rules, reported as amended House Resolution No. 25.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, February 18, after the session in Room 329.

Dairy Industries, Wednesday, February 19, at 11 a. m. in Room 329.

Municipal Corporations, Tuesday, February 18, after the session, in Room 323.

Welfare, Tuesday, February 18, after the session in Room 246.

ADJOURNMENT

Mr. RHEA. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 19, 1941, at 12 o'clock noon.

The motion was agreed to, and (at 3:31 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, FEBRUARY 19, 1941. No. 12.

SENATE

WEDNESDAY, February 19, 1941.

The Senate met at 10:00 o'clock, a. m.

The PRESIDENT. (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Our Heavenly Father, we know prayer is just speaking with Thee as simply as we speak with our friends so that we may have the exchange of ideas, the knowledge of plans and the assurance of friendship. Customarily in the morning hours we accost each other with a friendly—"Good Morning."

So do we say—"Good Morning" to Thee, our very best friend and as we do, we remember the words of Holy Writ—"This is the day the Lord hath made, we will be glad and rejoice in it."

We know Thou hast made this day for we are unable so to do. We would be glad in this day for health, strength and the proper use of our faculties. We would rejoice because of the privilege which is ours of serving Thee for one more day, for our tenure on life is extremely uncertain and the certainty of death is ever before us.

We commend unto Thy Fatherly care all those of our number who are passing through sorrow and the anxious moments of grief occasioned by illness. May Thy presence be in their hearts.

That we would know Thy ideals this day and become acquainted with Thy plans and be assured of the bonds of true friendship is the content of our prayers this morning as we pray in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER and Mr. TALLMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD, on account of illness.

Mr. Walker asked and obtained leave of absence for the Senator from Allegheny, Mr. GELTZ, on account of sickness in his family.

Mr. Shapiro asked and obtained leave of absence for the Senator from Luzerne, Dr. MUNDY, on account of illness.

Mr. Wade asked and obtained leave of absence for the Senator from Dauphin, Mr. TAYLOR.

Mr. Crider asked and obtained leve of absence for the Senator from Lebanon, Mr. BECKER.

Mr. McGinnis asked and obtained leave of absence for the Senator from Allegheny, Mr. BARR.

Mr. Mallery asked and obtained leave of absence for the Senator from Chester, Mr. SCARLETT.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, as a result of yesterday's meeting of the Welfare Committee I feel that I should make a statement for the purpose of the record summarizing the information received and my conclusions from that information.

Mr. President, I think the figures will speak for themselves and can not be denied; my conclusions may be termed somewhat political and I am willing to accept that, but as to the conclusions based on the figures, I think the members of this Senate will agree if those figures are correct, and I understand they are, there can be no question about the inferences.

From a hearing before the Committee on Welfare, Public Assistance and Pensions and the information furnished by Mr. Russell, Secretary of the Department of Public Assistance, the following facts must be conceded:

(1) That in the last three months of the year 1938 and in January, 1939, the following expenditures for all forms of relief in Pennsylvania were made:

Month	Total	By the State	From Federal Funds
October, 1938	$25,476,183	$8,201,938	$17,274,785
November, 1938	25,832,611	8,016,507	17,816,104
December, 1938	25,469,765	8,667,976	16,801,799
January, 1939	24,673,664	9,007,037	15,666,627

(2) There should be added to the State's expenditures the following sums for administration expenses:

October, 1938	$885,693	8.3%
November, 1938	919,034	8.7%
December, 1938	896,594	7.8%
January, 1939	932,547	8.1%

(3) Obviously, at this time, in spite of the fact that relief expenditures including administration were well over $9,000,000 per month, or $216,000,000 for the biennium, the Governor appropriated only $121,000,000 for the years 1939 to 1941.

(4) In October, November and December, 1939, and Jan-

uary, February, March and April, 1940, the expenditures for the same purpose were as follows:

Month	Total	By the State	From Federal Funds
October, 1939	$18,404,774	$9,604,008	$ 8,800,766
November, ...	17,703,074	8,645,546	9,057,528
December, ...	16,991,174	8,302,975	8,688,199
January, 1940	17,850,754	8,211,440	9,639,314
February, ...	16,641,114	8,100,833	8,540,281
March, ...	17,895,189	8,469,825	9,425,364
April, ...	18,254,677	8,035,988	10,218,689

(5) The foregoing expenditures by the State do not include the costs of administration, and they were as follows:

October, 1939	$1,011,653	8.3%
November,	994,515	8.9%
December,	998,277	9.2%
January, 1940	1,008,397	9.1%
February,	901,070	8.3%
March,	951,017	8.3%
April,	941,910	8.6%

(6) In spite of the fact that the total expenses of the State aggregated over $10,715,000 in October, 1939, and even in April, 1940, they amounted to $8,976,000, or approximately $9,000,000, in the special session called for the purpose of making additional provision for relief because of the wholly inadequate appropriation in the general session of 1939, $71,000,000 was appropriated for twelve months, where according to these figures at least $100,000,000 should have been appropriated.

(7) Although the special session was called to provide relief for twelve months and the members of the Legislature who attended the special session were told that relief was being provided for the twelve months period ending May 31, 1941, the Secretary of Public Assistance at the request of the Governor had changed his estimates of what it would require to carry relief to that period to an estimate of how much it would take to carry relief until the Legislature met again in its regular session in 1941.

In other words, at the time the $71,000,000 was appropriated in the special session for relief, the Governor knew that it would only last until the present session began, and it was only intended to provide for the situation until the Legislature met in its regular session in 1941.

(8) In October, 1940, the Secretary of the Department of Public Assistance furnished the Governor with an estimate of the amount required for relief to carry the load until the end of this biennium. The figure was $21,000,000. Yet in his budget message the Governor recommends the appropriation of but $14,500,000 for the balance of this biennium for relief.

(9) The total amounts expended for relief in Pennsylvania for the months of October, November and December, 1940, were as follows:

Month	Total	By the State	From Federal Funds
October, 1940	$17,558,415	$6,843,257	$10,715,158
November,	15,705,788	6,450,234	9,255,554
December,	16,372,000	6,263,031	10,109,000

(10) To the expenditures by the State for these three months should be added administration costs, which were as follows:

October, 1940	$823,341	8.5%
November,	799,342	8.6%
December,	813,201	8.8%

I submit:

(1) That the Governor of Pennsylvania, since his inauguration has not dealt with this item in his budget in an open and frank manner. Relief has been made a stepchild of the administration and has been treated, not as an obligation representing an important governmental function, but as a burden reluctantly assumed.

With this approach it was inevitable that the amount appropriated for relief bore no relationship to the necessities of the period, nor the experience of the Department of Public Assistance. His budgets were made up on the basis of providing first for only those functions which the Governor deemed essential and which apparently could not be avoided and then what was left was appropriated for relief. If the figures already shown are not sufficient to establish that fact, the action of the Governor in the 1939-41 session is proof positive. In his budget he suggested an appropriation of $129,000,000 for relief. This sum was subsequently reduced to $120,900,000 because that was all that was left after other functions were provided for.

During the last months of his tenure of office, Mr. Russell's predecessor, Dr. De Schweinitz, was subjected to the most vicious attack upon his administration expenses. In fact in the appropriation bills passed during the De Schweinitz administration, expenditures for administration were limited and fixed at 8% or less on a graduated scale in the bills appropriating the relief moneys. The Governor has continually reiterated the statement that the expenses of administration in all Departments of this Commonwealth under his leadership have been cut to the bone. Obviously this is not true, at least with respect to this Department.

Examine the records of the Department of Public Assistance. We find that in the year 1938 administration expenses of the Department of Public Assistance under De Schweinitz were as low as 7.4% (in January) and was 7.8% in December, and in only two months did it reach 8%. In January, 1939, beginning with the James Administration, the administration expenses were 8.1%, were as low as 7.1% in August and September, 1939, and finally reached 9.2% in December, 1939. In 1940 the high point for administration expenses was reached in the month of January—9.1%; and for the months of October, November and December, 1940, were 8.5%, 8.6% and 8.8%, respectively.

More important than anything else that was developed before the Welfare Committee hearing, are these facts admitted to be substantially correct by Mr. Russell, the Secretary of the Department of Public Assistance. First the relief burden has been shifted in some measure by changes in the law, and in other cases by Department interpretations, from the general relief rolls to old age pensions and mothers assistance, with the result that whereas in March, 1939, the State contributed 91.2% of the total general assistance fund and the Federal governmnt contributed 8.8% toward the total general assistance fund expended in Pennsylvania, in December, 1940, the State contributed but 79.2% and the Federal government 20.8% of the total general assistance expenditures in Pennsylvania.

The effect of this was not only to increase the proportion of the burden of the Federal government, but it brings the relief expenditures in Pennsylvania to a point where there is what may be called an irreducible minimum of expenditures. Obviously the expenditures for old age assistance, mothers' assistance and pensions for the blind will not decrease but, if anpthing, will be increased above the present expenditures as the result of shifting the load from general relief to these special assistance funds for the purpose of acquiring Federal contributions.

It was admitted by Mr. Russell that the monthly expenditures by the State for old age assistance, mothers' assistance and pensions for the blind will amount to at least $2,600,000 from now on, and that of the present cases on the general relief rolls, approximately a little over one third or a little under a third must be classed as unemployable, and that the amount expended for this class of cases will be constant and amount to $1,700,000 per month from now on. That means that we have a fixed, irreducible minimum of $4,300,000 per month from now on, certainly for the next biennium.

On the basis of the Governor's recommendations of $5,000,000 per month (made in the face of present expenditures totalling $7,250,000 per month) there will be left but $700,000 per month to provide relief for the remaining unemployed now on the direct relief assistance rolls of the Commonwealth. There are 100,000 cases falling in this classification, according to Mr. Russell.

Mr. Russell contended, however, that these cases would be reduced very quickly to 75,000, and probably to 60,000 Taking the minimum amount of 60,000 cases on a basis of an average of $30 per month it wil be necessary to expend $1,800,000 for this group for the next twenty-four months, for which there will be only $700,000 left; taking 75,000 it will be necessary to expend $2,250,000 per month. That means that the estimate of the Governor is from $1,100,000 to $1,550,000 per month less than the actual expenditures will be even if reduced to the irreducible minimum.

On the basis of a shortage of $1,100,000 per month the budget estimate is $26,400,000 short for the biennium; on the basis of a shortage of $1,550,000 per month, the budget estimate is $37,200,000 short for the biennium.

These figures warrant the assertion that relief expenditures for the next biennium will be anywhere from $146,400,000 to $157,200,000.

It should be noted, however, that this is taking the most optimistic view and estimating on the basis that the reductions prophesied by Mr. Russell will occur in the first month of the next budget period and not exceed that estimate in any month thereafter. Obviously this is flying in the face of facts and experience. If the obligation of the government is to be recognized and faced courageously, additional sums must be allowed to take care of the peak months which will undoubtedly occur, as experience has shown, during the next twenty-four months, and an additional sum of $500,000 per month, or $12,000,000 for the next biennium should be added to make adequate provision.

It is my conclusion, therefore, on the basis of the irreducible minimum of $4,300,000 per month for old age assistance, mothers' assistance, pensions for the blind, and unemployables, plus an average of $2,300,000 per month for unemployed, or a total of $6,600,000 per month should be provided. This would mean budgeting $158,400,000 for relief.

Of this I am convinced—that it is idle to talk of economies in government which result in the elimination of essential governmental functions. Such an attitude compels the inquiry, "What price economy?" No government can long exist, nor can any democracy continue unless essential governmental functions are fully provided for. To my mind these essential functions are the welfare; the health; the education of the citizens; and the feeding, the clothing and housing of those citizens willing to work but unable to find it through no fault of their own or physically incapacitated from performing it.

It is idle and ineffective to attempt to avoid responsibility by charging others with the failure to do their share. But it is not fair to make the charge if there is no basis for it. When the Governor said in his message on February 4, 1941, I quote: "The burden of unemployment, which is the combined totals of persons supported by W.P.A. and general assistance today is less than half what is was a year ago. . . ." That statement absolutely disregards the figures furnished by the Department of Public Assistance. On page seven of the preprint of apprendix tables to the Pennsylvania Public Assistance Statistics prepared by the Bureau of Research and Statistics of the Department of Public Assistance the figures show that:

Month	Total	By the State	From Federal Funds
January, 1940	$17,850,000	$8,211,000	$9,639,000
May, 1940	18,787,000	7,889,000	10,897,000
December, 1940	16,372,000	6,263,000	10,109,000

None of the above expenditures by the state include administration costs.

The total amount expended monthly since a year ago has been reduced only 6%, while the Federal government's contribution has increased by more than 10%.

What happens to the charge that the Federal government has fallen down in the last year. I think these figures are a complete answer.

In conclusion I suggest that an adequate budget, prepared on an honest and frank recognition of governmental obligations requires that $146,400,000 or $157,200,000 be provided for.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Washington will state his question of personal privilege.

Mr. REED. Mr. President, yesterday I was very much impressed with the fine speech made by the gentleman from Clinton, Senator Stevenson; it was indeed constructive and wholesome. It touched upon a subject that should be of extreme interest to every loyal citizen of Pennsylvania.

I was likewise very much interested, Mr. President, in the discussion of the gentleman from Philadelphia, Senator Shapiro, this morning. I want to say a few words in addition to what they have already said on this subject, which are not in any sense political.

I have always viewed relief as a canker on the body politic and I listened with much attention yesterday to the discussion in the Public Welfare Committee carried on

by the Senator from Philadelphia, Mr. Shapiro, and Mr. Russell, and from all the information submitted there, including the data and all the figures, the astonishing thing to me was this, that relief in Pennsylvania is now considered by the department as permanent.

In other words, as the gentleman from Philadelphia, has already said, Mr. Russell stated that hereafter we must expend in Pennsylvania at least $4,300,000 monthly.

Mr. President, when relief began in Pennsylvania it was supposed to be temporary but now we find that it is to be with Pennsylvania perpetually. I have always maintained that relief is inconsistent with a democratic form of government—the more you give to people the less independence the people have and a democracy is based on independence among the people and there is nothing in my humble opinion that will tend to destroy our democratic form of government more than relief.

It is prevalent in Pennsylvania today and also in the nation that people are beginning to believe that the government will keep them, and that is destroying the very essentials of our free form of government. Independence in the people is essential to the prepetuation of our free form of government.

Mr. President, the youth of today believe that they need not take care of the future, that the government will take care of their future, and as a result many of our people are growing up weak, not only physically but otherwise, and I sincerely hope that the time will come when we can wipe out relief entirely in Pennsylvania and the nation and put our people back into the old channel where individual effort counts for everything, and in that connection, Mr. President, I wish to read from one of our Pittsburgh papers one of the finest editorials I have seen in many years. This emanates from the Sun Telegraph of Pittsburgh of the issue of Monday, February 17, 1941 and it is headed "Lesson for Modern American Youth."

"LESSON FOR MODERN AMERICAN YOUTH

"President George Barton Cutten, of Colgate University, gave interesting emphasis to a recent speech on 'The Role of Youth in the Defense of Democracy' by relating a little-known fact about the early history of America.

" 'There were two bands of Pilgrims which came to America,' he explained, 'both, so far as we can ascertain, of equal character and ability.

" 'One landed in a West India island where everything was easy and comfortable, and was never heard of afterward so far as influencing its time or environment.

" 'The other landed on an inhospitable shore, was met by savage Indians and was forced to obtain sustenance from a none too fertile land.

" 'The latter became the spiritual and economic foundation of our nation and of our democracy.'

"Dr. Cutten obviously told this story in order to make the point that modern American youth will make a more valuable contribution to democracy if it is taught initiative and self-reliance than if it is encouraged to rely on an indulgent government and social system to fix its place in the national life.

"In other words, he believes that conditions of life have not changed very much, and that people put under the hard necessity of providing for themselves are much more likely to have habits of industry and thrift and resourcefulness than people made soft by easy living.

"Now Dr. Cutten probably does not intend to say American youth should be raised in an altogether Spartan manner, being thrown out on the world at any early age to fend for itself entirely, and either survive or die in accordance with its instincts and talents.

"But what he does clearly mean, and correctly, is that in order to always have an intelligent, industrious and patriotic young generation of Americans coming up to replace older generations we must adhere closely to the practice of principles of American life and faith that made and kept us an intelligent, industrious and patriotic nation for more than a century and a half.

"He does not want youth raised in an economic environment which promises to 'shower them with everything and demand of them nothing, impress upon them that the country owes them a living . . . so that they will be encouraged to become irresponsible and indifferent.'

"He particularly does not want American youth taught a philosophy of 'taking away the earnings of the industrious and the efficient and giving them to the lazy and the incompetent.'

"For that is a false and vicious philosophy, unrelated to any of the fruitful accomplishments of Americans in the past, and wholly unidentifiable with the liberties and rights we enjoy as a heritage from our democratic American past.

" 'Let us publish abroad to the youth of the land,' says Dr. Cutten, 'that success will not be a signal for misrepresentation, abuse and persecution, but that on the successful our richest gifts will be bestowed . . .

" 'If given the assurance of unhampered opportunity for initiative and industry, our youth would respond by unbounded loyalty.'

"Certainly it was the opportunity for industrious and resourceful living which made the Pilgrim Fathers of Plymouth colony survive and thrive, and not just the hard necessity of their environment.

"But as Dr. Cutten plainly indicates and properly warns, it is dangerous and disastrous to instill in American youth today the malicious and false doctrine that there is neither need for industry nor survival of opportunity in this land.

"It is historically sound and morally sound and historically factual AMERICANISM which Dr. Cutten would have youth taught in the United States, today and tomorrow as it has been in our productive past.

"Let this be done by all educators and in all schools, lest there ultimately be no democracy to defend in America, let alone a 'role for youth' in the defense of our free institutions."

Mr. President, that is my philosophy and I believe that that philosophy can not survive where a great portion of our people depend on relief and the dole.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I have listened with a great deal of interest to the discussions of the gentleman from Philadelphia, Mr. Shapiro, and also the gentleman from Washington, Mr. Reed, and which I believe were conducted under the plea of personal privilege, and I

will ask for myself the same privilege in order to make some observations thereon.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMUNDS. Mr. President, with what the Senator from Washington has said I am in full accord. The Senator from Washington has, I think, the correct viewpoint of the American philosophies of life, so that it is always a great pleasure for me to hear him present them and I think in directing attention to the effect of relief on the character on the recipient and the way in which it may make him lose his American type of character, I believe the Senator from Washington has rendered a distinct service. I am glad the editorial from which the Senator read will be printed in the Journal.

However, Mr. President, when it comes to the statement made by the Senator from Philadelphia, Mr. Shapiro, I am bound to say it seems to me there is a great distinction in the philosophy of life between that of Governor James and that of Senator Shapiro. I am very free to acknowledge that the philosophy of Governor James seems to me to be more correct than that advanced by the Senator from Philadelphia.

Mr. President, when Governor James was inaugurated into office I imagine the amount of money spent for relief in Pennsylvania was about ten or eleven million dollars a month, and that I think is borne out by the figures quoted by the Senator from Philadelphia.

It seems to me, Mr. President, with the government of this state interested in the welfare of its workers, the first thing to be done was to encourage business and to provide that business should expand and thus take up the slack of unemployment. That was the reason for the creation of the Department of Commerce; that was the reason for a number of suggestions which the Governor made, and as a result month after month there has been a decline in Pennsylvania's share for relief, until from the beginning of his administration when expenditures were at the rate of eleven million dollars a month, that has decreased so that in December, according to Mr. Shapiro's own figures, seven million dollars a month were required.

Eleven to seven in two years, Mr. President. Continue that same line of development and in the next biennium we would certainly get down to five millions of dollars a month or less. In other words, Mr. President, if the same development continues that has continued for the past two years the budget itself will be amply justified.

Mr. President, there are items which the Senator from Philadelphia mentioned to which I think attention should be directed. It is true what we call categorical relief is not likely to decrease, that is, old age assistance, mothers with dependent children, pensions for the blind. Those have become more or less fixed in our system of relief and on that I expect the figures presented by the gentleman from Philadelphia, adding up the unemployables, would probably amount to $4,300,000 a month, and it seems to me that amount of money, $4,300,000 a month, ought not to be provided in this state on a system of temporary taxation but that those taxes ought to be permanent, ought to be placed on such a basis that they become a regular portion of the state's revenues.

As to a comparison of the philosophies of the Governor and those of the gentleman from Philadelphia, I think the policy of the Governor is correct, in trying to pass the business revival on. Let us take advantage of that, let us encourage it as much as we can in the hope that eventually every relief recipient will have an opportunity to engage in work for himself.

Mr. President, if that is fulfilled it fulfills the budget and if it is not fulfilled then there will be a Special Session of the Legislature called and if a Special Session is called it is worthwhile for us to remember there have been Special Sessions in Pennsylvania in every biennium for the last five, to deal with that subject or something similar to it.

Mr. President, I think we should approach this problem in a broad and statesmanlike manner.

In all our counties we are bound to recognize there has been tremendous expansion in opportunities for the workers. In my own county of Montgomery we have Brewster Aviation establishing a plant at Hatboro. There has been great expansion in plants in Pottstown and recently I was delighted to learn that practically everyone who had been on relief in Pottstown had been taken off relief and had found jobs.

We are bound to recognize also the Governor's budget message is very statesmanlike in the attention it directs to vocational training, and that there is the possibility of taking some of those whom we call unemployable and giving them training that will fit them for employment, if they are capable in the way of physical capacity and mentality, so that they will be taken off relief. That seems to me to be clear, Mr. President.

For those who fall within what we call the permanent categories of relief we ought to do everything we can to provide assistance but that should not in any way interfere with providing opportunities for those capable of working.

Now, Mr. President, that, I think, is the philosophy of the Governor and I think it is a sound philosophy; I think it will make a lot better American citizens than this other philosophy, and as far as the figures quoted by the gentleman from Philadelphia are concerned I should like to call his attention to the fact that when we met two years ago the relief cost in Pennsylvania was approximately ten million dollars a month and we at that time appropriated $121,000,000 and, Mr. President, the proposition is now that we shall appropriate the same figure when relief is down to seven million dollars a month. Under the circumstances it does not seem to me the attack upon the budget the Senator has made is relevant.

Mr. President, if I have to choose between the philosophy of Arthur H. James and the philosophy of Harry Shapiro in governing the State of Pennsylvania I am for the philosophy of Arthur H. James. I believe emphatically in encouraging business and opportunity, I believe in seeing to it those who can not get work at the present time are given the training necessary in order to fit them for the work, and my thought would be in all of our legislation we should bear in mind what the Senator from Washington has said concerning the tremendous importance of developing American character and I believe under the philosophy of Arthur H. James we will come nearer than under the philosophy suggested by Harry Shapiro.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, my old professor I believe is confusing his philosophy of life with that of the Governor. I am frank to say I do not know what is the philosophy of the Governor but taking from his speeches and his remarks what his philosophy of government is I am frank to say I am perfectly satisfied to have my old professor agree with the Governor on his philosophy of government, but I must say I can not agree with that philosophy.

Mr. President, I can not agree with any philosophy of any government or any governor who refuses to give information to Senators and members of the Legislature, who have the problem of carrying out these suggested governmental functions, when that Governor does not consult the members of the Legislature on whom he casts the burden of seeing to it the suggestions he makes are carried out; that is one disagreement I have with Governor James. I say this without any information as to his personal philosophies but I say the Governor of the Commonwealth of Pennsylvania never asks or seeks our advice or consent, except to go through the form of asking us to advise and consent on the matter of confirmations and he does that because the Constitution says he must do so, and even then he often disregards our advice if we do not agree with him and makes the appointments after we adjourn.

Mr. President, I repeat remarks I have made previously, and I do that only for the purpose of clarifying the issue. I say we are a house divided into two parts, as far as we are concerned, the Governor and the Legislature, and instead of working together we work apart, none of us know what is in the mind of the Governor as far as governmental functions are concerned and the Governor does not know what is in the minds of the membership of the Senate and the House.

Mr. President, with that philosophy of government I am in absolute disagreement and I am perfectly satisfied if the gentleman from Montgomery wants to take his stand with that of the Governor. I do, however, Mr. President, pay homage and credit to his intelligence, ability and understanding and I say respectfully to him I do not believe he really means it.

Mr. EDMONDS. Mr. President, may I ask the Senator from Philadelphia if when he refers to intelligence he is referring to the Governor or to Edmonds.

Mr. SHAPIRO. Mr. President, when I speak of intelligence or brains in this administration I am referring to Senator Edmonds.

I call attention, Mr. President, to the fact that my objections to the philosophy of government of the Governor (my disagreement with the Governor) lies in the fact that he tells the Legislature in the Special Session we need $71,000,000 for relief when he knew and had been informed it would take $92,000,000 to carry on relief.

Mr. President, I take objection to the philosophy of the Governor, who, when he has had experience of four or five months previous, with figures that show relief would cost $198,000,000 and he has been so informed by the man he placed in charge of that, then he tells the Senate he will appropriate $129,000,000, and then changes that to $121,000,000.

I should like to say, Mr. President, I agree with what the gentleman from Washington and the gentleman from Montgomery have said—we must not take a paternalistic attitude toward our citizens, but we must assume responsibility for those who do not want us to be paternalistic but who do want a job and who do want to eat and are willing to work for it. Mr. President, I do not agree with any philosophy of government which will deny them that.

Mr. President, there is a difference between the philosophy of life the gentleman from Washington has iterated and reiterated on the floor of this Senate. I have the same philosophy of relief but the trouble is, Mr. President, the philosophy of our government which has come from the executive department is one of words and phrases, as I pointed out right at the beginning, but which the gentleman from Montgomery seems to have ignored, and that it does not help the situation to say the total relief expenditures have gone down about a million and a half dollars in the last year when as a matter of fact they have not gone down at all.

That does not help the situation, Mr. President, and it is beclouding the issue and telling an untruth. The gentleman from Montgomery said relief has been reduced from eleven million dollars to seven million dollars a month. That is not a fact. Relief has been reduced from a fluctuating amount of around ten on eleven million dollars a month to a fluctuating amount of between nine and ten million dollars, but that has been because, as I have pointed out, of the shifting in the relief load; instead of direct relief bearing the burden of $9,800,000, it now bears a burden of $7,200,000, or a difference of a million and a half dollars, which has been shifted to old age assistance and mother's assistance and if you put back into the general relief fund the money taken out for old age assistance and mother's assistance you will get $8,800,000 as your normal expenditure, and if you add to that eight per cent additional for administration expenses, you will have approximately the same figure.

Mr. President, in March of 1939 the cost of old age pension was $727,000 and in December of 1940 the old age pension cost was $1,100,000, and the same is true with respect to the mother's assistance fund. You will find the mother's assistance fund has gone up from $650,000 in the same period to over $1,100,000 in December, and there you have the shifting of over a million and a half dollars from one pocket to the other—the two pockets have been divided and that is the reason for the difference of a million and a half dollars a month in the relief program in Pennsylvania.

Mr. President, when the gentleman from Montgomery says in the face of the facts that we only expended $120,000,000 in the 1939 budget, he forgets what the Governor provided in the budget bore no relationship to the necessities at all, because as I pointed out even two years ago, in 1939, I wrote a budget for the Governor then, when I said that he could take the estimated income, deduct from that the expenses and what is left would be for relief, and I assumed $120,000,000 would be the amount, and that is what happened.

Mr. President, that was no stroke of genius; that was an undertsanding of the philosophy of government, not of life, because the Governor could estimate the amount of revenue and he knew what could be provided for relief and at the same time keep taxes down.

Mr. President, I could have shown the Governor he was

wrong, that he needed $198,000,000 to provide adequate relief because with the kind of world we live in today, Mr. President, unless democracy is worth fighting for nobody will fight for it but they will fight against it, unless we give these men who are anxious and willing to work the protection, some assurance they have something to look forward to, all the laws you pass could not help, they would not be worth the time it would take to write them.

That may be his philosophy of government but I say it is not the philosophy of life, and it is certain it is not a practical way because it takes away the responsibilities of the Legislature.

Mr. President, I have no patience with the statement the Governor has a philosophy of life because if he has a philosophy of life and if it is reflected in his philosophy of government, then I frankly say I disagree with his philosophy of life. I can only guess at his philosophy of life. I can say, however, I am perfectly willing to admit if the Governor of Pennsylvania, as an individual were called upon—and I say this in a charitable manner—and he were free from political speeches, he would probably react just as well as I would and if he would only bring that into his philosophy of government I would have no quarrel whatsoever.

There has been no real revival, I say to the gentleman from Montgomery, there has been no revival in business; I believe the gentleman will remember that Mr. Russell said so. He said we have not yet felt a real revival in business—he said despite the men working in the defense program we have not as yet felt a real revival in business, and yet the Governor, instead of making that statement as Mr. Russell did, he said in the speech from which I quoted those reductions that have occurred have been before we felt them due to the defense program, and there were no real deductions in the last twelve months.

Mr. President, in the twelve months of 1940 the only reduction was from $17,500,000 to $16,000,000—a reduction of $1,500,000 in the total expenses—and I do not call that a real reduction, and when the Governor presents a program which on its face shows it is made not to meet the obligations of the government but is made to meet the situation, then I protest. I have no sympathy for that kind of governmental philosophy, and I make the additional charge that the people who prepared that budget, who helped to prepare that budget, furnished information from which the Governor knows that his income will be in excess of his estimates, and the record will show that charge to be true, as it has shown with some others I have made that have been proven to be true.

Mr. President, I have examined the budget and I was prepared on the information contained to make some statements which I know will be borne out, but I prefer the method I have adopted, and I am doing it deliberately, because I am hoping that there has been a change in this Senate to the extent that no Governor from now on will be able to hand his budget to a member of the Senate and say, "that is what I want," he will not be able to do that from now on, because I am sure, and I say this to you with no thought of flattery, but from my experience with the gentlemen on the other side I believe they will be very cautious with all kinds of legislation from now on, and I am very happy to see that.

I think the day has passed, Mr. President, when any man will be able to get up on the floor of this Senate and say no speech ever changed a vote or defeated a bill. I think I have seen the signs and I am glad the gentleman from Montgomery brought out the points on which he differs with me.

Mr. President, basically the whole difficulty between the Governor and the Legislators, I think, and that includes myself, is the fact that the Governor will not be frank, I do not think I breach any confidence when I say I went to the Governor's office in the company of the state chairman of the Democratic Party and I might say, in answer to what the gentleman from Montgomery has said, I went into that conference with an open mind, because before I went I said to members of my party, "If I go and if the Governor says very well, these are the situations which confront me, if you do not agree with my plan, which is as follows, suggest another plan," and in that event I proposed to be honest and frank and suggest a plan, no matter what it might have meant politically and when I was through I was told by my colleagues that was certainly satisfactory and agreeable and when I went in there, as a member of the Senate, I was told when I asked the Governor what problem there was as to the fiscal affairs of the state, he said, first that he would cover that in his budget and, secondly, that was confidential, and I then ventured the suggestion I knew of no law of morals or morale which made the fiscal affairs of the state a matter of confidence so that the Governor could not disclose them to a member of the Legislature, and the Governor told me he had not even consulted with his own people and I suggested that I did not think that was very wise. I am frank to say he is a very sociable person, but, Mr. President, I did not go in there for that purpose; I went in there in my capacity as a member of my party and as a member of the Senate and I thought I should be able to ask him if he had information which showed something must be done.

Mr. President, I do not think I am alone in that situation. The records before us show the Republican members of the party have not been consulted any more than the Democrats have been consulted, and, Mr. President, that also is not my philosophy of government.

I do not think it is fair, what happened yesterday, from a Governor who knew he would require $21,000,000 more for relief, but he seems to protect himself against that knowledge, in his budget, by saying he will recommend $14,500,000, it may be it will be necessary to have another five million dollars and if that is so you will have to take it from a cushion—he protected himself against that.

Mr. President, that was not frankness, when we were asked to pass a law in an hour's time which will give the right to suspend contributions to the Sinking Fund Veterans' Bonds.

I might also say, Mr. President, I spent the lunch hour trying to find out what the implications of that were and I think the Republican members of this Senate will give me credit when I say I looked at it honestly; I will say I give them credit for the fact they looked at it honestly.

Is that the way to run a government, to pass a law in ten minutes time, about a matter which could have been brought to our attention four weeks ago? Is that a philosophy of government which tends to the best interests of our people? I do not think so and is there anyone who can gainsay me when I say that is wrong? Am I

wrong in protesting against that? As I said when I started out, you might say there is a tinge of politics in my conclusions, but the figures and the inferences are not politics.

Mr. President, how could the Governor of any Commonwealth say to us, "All I need is five million dollars a month for relief," in the face of something which is horrifying—I do not want to gloss it over—when we know there is a fixed load of $4,300,000, which leaves one hundred thousand cases a month to be cared for. It is a startling fad—something we did not know and only found out by a lot of effort which should have been avoided and made unnecessary, and I believe there are many members of the Senate who did not know it. All you had to do was to take the trouble to go over the figures and then of course you may say I derived my confirmation from Mr. Russell, but he did not tell me anything new.

This is a serious situation, Mr. President. There has not been a single statement on the relief question, where the figures involved have come from the executive department, that has been fair and honest and open with sufficient fairness and honesty to permit us to deal with the subject intelligently, and I am prepared to say this, Mr. President, when the intelligent figures come, when an honest and fair and frank and open statement from the Governor is made about what the situation is, and what it demands, I am ready to go along with that on a non-political basis, on any reasonable basis, but I will not go along blindly and I refuse to be silenced when I feel I am not being told the truth.

That is my philosophy of government, Mr. President.

Mr. EDMONDS. Mr. President, there are two or three things I would like to say in response to the statement of the Senator from Philadelphia and I hope this does not inspire a third outburst of oratory on the part of the Senator from Philadelphia.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. In the first place, Mr. President, in regard to the speech of the gentleman from Philadelphia, I might say I read in Time Magazine two weeks ago a review of Hitler's speech on his eighth anniversary.

Mr. SHAPIRO. Mr. President, do not class me with Hitler.

Mr. EDMONDS. Mr. President, I do not want to make such a comparison but there was one sentence in that speech which reminded me very much of the speech of the speech of the Senator from Philadelphia—it said the speech commenced historically but concluded hysterically. It seems to me that is the great danger sometimes.

Mr. SHAPIRO. Mr. President, I am about to make a reply. I think this is a good time to make a reply.

Mr. EDMONDS. Mr. President, I have not finished. The point I want to make, Mr. President, is that there is a difference between the statements made by the Governor and those just made by the gentleman from Philadelphia, when he said the Governor will not be able to run relief on five million dollars a month within the next two years. The Governor says we will make the effort. There is no proposition to reduce the amount of relief, there is no proposition to reduce the standard of relief, but the question is how soon will the pick-up of industry out of the defense program be felt in Pennsylvania?

The Governor says he regards it as wisdom to appropriate this limited sum in the hope and belief the time will come when the pick-up in industry will provide real opportunities for these workers and my feeling is that is reasonable on the Governor's part and I do not think it deserves the criticism that has been directed against it.

Mr. SHAPIRO. Mr. President, I want to say that is exactly the trouble with the relief problem, the Governor has taken it as a joke, the same as the gentleman from Montgomery when in his reply he quoted somebody as saying Hitler's speech started historically and ended hysterically.

I am frank to say, Mr. President, it has been difficult for me to compose myself to discuss this matter dispassionately but now I know exactly what is going on I want to say to the members on this side of the house and also those on the other side of the house, as to the implications of the gentleman from Montgomery, I have tried not to be hysterical, I have tried calmly and dispassionately to discuss this matter and I hope we will get results, but I do not think making wisecracks on the relief situation is a very helpful way of meeting the problem.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, I had not intended to speak on this subject, but speaking of relief naturally brings me into the picture somewhat. When I hear some of my colleagues speak on the subject of relief, being a permanent affair, or whether or not it might be discontinued, I say, Mr. President, I believe we must all make up our minds definitely once and for all relief is here to stay. In that connection I must agree with Mr. Russell. We have the problem of aged people today more than we had ten or fifteen years ago. In this Commonwealth according to the latest figures there are 952,262 persons above the age of sixty, who today receive some form of relief. That group of people will never be able to take up work. Let's not kid ourselves or try to kid the public.

Mr. President, I am satisfied once a man has reached the age of sixty never again will he have the opportunity of obtaining gainful employment. What are we doing about it? We must make up our minds they must be taken care of. Some people feel this government owes them a living.

Why today, Mr. President, if you go down to our mines and to our mining towns, to our factories, and a streak of gray hair is in your heads, you are too old, they have no use for you. Think of the many widows, the many men up in that bracket who never again, as I said, will gain gainful employment, so we must make up our minds we must feed them, whether we like it or not.

There is no thought in my mind of ever dispensing with that problem, so Mr. President, I want to say the only remarks I have heard made on this floor along those lines were made by my colleague from Blair in the early stages of this session when he presented a resolution memorializing Congress, encouraging the enactment of some type of national old age pension, because those aged persons must be cared for and every state in the union is

talking about pensions. Why? Because they know that old man or woman will never again be able to secure gainful employment. I am sorry to say herein this Commonwealth I hear very little from my colleagues along those lines. But they must make up their minds sooner or later something must be done.

We in this Commonwealth have failed to take advantage of the money given us by the federal government because we have on the statute books today, if we meet the requirements of old age assistance the first twenty dollars will be paid by the federal government and we shall pay the last twenty. Have we taken advantage of that? No. Why not? Because so many of us believe we owe the old people nothing, they are peddling for themselves.

I have offered a bill, Mr. President, it is not a pension bill because I fully realize our Constitution does not provide for a pension, but I am fully aware of the fact that we can pay assistance. I have offered a bill to take care of the aged—sixty at sixty. All of my colleagues laugh at it and think it is a joke, but, gentlemen, before this session is over you will hear plenty about it. Something must be done to take care of the men who can not take care of themselves and we here have been elected to do that job, and I trust my colleagues will keep that in mind and not laugh here with the thought in mind we owe nothing to the aged.

Mr. President, do not forget they are the ones that made this Commonwealth, our fathers and forefathers, they are the ones who settled, who built our beautiful communities, our schools, and churches, and made this Commonwealth what it is today, and today, because they are old and feeble and crippled, sick, we can not say to them, take care of yourself. Even to those who are receiving old age assistance, above the age of sixty-five, we say to them now we shall take from you what you have earned. We compel them to assign their worldly goods for the meager pittance we give them.

I read here from the report as presented by Mr. Russell with reference to the bond I spoke about the other afternoon. I trust you have all read it. What does it say? Mr. Russell states in that report that out of every fourteen persons who receive relief but one is the owner of real estate and for that reason he states we shall make that person sign a bond to make sure we have an encumbered home.

Mr. President, thirteen people walk up and secure old age assistance, widow's assistance or direct relief, but the fourteenth man walks up and he pays for it.

What are we doing? We are breeding into our youth relief. We are telling our youth today do not be independent, do not do as your father has done, take no part in civic affairs or social affairs and above all do not build a home. If you do and fall in the same category as your parents did we shall take that home from you.

So, Mr. President, we are encouraging youth today to be drones, to do nothing to better their lives, because we give them no encouragement, we hang up a sign, If you get a home we will take it from you.

So, gentlemen, that is the problem facing us. It is not only my problem, it is the problem of all of us, and I am happy to say the attitudes of some of my colleagues have been very liberal in their views in private conversation; they have told me they are willing to sit down to try to work something out. Mr. President, I am willing to sit down and try to meet the problem but let us make up our minds that relief is here to stay and in our days it will never be abolished.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, I think if the founders of our nation, that we see in the murals on the walls before us and have seen before us every session we have sat here, could come to life, I think they would react and exhibit enthusiasm that for once in many decades this body is struggling desperately to rise out of a state of politics toward a far more sublime statesmanlike atmosphere.

Mr. President, I am enthused myself, after having been in this body for about seven years, that we are here today struggling to lift ourselves to a level of at least embryonic statesmanship to face these very serious problems that have been discussed.

We must all agree, Mr. President, regardless of what our political connections might be, that the philosophy so ably enunciated by the gentleman from Washington in a statesmanship manner on the floor of the Senate many times is a philosophy that we ought to tie our activities to. There ought to be no reservation of mind on that particular point, but it is not the relief, the giving of the public dole that is the canker on the political structure of our State today, in my view of this problem.

Mr. President, I honestly and sincerely believe the gentleman from Somerset, Mr. Ealy, and the gentleman from Washington, Mr. Reed, and quite a number of others in this body some sessions back struggled desperately to place their fingers upon the real canker. It is not the giving of the dole that is the canker. It is not the mass down below that is the canker, but if we do view this problem in a statesmanlike manner then I say we ought to brush aside generalities and reach right into the thing that does give this relief set-up the aspect of a canker on our political body.

Mr. President, we can easily diagnose the problem, as other problems are diagnosed, whether medical, arithmetrical or otherwise. The thing we must try to discover is the element or the condition that keeps this relief dole and this public dole so attached to the activities of our government.

I would diagnose it by trying to find out who is benefited by perpetuating this public dole and who is not benefited if it is taken away.

Truly the mass below is not to be blamed if they are not here in the halls of the General Assembly to promulgate those enactments that provide for the public dole, but, Mr. President, isn't it reasonable to look for the cause of this in those elements, those agencies that are here immediately connected with our activities in these legislative halls?

I say that to the gentleman from Somerset, Mr. Ealy, and to quite a number of others in this body struggling desperately to get their fingers on the cause of the canker, but his efforts as well as the efforts of others were thwarted by more powerful influences than the gentleman from Somerset and the others were able to muster.

Mr. President, when we analyze this relief problem here we find attached to our governmental agencies is an element of men and women who, if this public dole is abolished, will themselves be greatly inconvenienced and will lose money and jobs that carry some very magnificent salaries and if we are now arisen from the stench of political mire and are up into at least the twilight air of statesmanship, there are members of this Senate who will have to honestly and conscientiously admit that in the sessions of the past when we have been struggling with this relief matter a most powerful pressure upon this body has been exercised by that element that we have repeatedly called the trained professional welfare workers. Mr. President, that element is an element that stands to lose the most if we proceed in a statesmanlike manner to tackle the problem of the public dole.

I tell you sincerely that the spirit that imbued the founders of the nation is still present here among us. There is not one within the sound of my voice who, if he had a loaf of bread and his neighbor was without bread, would not share that loaf of bread with his neighbor and I say, Mr. President, and tell you sincerely I believe if we were to abolish the public dole today there would not be a single man, woman or child that would go without food because we have food and plenty of it and there is no neighbor that would permit his neighbor to go without food, but the present situation is such that if the neighbor comes and says I am hungry, I have no bread today, your answer is why don't you go down to the relief office.

Mr. President, we have developed a mental attitude that here is an agency established for that particular purpose and that it is not now necessary for that magnificent spirit that imbued our ancestors to continue to function—here we have now a public dole and it is not necessary for me to share my loaf of bread with my neighbor.

Mr. President, I say to you sincerely, and I believe that, if the public dole were abolished tomorrow not a single American man, woman or child would starve in this United States of America.

Mr. President, as I have stated, I subscribe to the philosophy of the gentleman from Washington and the gentleman from Montgomery fully but I do wish to at least comment on the—I will not say defect—that the chief executives of this Commonwealth, and I am not going to make any distinction between them because I think they have all been affected when it comes to political philosophy, whether they be Democrats or Republicans—we find either wholesomely or unwholesomely, and I think unwholesomely, a most shocking fact present in our political structure, not national structure let us say, but in all our activities of life.

Mr. President, there seems to have developed here in this Commonwealth and this nation a double state of morality, a double philosophy, that it is absolutely immoral for a man to do a certain thing on the street in his social connections with his neighbor but then it is perfectly alright for him to do that same thing in his political activities. That was not the philosophy of the founders of this nation. They had but one standard of morality. That standard of morality held true beyond any political life, beyond any social life, or beyond any industrial life.

Mr. President, I have repeatedly in talks throughout this Commonwealth illustrated the point thus: the trouble with us today is we have too many men and women who profess this Christianity, who profess this morality, who go to the Temples of God on Sunday to proclaim that great philosophy of the founders and their belief in that God, they listen to it, but when they come out the door they leave that philosophy there, they do not take it with them down to their business lives and practical lives.

Mr. President, I do not agree with the gentleman from Montgomery, that the present chief executive of this Commonwealth is fully imbued with the philosophy so ably and statesmanlikely enunciated by the gentleman from Washington.

He readily takes the position that we must effect economy, that this unchecked spree of spending must stop here in the State. That is a proper philosophy to apply to our state, but where does he stand in the application of that same philosophy to our federal government?

When he insists that philosophy is a proper philosophy for our state then, if we are in a spirit of statesmanship, we must insist that that same philosophy be applied to the activities by the state and by our Federal Government, and I can not understand the Governor's insistance that the Federal Government must contribute more and more to meet this public dole in this state, if we are satisfied the public dole is a canker, then we must also adopt that same standard of philosophy with relation to our Federal Government.

I think this too, Mr. President, if we analyze that road that has led to so many dictatorships in this world today we will find the beginning of that pathway strewed with the public dole, the same as we are strewing the pathway here in America. And no dictatorship can exist if the mass who produce, who deliver, who sell the produce, the food they produce, the necessities of life, says there shall be no dictatorship.

You may ask the question why so many dictatorships are in the world today. Because they who have sought dictatorial power have strewed the pathway on those matters, have taken away from them the necessity of thinking about building up; they have caused to die in the minds of the mass below them that great wisdom that they are the government, that they own the government and not that the government owns them.

You will find that one public dole after another leads to one usurpation of power after another, until finally you have the mass probably sincerely believing the fellow, the man who has usurped to his clutches all the powers of government, to the destruction of the form of government we believe in here in America.

Mr. President, I wish to conclude with this statement, I honestly believe we can solve this public dole in this state only if we are able to bring under subjugation this element of our population which is interested in continuing this public dole, not for the elevation of the morale and the souls of the mass below, but who are more interested, as has been repeatedly shown by past sessions, they are interested in the building up of this new profession and of securing to themselves the right to administer this dole and to provide for themselves these jobs, as has been illustrated in the percentages stated by the gentleman from Philadelphia, Mr. Shapiro, showing an increase from seven to nine per cent of the total amount appropriated for administrative purposes. That is where we are going to find it, in those cartilages that

are holding this canker firmly against the agencies of our government here in this state.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 12:00 o'clock noon.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE

Mr. WADE, from the Committee on Elections, reported as committed, Senate Bill No. 23, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

Mr. WADE. Mr. President, I have been directed by the Committee on Elections to report out a bill, Senate Bill No. 23, and to make the statement to the Senator from Philadelphia, Mr. Shapiro, and others who might be interested in this bill that if the committee wants to make a further study it will ask that this bill be recommitted to the Committee on Elections after it has had two readings.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will state his question of personal privilege.

Mr. DENT. Mr. President, if the Senate has time I would like to read a short statement. We listened early this week to a statement read by the gentleman from Warren, Dr. Chapman, relative to the defense industries and it impressed me that the inference was drawn that organized labor was not doing its part in seeing to it that defense was properly carried forward.

Mr. President, I have here a statement sent to me at my request by President William Green, from the American Federation of Labor, and in order that the issue might not be misconstrued, I have asked for and received permission to read into the record this statement.

"Statement Adopted by the Executive Council,
American Federation of Labor,
Miami, Florida, February 11, 1941.

'Organized labor is unalterably opposed to anti-strike or compulsory arbitration legislation in any form whatsoever. Labor has always regarded compulsory work or service as violative of our cherished liberties and in direct violation of the Thirteenth Amendment to the Constitution. The question of forced labor was settled by the Civil War and should not be revived at this time.

"The American Federation of Labor is in full agreement with the present policy of our Government in providing adequate defense for this country, in safeguarding the rights and liberties of our neighbors in the Western Hemisphere, and in assisting Great Britain and her allies to withstand the aggression of the totalitarian powers and thus defending the principles and ideals of human rights, freedom and of democracy.

"The American Federation of Labor has proven its loyalty and patriotism on more than one occasion. In previous emergencies, whether in time of peace or war, the American Federation of Labor and its affiliated unions have always been found ready and willing to aid our Government in its defense and in the promotion of the welfare and well-being of our people. There is no reason to question their loyalty on this occasion and in this emergency.

"We regret that there is, as in the last war, a movement on foot, to limit, curtail and destroy established and fundamental rights of the workers in this country. Opponents of organized labor see in this emergency an opportunity to tear down rights acquired by organized labor in struggles over the years and which have now become the established policy of the nation.

"This anti-labor policy manifests itself in the submission to the present Congress of numerous bills dealing with the subject of labor and defense industries. It would be difficult to make detailed comment respecting each bill. In the main, they profess to deal with obstacles in the way of continuous production. In truth, they seek to prevent the exercise of fundamental rights of organized labor such as the right to self-organization, to form, join or assist labor organizations, to bargain collectively, to engage in other lawful concerted activities for the promotion of the welfare and living standards of workers. It is now the settled policy of this country that these rights are constitutionally guaranteed. Yet an examination of the bills referred to indicates conclusively that the foregoing rights would be curtailed, invaded and in many instances completely annihilated. The most common means by which these bills seek to deny organized labor its fundamental rights is to provide for so-called 'cooling off' periods. During these periods no strike or stoppage of work may take place. However, it is apparent that the real purpose is not a 'cooling off' period but rather to impose upon organized labor 'compulsory arbitration.'

"The American Federation of Labor is unalterably opposed to compulsory arbitration in any form. It is contrary to every basic principle of Americanism. The adoption of the principles of compulsory arbitration would be to adopt that which the defense program is set up to defeat. The enactment of compulsory work legislation can only result in industrial confusion. The ensuing period of industrial unrest would do more harm to the defense program in the important months ahead than could possibly be undone by years of rigid enforcement of a statute that would be the very essence of slavery.

"The British Government in its present hour of test and trial has found it unnecessary to resort to anti-labor legislation. Instead it has appealed to the heart and mind of labor. As a result, labor in Great Britain is giving service of the highest order and of the most valuable kind. If Great Britain, at a crucial moment, the most critical in all its history, has found it unnecessary to resort to anti-labor legislation, why should the Congress of the United States do so? Labor in America will give service on a voluntary basis just as labor in Great Britain is doing.

"The American Federation of Labor is anxious to cooperate with the Government for the promotion of efficiency in production and for the elimination of obstacles to continuous production. We recognize that the present war is one of machines and of men who make them. We appreciate that efficiency and regularity in produc-

tion are essential for the establishment of our own adequate defenses. We understand, too, that it is essential for the preservation of American democracy that Great Britain win the war and that for her to do so America must supply her with materials, machines and weapons. Organized labor has demonstrated in the past and will demonstrate again that superiority in efficiency can and will be maintained by voluntary action on the part of workers employed in industry and without compulsion of any kind.

"Organized labor has indicated its willingness to conciliate, mediate and voluntarily arbitrate its labor differences. If the same disposition is shown by employers, the nation is assured of the practical elimination of labor strife.

"In the last war, a Board with equal representation on the part of labor and industry was created by Presidential proclamation and not through Congressional enactment. That Board and its procedure were devised to protect the rights of free enterprise and of free labor. It brought about conferences on the part of the employers and workers and their representatives. Through procedure, the basis of which was wholly voluntary, the parties met and adjusted their differences. The history of the last war proves the effectiveness of this method. Industrial unrest was practically abolished and both the employer and labor cooperated with the Government in its production and war program. There is no reason for adopting any different method with respect to the present defense program. In such a program, the Government will have the wholehearted support of the American Federation of Labor and its affiliated organizations.

INTERROGATION OF CHAIRMAN OF COMMITTEE ON MILITARY AFFAIRS

Mr. COLEMAN. Mr. President, I desire to interrogate the chairman of the Military Affairs Committee.

The PRESIDENT. Will the gentleman from Luzerne, Mr. Miller, permit himself to be interrogated?

Mr. MILLER. Mr. President, I will.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Luzerne, whether he intends to hold a meeting of the Committee on Military Affairs before the adjournment of the session this week?

Mr. MILLER. I do not, Mr. President.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Lackawanna will state his question of personal privilege.

Mr. COLEMAN. Mr. President, and members of the Senate, immediately following the spirited election in 1940, some of the leaders of the Republican party in the state and in the nation indicated that in order to protect the great masses of American people it was necessary to get a more liberal point of view.

Then when we convened on the first day of the convening of the session, in General Session, we noted the liberal tone in the message of the Governor of the Commonwealth, at a Joint Session of the House and Senate, and then later to our astonishment we noticed that the Republican State Committee had a meeting and at that committee meeting or rather, an executive committee meeting, the former majority floor leader of this Senate offered a motion putting the Republican Executive Session on record as being in favor of the passage of the Lease-Lend Bill. Mr. President, we had no reason to doubt the sincerity of the Republican leadership in the state, and assumed immediately following that action that some Republican member of the Senate in carrying out the mandate of that executive committee would present a resolution memorializing Congress to pass the lease-lend bill, now under consideration in the United States Senate.

Mr. President, last Tuesday I presented to the Senate of Pennsylvania a resolution memorializing Congress to carry out the intention of the Republican State Committee. I was greatly astonished when denied immediate consideration of the resolution. I felt sure over the weekend that opposition would make a microscopic observation of the whereas clauses to see whether or not we were making any accusations and that noticing there was nothing objectionable, they would come here this week and agree to report out the resolution for action of the Senate of Pennsylvania.

Mr. President, the chairman of the Committee on Military Affairs has stated there will be no meeting of the Committee on Military Affairs this week. That to me, Mr. President, is a clear indication of the refusal of the committee to consider the resolution, because we can reasonably expect before we convene next week there is a very strong possibility the lease-lend bill may become a law of the United States of America.

Mr. President, this bill is House Bill No. 1776—a most appropriate number, because the very mention of it stirs the patriotic emotions of liberty in America, because in that year the beleaguered colonies were struggling for liberty and there was drawn around them that sacred fire of liberty which is lighted in every human heart and which all of the power of the dictators can never hold or destroy.

Mr. President, I believe the overwhelming majority of the people of America are behind giving England every possible support and I do not want to appear dramatic, I do not want to unduly alarm the members of the Senate, but I can see if England falls there is an ominous message, those clouds hanging overhead carry with them an ominous message, the spirit of Paul Revere goes riding forth again and loudly knocks at every door from Oregon to Maine; a call for the minute men is ringing in the air and echoing from state to state in America.

Mr. President, a week ago last Sunday I listened to Winston Churchill in a world-wide broadcast and for a clean-cut definite statesmanlike pronunciation on the situation abroad it has no parallel in world history and I hung on breathlessly as did many other people throughout the world; there was stirred within me a great feeling of emotion, and, Mr. President, I should like to read to my colleagues the closing lines of that memorable address.

The other day President Roosevelt gave his opponent in the late Presidential election a letter of introduction to me, and in he wrote out a verse in his own handwriting from Longfellow which he said, "applies to you people as it does to us."

"Here is the verse:

"Sail on, O Ship of State;
"Sail on, O Union strong and great.
"Humanity with all its fears,
"With all the hopes of future years,
"Is hanging breathless on thy fate."

"What is the answer that I shall give in your name to this great man, the thrice-chosen head of a nation of 130,000,000?

"Here is the answer which I will give to President Roosevelt:

"Put your confidence in us. Give us your faith and your blessing, and under Providence all will be well. We shall not fail or falter. We shan't weaken or tire. Neither the sudden shock of battle nor the long drawn trials of vigilance and exertion will wear us down. Give us the tools and we will finish the job."

Mr. President, four years ago I stood on the battlefield of Gettysburg, listening to the President of the United States address the soldiers of the north and south who had gathered there in order to celebrate the seventy-fifth anniversay of the historic battle.

Said he to the thinning ranks of the Blue and Gray, "We are not seriously concerned under which flag you fought then, we are thankful to God you are all under one flag now" and we can apply that philosophy to this situation; we are not concerned, Mr. President, with whether you were associated with the winner or whether you exercised your right of franchise to support the loser, but it is tremendously important that in this situation there ought to be national unity in support of President Roosevelt in his sincere attempt to keep America from sinking into the maelstrom which is now engulfing a large part of the civilized world.

Mr. President, I went to a theatre in Harrisburg last night and I saw a thing there that impressed me very much. I saw a happening there, and America is one of the few remaining countries in the world in which such a thing could happen. Mr. President, a poor broken-hearted yellow mongrel, the companion of a man serving under the selective service, was flown two thousand miles to the bedside of his master. It occurred to me, Mr. President, that that wholesome sentiment, America is one of the few nations in the world where such a thing could happen, and we want to continue that great feeling here in this great nation of ours.

Mr. President, I believe the Bible contains a saying that is most pithy, the most powerful and the most far-reaching and I would like now to read it, "Do strenuously the things that remain"—do strenuously the things that remain. That is the philosophy behind the Lease-Lend Bill in this national crisis—do strenuously the things that remain.

Mr. President, we have assurances from the leaders abroad that all they need are the tools, and not the men, and I am greatly surprised, Mr. President, that the Republican leadership in the Senate, the Chairman of the Committee on Military Affairs, and the committee, denies the membership of the Senate the opportunity of joining in this most universal sentiment in the passage of that particular bill.

Somebody, Mr. President, seummed up the great leader of our nation in these lines:

" 'Tis truly said of God indeed
He finds the man to suit the need.
He saw our plight in thirty-two,
When things looked black for me and you;
And so He sent a man,
Tried in the crucible of pain;
A simple man,
One unafraid to face the unknown,
A man who spoke in simple terms,
A man who does not know it all
And never said he did it all,
But said instead we will try our best
And then to God leave the rest.
His best was good; he kept his vow,
We trust him more than ever now."

Mr. President, I am sorry we do not have the opportunity of giving our members in the United States Senate the sentiment of the people of Pennsylvania on this bill and I am again sorry that the liberal trend of thought of the Republican party in this Commonwealth is purely a myth and not borne out by their actions in the Senate of Pennsylvania.

Mr. MILLER. Mr. President, as Chairman of the Committee on Military Affairs, I believe I would be remiss in my duty if I did not at least make an explanation in reply to I might say the very brilliant comments made by my colleague and friend from Lackawanna County, Senator Coleman.

I might say, Mr. President, as a World War Veteran, I am fully aware of the seriousness of the situation abroad and I will further say I do not believe there is a member of the Committee on Military Affairs nor a member of this Senate that is not in full accord with giving the British Empire every source of supply and finance.

Mr. President, at the time this resolution was presented to the Committee on Monday upon my arrival here, I discussed with several members of the Committee this resolution and I again say I do not believe they objected to the portion of the resolution but in the resolution there is embodied in the "Resolve if the House concurs this General Assembly memorialize the Congress of the United States to adopt with all possible dispatch the Lease-Lend Bill, H. R. 1776, in substantially the form introduced."

Mr. President, from my observation of the progress of the bill through the Congress there were many representatives of that body on both sides who were opposed to the bill in its form as originally presented. It was here amended and there amended, and now it has passed the Senate and there are still possibilities the bill will be further amended, so from a personal standpoint I believe the situation is well in the hands of the members of the Senate of the United States and I think those representatives who represent the people of Pennsylvania are likewise fully aware of the sentiment of the people of this Commonwealth.

Therefore, Mr. President, I state on the basis as contained in the resolution, that it be adopted in substantially the form introduced, the resolution was not brought out for further discussion by the Committee.

Mr. COLEMAN. Mr. President, as I stated in my opening remarks, I was simply astonished first of all at the failure to give us the courtesy of immediate consideration and then when it was discussed by members not in session, but members of the Committee, the failure to recognize the position of the Republican State Committee in the resolution sponsored by the former majority floor leader of this Senate, Senator Owlett, I purposely timed adoption of the resolution, or rather the presentation of the resolution into the Senate of Pennsylvania with the appearance of Wendell Willkie before the Senate committee. Mr. President, at the very time I presented the resolution and it was read on the floor of the Senate the man whom the Republicans placed their faith in, the man whom twenty-two million people in America in the

election last year expressed their faith in guiding the country in the great crisis ahead, was appearing before the Committee, explaining his belief to the people of the United States as a whole, and that is the reason the action of the Committee was such a great surprise to me.

Mr. CAVALCANTE. Mr. President, I think our expressions on the question of relief just before we recessed the last time must have fallen on deaf ears.

Here we were all enthused that there was an effort being made to elevate ourselves out of the stench of partisanship and emerging into the twilight air of statesmanship and now we hear the things that have now been said with reference to a resolution that in the first place had no business in the Senate, and secondly, it concerns a matter so controversial and so fundamental to the structure of our federal government that we are too far away from their sight to intelligently act upon any matters of that kind.

Mr. President, I want it to be understood I speak as a man that does not speak from any place, did not stand on the battlefield of Gettysburg, but I wish to speak as an American, a native born American, who has stood on the battlefields of France in defense of this democracy.

Mr. President, I did not gather from the campaign platforms or the campaign speeches that it was the intention of either major party to enlarge the field of intrigue, to involve this nation into the war, nor did I take from those campaign platforms and speeches any intentions to liberalize or enlarge that field that is leading to the point of dictatorship that we talked about shortly before this time.

Mr. President, I view with great alarm, as a man who has given some of his blood in defense of his flag, any course or any action by the federal government or the state government that tends to give more power, more power into the hands of executives and take it further and further away from the repository that our forefathers intended it to be, that is, in the hands of the people.

Mr. President, I am concerned about the safety of America just as much as anybody else and the fact that my ancestors hailed from Italy surely is not to convey that I am in sympathy with any Italy or any Germany or any other country over in Europe. I am vitally concerned, intensely concerned, with the safety and welfare of America and I do not wish to be moved or concerned with general oratory, but I wish to be governed cooly and sensibly with the facts as they unfold before me on the pages of the recorded history and in the face of the present exigencies.

Mr. President, let the federal government deal with this problem. I think the chairman of the Committee on Military Affairs did the wise thing, did the noble thing, did the sensible thing, that a good American should have done.

Mr. President, the gentleman from Lackawanna himself admits the bill will be passed regardless of what we say. Then why the necessity of burdening the functions of this Senate with matters of that kind when we have problems and questions so vital, so interesting and so necessary to the people of this Commonwealth?

Mr. President, I am a member of the Committee on Military Affairs. I did nothing to forestall the action upon this resolution. I think the chairman of that committee will so affirm on the floor of the Senate. Mr. President, the resolution was not brought up before the committee for consideration, but I do feel I ought to show some degree of resentment when an attack is made upon the chairman of that committee, of which I am a member, to impugn or question the motives or the Americanism or patriotism or the duties of that committee.

I again repeat that nowhere during the campaign, and I campaigned strenuously throughout the four corners of this state for the Democratic platform and for the Democratic party, for our present president who is in the White House, nowhere in that platform or the campaign was I apprised that we were to stand for the proposition that there should be liberality in the field of intrigue or that there should be liberality in conferring more powers upon the President of the United States to do acts or things that might embroil us in the European conflict.

Mr. President, I stand with all my energy, with every drop of blood in my veins upon the propositions enunciated by the founders of this nation, that the further we stay away from this insane hatred and prejudice of Europe the greater nation we are going to become, and I think in the eyes of God as well as in the eyes of humanity.

Mr. SHAPIRO. Mr. President, I am concerned about the fact a bill was introduced in the House of Representatives on the basis of the Governor's statement that we should do all possible to aid in the defense of America, and that bill provides for an appropriation, originally intended at twenty-five thousand dollars, and for the appointment of a commission, in order to do all things necessary to aid in the defense of America.

Mr. President, I assume that bill was passed because all of us realize America is preparing to defend itself, and unless we, all of us, agree there is a danger, I do not think we would be preparing to defend ourselves. Mr. President, we passed that bill in the House, or we are passing the bill in the House, on the basis the Governor says we all ought to work together in the defense of this country.

Mr. President, if that means more than mere phraseology, then we must be consistent. The Republican party took that position and the Governor took it because he thought there ought to be no politics in that situation, and to go further, I will say the Republican party feels there ought to be no politics and that we ought to defend America, and the Republican party then through its leaders resolved that the lease-lend bill should be supported. There was no mention in that resolution as to whether it should be supported in its final form, but in substance, the purpose at which it aims should be supported.

Mr. President, I take it the protest of the gentleman from Lackawanna, my colleague, Mr. Coleman, in rising to his feet was to express what has been in my mind and it is surprising the leadership of the Republican party is apparently a matter of words, because when it comes into action through the Senate, the Senators take no action, and it is quite inconsistent, in my opinion, to hear the Committee on Military Affairs, headed by a Republican Senator, take the position it will not show that this Senate believes what the Republican party says it should do, namely, co-operate. From that point of view, Mr. President, I am very much interested, and I am very much interested in finding out whether the claims, the attempts, the assertions that the Republican party is going to forget politics when it comes to national defense, forget politics

when it comes to the welfare of the people, whether it is a serious proposition or a mere matter of words, and because of that I join with my colleague, Mr. Coleman, in protesting against the action of the committee.

Mr. WALKER. Mr. President, no one is more desirous to proceed with the Calendar and get on with the Senate business than am I, but I think the gentleman from Philadelphia, Mr. Shapiro, and the gentleman from Lackawanna, Mr. Coleman, in their enthusiasm to have this lease-lend bill endorsed are overlooking one very pregnant fact, and that is this bill is before the Committee on Military Affairs and that committee is absolutely non-partisan.

Mr. President, as to the resolution introduced by Senator Coleman and in view of that resolution introduced by Senator Coleman, and the defense of the committee and the explanation by the very distinguished citizen, the gentleman from Fayette, Mr. Cavalcante, that does not need any elaboration on the floor of this Senate by a Republican, because that was a non-partisan explanation, by a gentleman who at one time was perfectly willing to lay his life on the altar of his country, and to have his motives viewed in a political light is unfair, and it certainly could be classified as un-American. Mr. President, the resolution was not smothered for political purposes, and the mere fact the gentleman from Luzerne, Senator Miller, has the political faith of the Republican party, is no reason why his patriotism should be questioned.

Mr. President, on the Committee on Military Affairs are fourteen members, and nine of them happen to belong to ex-service organizations. In other words, nine men on that committee at one time served their country's flag, and for political purposes when the patriotism of that committee is challenged on the floor of this Senate, I think we are going just a little too far in urging upon Senators Davis and Guffey that they support the lease-lend bill.

Mr. President, I for one am much in favor of this Senate minding its own business, as suggested by the gentleman from Fayette, and that we go ahead and take care of our own responsibilities and have faith in Senator Guffey and Senator Davis that they will take care of their own business to the best interest of the Commonwealth of Pennsylvania and the United States of America. May I say to the gentleman from Philadelphia and the gentleman from Lackawanna the viewpoint of the Committee on Military Affairs as expressed by the Senator from Fayette and the Senator from Luzerne is correct, it is non-partisan, it is non-political, it has viewed it from a patriotic standpoint, and I do not think it should be challenged on the floor of this Senate.

Mr. CAVALCANTE. Mr. President, I wish to make a few remarks in answer to the gentleman from Philadelphia, Mr. Shapiro.

Mr. President, as I have indicated, not only in this matter but in all matters, we are trying to rise to a degree of statesmanship in handling these problems.

Mr. President, the gentleman from Philadelphia has been frank and sincere, and for that he ought to be commended, in stating that the motive back of what has been stated is merely political, that the motive in back of this resolution was a political motive, but I assure the gentleman from Philadelphia and the gentleman from Lackawanna, and I think I speak the sentiments of quite a few of the members of the Committee on Military Affairs, that when the Congress of the United States of America has done its duty and has decided what they want done in the passage of this Lease-Lend bill, that every energy, every wit and everything in the power of the Committee on Military Affairs will be utilized to see that what the Congress has started will receive the full support of this Committee, and I say it should receive the full support of the Governor and of this Legislature, and everyone who claims to be an American of the Commonwealth of Pennsylvania. After Congress has acted and decided what we have to face, that is when we will give our unstunted unreserved whole-hearted support to the President of the United States and the duties placed upon him by the Lease-Lend Bill.

Mr. COLEMAN. Mr. President, I have always had a tremendous amount of respect for the gentleman from Fayette, and in my brief contact and conversations with him I can say the same as to the gentleman from Luzerne, Mr. Miller.

Mr. President, the Pennsylvania Legislature is a sort of a mirror, a kind of a screen in which is reflected the entire life of the State of Pennsylvania. Here, Mr. President, we have every idea and every ideal of the great Commonwealth represented by the two hundred and fifty-eight members of the General Assembly and here is where these conflicting opinions come to clash in a peaceful democratic way to settle their differences. That is the essence of democracy.

Mr. President, my mind goes back reverently to the days of 1917—when the gentleman from Fayette and the gentleman from Luzerne were both discussing the proposition before us—I could vividly recall standing on the principal streets of the City of Scranton, watching the flower of Scranton manhood marching off to war, and I can well recall the feeling of all of us back home that when America threw her fresh strength into the ranks of freedom just in time to change the whole tide of the struggle, when the fate of the world hung in the balance, we were eternally grateful to men like Senator Cavalcante and Senator Miller, who offered their breasts as barriers to enemy bullets, so when the gentleman suggested I am impugning the patriotic spirit of the gentleman from Luzerne, he missed the point of my argument.

Mr. President, I just want to read this editorial, and I think it is most appropriate, which appeared in the Philadelphia Record on Tuesday of last week. The language of the editorial could very well be applied to the proposition we are discussing here in the Senate of Pennsylvania:

"How swiftly will the Senate move to meet the emergency which the bill itself is designed to meet?

"That is the question millions of Americans ask. It is the democratic test which the Senate itself faces. If the Senators so desire, they can debate this bill for a year; they can talk and talk and talk, until they can say, with Hitler: 'I have talked as much as a man can talk.'

"On the other hand, they can recognize that this question has been threshed out thoroughly in the House committee hearings, House debates, and the Senate committee hearings—and they can proceed to limit debate and insure quick action.

"That is the choice facing the United States Senate.

We don't think it is much of a choice. Not if the Senators remember:

"Time is marching on.

"So is Hitler."

Mr. President, I have only one observation to make in answer to the gentleman from Fayette, I conscientiously share the belief, the anxiety of millions of others, and that is if Hitler wins the war, we will have graver problems facing the people of the State of Pennsylvania than the relief problem which is now pressing us for solution.

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 19, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Edith Fox, 904 Union Trust Bldg., Pittsburgh.
Miss Lillian C. Irby, 2628 Centre Ave., Pittsburgh.
C. W. Larkin, City-County Bldg., Pittsburgh.

FRANKLIN COUNTY

Charles E. Murphy, Waynesboro.

LEHIGH COUNTY

Miss Martha V. Davies, Slatington.

PHILADELPHIA COUNTY

Charles E. Koob, 232 Walnut St., Phila.
Mrs. Esther V. Skirving, 261 North Broad St., Phila.
Mrs. Gladys L. Taylor, 1429 Walnut St., Phila.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

A. J. Kebe, North Fayette Twp., R. D. 2, Coraopolis, February 23, 1941.

CAMBRIA COUNTY

Benj. Hinchman, Jr., Johnstown, February 23, 1941.

VENANGO COUNTY

Mrs. Mary S. Fuller, Franklin, February 27, 1941.

ALLEGHENY COUNTY

Miss Jeannette Herman, Washington Trust Company Building, Pittsburgh, March 2, 1941.
Miss R. R. Telford, 838 Hazelwood Avenue, Pittsburgh, March 2, 1941.

BLAIR COUNTY

Ralph A. Raible, Altoona, March 2, 1941.

DELAWARE COUNTY

Carl McM. Crawford, Chester, March 2, 1941.

ERIE COUNTY

J. B. Held, Erie, March 2, 1941.

GREENE COUNTY

Miss Beatrice C. Dole, Waynesburg, March 2, 1941.

LEHIGH COUNTY

Walter C. Ruthhart, Bethlehem, March 2, 1941.

LUZERNE COUNTY

Mrs. Marie T. Corgan, Luzerne, March 2, 1941.
John L. Phillips, Plymouth, March 2, 1941.
Mrs. Mae L. Stryker, Wilkes-Barre, March 2, 1941.
Ronald E. Woods, West Pittston, March 2, 1941.

MONROE COUNTY

Mrs. Violet Hallett Price, Barrett Twp., Cresco., March 2, 1941.

PHILADELPHIA COUNTY

Miss Marian L. Reilly, 1401 Arch St., Phila., March 2, 1941.
W. Robert Crawford, Union Twp., Elrama, March 2, 1941.

YORK COUNTY

Walter B. Liggitt, York, March 2, 1941.

BLAIR COUNTY

C. A. Ruch, Altoona, March 4, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. WATKINS

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 40

Bartlett,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Wade,
Cox,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Watkins,
Deitrick,	Kephart,	Shapiro,	Wilson, H. I.,
Dent,	Lanius,	Snowden,	Wilson, T. B.,
Ealy,	Letzler,	Stevenson,	Ziesenheim,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Military Affairs.

In the House of Representatives, February 10, 1941.

Whereas, December 15, 1941, will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments, and

Whereas, This date which is ordinarily significant assumes unusual importance at this particular period in the history of our Nation and of the world when those fundamental rights are threatened by totalitarian forces aboard and their sympathizers at home, and

Whereas, The American Legion Spanish American War Veterans and Veterans of the World War and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary, therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize the Congress of the United States to designate December 15, 1941, as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States each of the presiding officers of the two branches in Congress and to each United States Senator and member from this Commonwealth.

BILLS INTRODUCED

Mr. MALLERY read in place and presented to the Chair Senate Bill No. 212, entitled:

An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto.

Which was committed to the Committee on Banking.

Messrs. RUTH and EDMONDS read in place and presented to the Chair Senate Bill No. 213, entitled:

An Act authorizing the Department of Property and Supplies acting for the Commonwealth of Pennsylvania, to acquire by gift from the owner thereof, Pottsgrove Mansion with tract of land situate in the Ninth ward of the Borough of Pottstown, Montgomery County, Pennsylvania; providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof; and creating an advisory board to assist in such functions.

Which was committed to the Committee on State Government.

Messrs. SHAPIRO and STIEFEL read in place and presented to the Chair Senate Bill No. 214, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARTLETT read in place and presented to the Chair Senate Bill No. 215, entitled:

An Act to further amend section seven hundred nine and to amend section one thousand eight hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," imposing certain duties on county controllers, and repealing inconsistent legislation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 216, entitled:

An Act to further amend section twenty of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," imposing the expense of local registrars on the Commonwealth in all cases.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 217, entitled:

An Act requiring the Department of Welfare to notify the clerk of court and the county controller of all discharges or releases from institutions under its supervision.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 218, entitled:

An Act to amend section three hundred and six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the

first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for fixing the number and compensation of employes of institution districts; and conferring powers and imposing duties on county officers.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 219, entitled:

An Act requiring prothonotaries and clerks of courts to notify officers charged with the duty of collecting taxes, of all judicial sales; invalidating such sales in certain cases; and taxing the cost of such notices.

Which was committed to the Committee on County Government.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 220, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," abolishing the office of auditors and establishing the office of controller in all counties.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 221, entitled:

An Act fixing the salaries of controllers of the several counties wherein said office has been or hereafter may be established.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 222, entitled:

An Act providing for fixing the number and compensation of employes of prison boards; and conferring powers and imposing duties on county officers.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 223, entitled:

An Act to amend section four of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," changing the effective date of laws affecting budgets of political subdivisions.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 224, entitled:

An Act to amend section three hundred and ten of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the administration of the finances of institution districts in counties having a county controller; and conferring powers and imposing duties on county controllers, commissioners and treasurers.

Which was committed to the Committee on County Government.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 38, as follows:

An Act to amend section one thousand one hundred and four of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivision every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any

agency thereof every State depository and every debtor or creditor of the Commonwealth" amplifying the provisions of said act relating to appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred and four of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1104 Appeal to Courts Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) from the end of the ninety (90) day period where the board fails to act or (b) from the date of mailing of notice of refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the Department of Justice which department shall transmit them to the clerk of the court of common pleas of Dauphin County and notify the appellant of the date of filing and the term and number of the appeal

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within ten (10) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be due by such party to the Commonwealth

The party appealing shall file with every such appeal an affidavit containing the specification of objections and stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo but no facts shall be admitted in evidence that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 35

Bartlett,	Haluska,	McQuiddy,	Thomas,
Carr,	Heyburn,	Miller,	Tyler,
Cavalcante,	Homsher,	Reed,	Wade,
Chapman,	James,	Ruth,	Walker,
Crowe,	Kephart,	Shapiro,	Watkins,
Deitrick,	Lanius,	Snowden,	Wilson, H. I.,
Ealy,	Letzler,	Stevenson,	Wilson, T. B.,
Edmonds,	Mallery,	Stiefel,	Ziesenheim,
Farrell,	McGinnis,	Tallman,	

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 24, on second reading, entitled:

An Act defining and prohibiting unfair sales or transfers providing remedies for violations thereof, and establishing penalties therefor.

be recommitted to the Committee on Judiciary General for the purpose of further amendment.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 58, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom;" as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 349), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86, entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHAPIRO. Mr. President, I desire to call the attention of the Senate, now that this bill has passed second reading, to a situation which the bill will create in abating taxes or penalties, school districts of the first class, and in cities of the first class, particularly in Allegheny County, where the school district is first class and the city is second class. The school district, in the way in which this bill is drawn will be collecting taxes under the new law and the city will be collecting taxes under the old law. In other words, the same taxes on the same building will be paid under two different methods.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 130, entitled:

An Act prohibiting judges of courts of record from engaging in political activity, except in furtherance of their own candidacy for the office of judge of any court of record; and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act to amend section eight hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand three hundred thirty-three) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further defining parties and political bodies

The first section of the bill was read as follows:

Section 1 Section eight hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand three hundred thirty-three) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 801 Definition of Political Parties and Political Bodies

(a) Any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate is hereby declared to be a political party within the State and shall nominate all its candidates for any of the offices provided for in this act and shall elect its delegates and alternate delegates to the National convention State committeeman and also such party officer including members of the National committee as its rules provide shall be elected by a vote of the party electors in accordance with the provisions of this act

(b) Any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county is hereby declared to be a political party within said county and shall nominate all its candidates for office in such county and in all political districts within said county or of which said county forms a part and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors in accordance with the provisions of this act

(c) Any political body which is not a political party as hereinabove defined but which has nominated candidates for such general or municipal election by nomination papers in the manner provided by this act shall be deemed to be a political body within the meaning of this act but such political body shall not be entitled to nominate its candidates or elect its party officers at primaries held under the provisions of this act

(d) Provided however That the words "political party" and the words "political body" as hereinabove defined shall not include any political party political organization or political body composed of a group of electors whose purposes or aims or one of whose purposes or aims is the establishment control conduct seizure or overthrew of the Government of the Commonwealth of Pennsylvania or the United States by the use of force violence military measures or threats of one or more of the foregoing

On the question,

Will the Senate agree to the section?

Mr. CAVALCANTE. Mr. President, I move to amend, page 4, line 3, by inserting after "United States" the following: of America.

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to have the bill transcribed for a third reading?

The title of the bill was read as follows and agreed to:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying; revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies.

And said bill as amended having been read at length the second time,

Will the Senate agree to the bill as amended?

Mr. SHAPIRO. Mr. President, I think everybody will agree, I do not think this bill will get a dissenting vote; I mean, the purpose of this bill will not meet any dissent from any of us. I think we are all about fed with the type of people who come here and participate and get the benefits of our democracy, and try by force of arms and other methods indirect to overthrow the government, but I am concerned about making this act workable, and I venture the suggestion that in the present form it does not provide the machinery for carrying out the purpose of the act. The amendment is that no political party shall be deemed to be a political party, if in effect it advocates the policy to overthrow the government by force, and it stops there.

Now, Mr. President, there is no machinery and I suggest first there ought to be a provision in this bill that every political party, in order to be considered a political party, shall file with the Secretary of the Commonwealth its political philosophy, and if its political philosophy discloses in the opinion of the Secretary of the Commonwealth that it advocates the overthrow of this government, using the phrase as used here, "by force," then it shall not be entitled to a place on the ballot, giving the right to such political party then to appeal to the court or some tribunal from the action of the Secretary of the Commonwealth. Otherwise there is no machinery or no method by which you can ascertain what is the political philosophy of the party, and conversely, if you say nothing about it, it is up to the Secretary of the Commonwealth to determine whether the party advocates that philosophy, and it has no control over the picture at all.

I therefore suggest, Mr. President, that this bill should be reconsidered before it either passed on second reading or passed finally.

Mr. President, I may say frankly I understand the Attorney General has prepared this bill and I have expressed my thoughts to him on the subject and he has suggested to me that there is some merit in the position which I have taken, and he is going to give it further study.

However, Mr. President, before we let this bill out of our hands, I think we might consider putting in the machinery to enforce it.

Mr. WALKER. Mr. President, I might suggest to the gentleman from Philadelphia there is a lot of merit in the suggestion he has made. That very point, Mr. President, was raised with the Attorney General's office before the bill was submitted to the Senate, and the suggestion made by the Attorney General's office was to the effect—and I am merely giving you the information which was received by the sponsor of the bill; we do not, of course, subscribe to the authenticity of it—the courts have already taken judicial knowledge of the standing of the Communist party, for example, and their philosophy of government, and that the Secretary of State or the Secretary of the Commonwealth could under this act remove from the ballot or refuse to accept petitions filed by parties covered by this act, those parties whose philosophy is adverse to the form of democracy practiced in this country.

However, Mr. President, Senator Cavalcante and I agree with the gentleman from Philadelphia that we want the bill to be workable, and we are perfectly willing to accept any constructive suggestions or criticisms that might be offered on the act, because I think, as the gentleman from Philadelphia says, we are one hundred percent tired and disgusted with the type of people this bill is attempting to suppress.

Mr. SHAPIRO. Mr. President, in answer to that, since the gentleman from Allegheny has mentioned the Communistic party, might I suggest that the same party can call itself the communal party, or the Smith party, and you do not have any protection against that.

Mr. President, my thought is there ought to be in this bill a provision setting forth the machinery, which, as I suggested, is that such political party should file whenever it wants to file, its political philosophy.

Mr. WALKER. Mr. President, nothing is so discouraging as a debate between two lawyers on tweedledee and tweedledum, but on the other hand the party we have been discussing could file their philosophy of government with the Secretary of the Commonwealth and it could be more idealistic than that of the Democrats or the Republicans and the Secretary of the Commonwealth might not have anything which the Secretary could get hold of to eliminate them from the ballot. The philosophy of government might be expressed in the most beautiful, glowing terms, using three syllable words, which would eliminate the opportunity of keeping them off the ballot.

Mr. CAVALCANTE. Mr. President, I think the difficulty at this point is this, we are probably failing to note that this is merely an amendment to the code and that the code itself provides the machinery in other sections by which the question commented upon by the gentleman from Philadelphia is determined, the same machinery that is used in the code to determine whether a party shall have a place on the ballot. Thus we already have cases and the machinery has already been tested, where a group of individuals come to the Secretary of State and ask a permit to register a particular party and have it placed on the ballot, and if the Secretary for any reason refuses to put that party on

the ballot, the machinery is already set up in the code by which you compel the Secretary to put that party on the ballot, and if the Secretary refuses, then the court itself decides whether or not that party is a proper party on the ballot, and that is where this should be determined.

Mr. President, as my colleague from Allegheny, Mr. Walker, has stated, as far as this Commonwealth is concerned our Appellate Courts have already determined what the Communist party is at present in this state.

Mr. President, one very salutary feature of this bill is this—I will not say we do not want to pass a bill that merely outlaws labels; you see, we are going to outlaw the label "Communist Party," and that we do not want to do, and we must be careful we do not run into a constitutional storm here, because whenever you pass legislation of this kind, you are then looking into the face of the constitutional provisions that give freedom of thought, and freedom of speech, and the right of the people to alter and change their government as they see fit.

Mr. President, it is not the label we are attempting to outlaw, but a certain philosophy that is in direct opposition to the philosophy of our government as found within the four corners of the Constitution. The machinery, Mr. President, in my opinion is already set up in the former sections of the act that this bill amends, and to re-state that machinery in this bill I think would be absolutely surplusage and not necessary.

Mr. EALY. Mr. President, in regard to this bill I would just like to leave one thought with the members. I do not think this will cover what the people are trying to get at. You can not change the minds of these people by preventing them from running a ticket.

Mr. President, while I am not opposed to this bill, yet it has occurred to me it might be a whole lot better to have them vote their ticket so we know where they are. I am never afraid of those who come out as my open enemy, I am only afraid of those who pretend to be friends, and hide behind something else, and if we keep these people from running a ticket, Communists or whatever it may be, then they will be voting either the Democratic or Republican party, and do considerably greater harm than if they voted their own ticket where we can see them and know where they are.

Mr. President, I am not so sure this is a good bill, for that reason; I would like to see these people brought out in the open so we can see where they are.

Mr. CAVALCANTE. Mr. President, I think this bill permits that. The thing we are trying to guard against, is, and I think we ought to be united on this—no matter who they are, they should not entertain a philosophy of government or a philosophy that will sanction the overthrow of our present government by force. Now, Mr. President, that is where we are, the question we have in mind. I agree one hundred percent with the gentleman from Somerset, I would rather see them in the open and on the ballot, but I also feel we cannot here compromise, nor can we explain, a philosophy that would stand for the overthrow of our government by force or by subversive means. Any party, Mr. President, whether they call themselves the Communist party, the Socialist party or whatever they want to call themselves, if they believe in the philosophy of altering our government, changing our government by the means contained within the four corners of the Constitution, we want them on the ballot, no matter what their names might be. They may call themselves the Communist party or any label they want to call themselves, they ought to have that right, they ought to be on the ballot, but what we are aiming at here, the thing that is dangerous here, are groups or classes of individuals who are under the influence of philosophies beyond the control of our government, beyond the boundaries of America, whose fundamental philosophy, whose teachings are that where you cannot alter or change your government within the structure of the government, then you have the right to overthrow it by force or subversive means.

Mr. President, this bill if carefully analysed and the real purpose of it grasped, you will see that it reaches that point, that is, the point we ought not to have any party on our ballot here in America, a party of individuals who believe in the philosophy of overthrowing our government by force. If they come and say, "All right, we do not subscribe to that philosophy, we renounce that philosophy, but we want to call ourselves the Communistic party, but we will change the government and we will pursue towards that end by lawful and peaceful means, means provided within the four corners of the Constitution," this bill will permit such a label on the ballot, it will permit the Communistic party on the ballot, if their philosophy is to alter or change, staying within the four corners of the Constitution.

Mr. President, I hope I have made myself clear.

Mr. REED. Mr. President, when this bill was in committee, I did not have a chance to read it; it was reported out so rapidly I did not have much chance to study it. However, since this discussion I agree with Senator Ealy that the bill will not accomplish the purpose of the sponsors.

Mr. President, I believe this is federal matter, and if there is anyone in the country who would attempt to overthrow the government by violence or by force, then I think after a fair trial in the Federal Courts, upon conviction, if he be a citizen, his citizenship should be revoked and he should be banished from the country.

I think, Mr. President, it has to do with a personal or an individual matter and I do not believe this bill will solve the question at all.

Mr. WALKER. Mr. President, the point the gentleman from Fayette and I are trying to impress upon the Senate is that there is a concentrated movement in the United States and in Pennsylvania to eliminate a common enemy. We are after the Communist party foot, horse and artillery and this is one link in the chain. We are trying to stop the teaching of the Communistic doctrine in our schools; we are trying to eliminate the Communists from the public payroll, we are trying to point out to the citizens of the United States that from a practical standpoint we are on the threshold of war and we do not propose to have this common enemy within our ranks, occupying positions of power and trust and having the rights of citizens of this country, with all the rights of citizenship, and at the same time trying to eliminate our government, our constitution and our flag.

Mr. President, this bill will accomplish this much. I appreciate the wisdom of the suggestion made by the gentleman from Somerset that it is best to get them out in the open.

I am for the moment disagreeing with the co-sponsor that they might change their philosophy of government They cannot change their philosophy of government be-

cause this is only a subordinate chapter here in this country.

They will have to change that philosophy of government as suggested by Joseph Stalin in Russia, and after the father, the fountain-head of the communistic doctrine has changed, they then must change over here and I want to see the Communistic party eliminated from power and public office in this country, because in a few short years your boy and mine are going to go to war and I want their backs protected as well as their front. This goes deeper than the ballot; this is a fight against Communism and every effort we can make, every link in the chain we can forge is just another step towards the ends that the sponsors of these various bills are trying to accomplish.

This is just one move we are trying to make and I agree with the gentleman from Somerset, perhaps it is best they be out in the open but we want to eliminate them, and with God's help and the F.B.I. we will drive them further than out in the open.

Mr. DENT. Mr. President, may I ask whether or not there is a motion before the Senate?

The PRESIDENT. No. There was an amendment offered to the bill.

Mr. DENT. Mr. President, I do not want to delay our adjournment today, but personally as I glance through the bill, I see communism sticking out between every line.

Mr. President, I just can not quite understand all the discussion about philosophies of government here today. We are doing exactly what the Nazis have done in Europe. They eliminated from the ballot political parties that did not believe in the same philosophies that the ruling powers believed in.

Mr. President, we can not destroy communism with legislation, we can not destroy subversive activities by denying the right of publicly proclaiming their philosophies. I do not believe Thomas Jefferson would rest in his grave peaceably today if he knew this bill was on the Calendar. He believed in the right and the freedom and the liberty of the individual. If there be a man in this country, Mr. President, who does not believe in the type of government we have, he is protected by the Constitution and the Bill of Rights and he is allowed to say and do as he pleases so long as he does not do anything subversively which would injure the government of this country or the peoples of this country. Let a man have his liberties, let him think and believe as he will, that is the price of democracy.

Mr. President, when we get so efficient we can control the very thoughts and the actions of every person in this nation, it will no longer be a democracy, it will be some sort of a fascism, and the next thing you eliminate from the ballot will be the liberals with whom you do not agree.

Mr. President, twenty-five or thirty years ago any person who would have propounded the philosophies and policies of the present Democratic party would have been called a subversive agent. I have heard President Roosevelt called a communist by eminent speakers of this nation, I have heard the Democratic party berated by eminent and prominent speakers as being a party that did believe in constitutional government, and if that group became the majority, then that would eliminate from the ballot the Democratic party or the New Dealers, or the Liberals from Wisconsin, or the Progressives from New York.

Mr. President, every person in this great land of ours has the right to feel and believe and do the things he or she wants to do so long as they do not subversively destroy or help to destroy the nation itself. Persons can believe in what they want to believe in; the laws of this nation are sufficient that any person who does the things we are talking about here, that the communists do and believe, if convicted, and they will be convicted by a court, allow them to go on the ballot under any name they want; allow them to make their appeal to the people of Pennsylvania and see the number of votes they get. How far will a party get in this State or this nation that proposes to overthrow the government of the United States by military force?

Mr. President, awhile ago we discussed, some of us, the resolution presented by the gentleman from Lackawanna, and we stated it was properly a matter for the federal government. I believe it is, and I believe the gentleman from Lackawanna had the right to come in here, and as he said, the General Assembly of this state is the mirror of the State of Pennsylvania, and express the views of his constituents. I believe that is what he was trying to do.

Mr. President, this is more so a matter of federal jurisdiction than that resolution was. By eliminating them from the ballot in Pennsylvania, you do not do anything to them in New Jersey, New York, or the other forty-seven sovereign states. We have sufficient laws to take care of communists.

Mr. President, Senator Ealy properly stated if they do not have their own ballot, their own political party, they will join ours and use the old ferreting trick of communists and bore from within, a more dangerous procedure, believe me, then standing out on a soapbox with their whiskers and bombs and red flags and telling what they are going to do to this country. Why, this is silly.

Mr. President, the Constitution of this United States gives every man the personal liberty to say things and do things, and I am not for the elimination of any political party regardless of how drastic its beliefs or how radical its conception of government, but I reserve the right as an American to vote against that political party and to vote against its philosophies, its beliefs, and its proclamations, and I want to exercise that right. I do not want my boy to grow up with the blind conception that he can not think as he pleases. Sometimes during our stage of life, some of us, because of our contacts, of our environment, fall into the habit of thinking along communistic lines, but the government itself by its treatment of its citizens straightens our thoughts out.

Mr. President, let the man believe as he will; that is what the Bill of Rights is for; let him do as he pleases, but when he does anything that tends to destroy this nation and the laws of this nation, then the law as it is so contained today will reach out its long arm and take care of that individual or group of individuals.

Mr. President, we are wasting more time on something here than we did a while ago on the serious resolution presented by the gentleman from Lackawanna.

Mr. MILLER. Mr. President, far be it from me to encroach upon the time of this Senate, but I can not help but make just a few remarks in regard to this bill.

Mr. President, in the earlier part of this session I myself introduced a bill of a similar nature. I introduced that bill at the suggestion of the Department of Pennsylvania American Legion, which had the whole hearted support of the four veteran organizations of this Commonwealth.

Mr. President, I have studied the bill presented by the gentleman from Allegheny and the gentleman from Fayette, and I am fully convinced there is embodied in that bill the fundamental principles which the veterans' organizations desire to bring about.

Mr. President, mention of Thomas Jefferson was made. I can not speak for the political philosophies of Thomas Jefferson, but from my knowledge of the gentleman as an American patriot, I can say that he did, I believe I can say that he, if he were to be here today and were to read the salient features of the bill, that any party or political body whose philosophy or goal is the overthrow of the democratic form of government of the United States by force, shall not be deemed a political party within the meaning of this act, and I think that he would readily agree with that philosophy.

Mr. President, I might suggest to further eliminate the communistic party, if we will use names, there might be an amendment inserted whereby the finances of that particular party or any other party desirous of appearing on the ballot, whose philosophy, whose aims or principles are the overthrow of our present form of government, that if those finances are derived from foreign sources, it should be the means of refusing that particular party a place or name on the ballot.

Mr. CAVALCANTE. Mr. President, might I add to what has already been said, this, the more I read and the more I hear on this subject the more I am convinced the public or the national mind is a ballyhoo, from Oregon to Maine, over the radio, in the newspapers, from the town hall, from the pulpit, at Washington, D. C., from the floors of our Congress, here in the Senate of Pennsylvania. Just a little while ago, we were apprised by the gentleman from Lackawanna that some place in that veritable jungle of insane hatred and prejudice known as Europe, that light, that torch of democracy is about to be extinquished, and it is the sacred or some other duty of this American nation to lay upon the altar of sacrifice, thousands, probably millions of its youths, in order to keep that torch of democracy, that light burning.

Mr. President, now we hear on the floor of this Senate, we have just heard a little while ago, that it is absolutely immaterial whether that same torch of democracy continues to burn here in its sanctuary, or whether it is extinguished.

Mr. President, it is ballyhoo. If we are going to hold ourselves out as the sanctuary of that sublime torch of democracy, then we must do all in our power to see that that torch continues to burn, and gentlemen, I can not for the life of me see how we can assure the burning of that torch here on the shores of freedom, when we say, All right, if there is anybody here who claims himself to be an American and wants that torch burned out and something else put in its place, dictatorship or communism, he shall have the right to so believe and do it, and if he can not get it done within the peaceful structure of the Constitution, go ahead and do it by force and subversive means.

Mr. President, I can not understand this ballyhoo. If we are willing to place upon the altars of war millions of our young men in order to see that that torch keeps burning over in Europe or any other place in the world, I think we owe it to our sacred conscience here to do all within our power to prevent anything that tends to blow that torch out here in America.

Mr. President, I say that individuals, whether born here in America or naturalized, have no right to believe in the philosophy of overthrowing our government by force. I believe to the profoundest depths of my body that the founders of this nation who founded its democracy by the blood of thousands who died on the battlefields of the Revolutionary War, intended that from that day on their descendents,. their children's children, should never again resort to the sword or the gun in order to change their form of government, but I sincerely believe they intended to establish an everlasting democracy and that they intended that torch to keep on burning and that the only right the citizens should have should be the right, within the structure of the Constitution, to change their form of government.

Mr. President, I have repeatedly stated on the political platforms of this country, that any time, the majority of the people of this United States of America, within the structure of the Constitution, say they want a dictator instead of a president, Mr. President, I have enough Americanism in me to say, "You are the majority; you want that form of government today, you have proved it by your ballot, and so therefore I will go along".

But, Mr. President, I do not believe Thomas Jefferson or any of them after fighting that Revolutionary War intended to leave in the hands of the people the right to overthrow the government they were about to establish by force, by the sword, or by the gun, and I am ready to see that this torch of democracy shall be guarded and shall burn perpetually till it is blown out by the peaceful means contained within the structure of the Constitution.

Mr. President, as an American I am jealous and I am not ready to concede to a fellow American that he has the right to overthrow our government by subversive means. Never will I subscribe or compromise to that proposition.

Mr. DENT. Mr. President, I do not want to take much time, but in order to let Jefferson sleep tonight, I think perhaps I had better inform some of the senators it was Thomas Jefferson who upheld the right of Shay, when Shay rebelled; it was Thomas Jefferson who came also to the defense of the whiskey insurrectionists in Western Pennslyvania. Thomas Jefferson never conceived a democracy or an ideal of government which would deny to any individual of that government the right to think, the right to do, the right to say as he pleased in conformity with the laws of the nation. Mr. President, the laws of this Nation already take care of the situation covered by this bill.

Mr. President, maybe I did not stand in Flanders Field, simply because I wasn't old enough, but I did go through the Banana Wars and the Haitian Peninsula, the Central American Islands and Peninsula. I had my four years in the United States Marine Corps, I served my country and will do it again in defense of the ideals so well brought out by the gentleman from Fayette, but I still believe as an individual, and I shall say the things and do the things my mind says and directs me to do under the constitutional rights of an American citizen.

Mr. EDMONDS. Mr. President, do I understand this bill was amended on the floor of the Senate?

The PRESIDENT. It was.

Mr. EDMONDS. Mr. President, may I ask that the amendment be read again?

The amendment was again read.

And the question recurring,

Said bill as amended having been read the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 201, entitled:

An Act to amend a certain appropriation item contanied in section two of Act No. 69-A approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine, page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one.

The first section of the bill was read as follows:

Section 1 The sum of fourteen million five hundred thousand dollars ($14,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance to provide assistance and for local and certain state administration expenses in the manner provided in the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred forty-one

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend section 1, page 1, line 4 by striking out at the end of the line the word: "to"; amend section 1, page 1, by striking out lines 5 to 8, inclusive, and inserting in lieu thereof the following: "for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine"

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate from time to time among the several county boards of assistance funds with which to provide assistance and administrative expenses Allocations so made to a county board of assistance shall be available for expenditure in that county for assistance and for administration expenses in the manner provided by the Public Assistance Law

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend section 2, page 2, line 2 by striking out at the end of the line after the word "allocate" the following: "from time"; amend section 2, page 2, by striking out lines 3 to 8, inclusive, and inserting in lieu thereof the following: "funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the department

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one

On the question,

Will the Senate agree to the title?

Mr. HEYBURN. Mr. President, I move to amend page 1, line 2 of the title, by inserting after the word "Assistance" and before the word "for" the following: "and providing for certain allocations therefrom"; amend page 1, line 5 of the title, by inserting at the end of the line after the word "forty-one" the following: "and for the payment of assistance and expenses accrued or incurred prior to and

remaining unpaid on May thirty-first one thousand nine hundred thirty-nine".

Mr. WALKER. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to,

On the question,
Will the Senate agree to the title as amended?
It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 203, entitled:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO READ BILLS THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 23, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of c ndidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. EALY. Mr. President, I move that the Senate do now adjourn until Monday, February 24, 1941 at 4:30 o'clock p. m.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:45 o'clock, p. m. until Monday, February 24, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 19, 1941.

The House met at 12 o'clock noon.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our Heavenly Father, we, Thy children, pause to say "Thank You" for this, another opportunity to use our God given ability in a manner whereby we become useful men in the dispatch of the tasks that confront us this day.

We ask Thy guidance in all the departments of our government—the Legislative, of which we are a part, the Executive, and the Judicial. Grant that each may accept its individual responsibilities in such a way as to afford the greatest good to the greatest number within the Commonwealth.

Hear our prayer, we implore thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. YOUNG, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. LEISEY. HOUSE BILL No. 467.

To amend subsection (f) of section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," requiring the fingerprints and photograph of licensees on licenses to carry firearms.

Referred to the Committee on Judiciary Special.

By Mr. McFALL. HOUSE BILL No. 468.

Making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease.

Referred to the Committee on Appropriations.

By Mr. NAGEL. HOUSE BILL No. 469.

To add section one thousand eight hundred and twenty-six (a) to article eighteen of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," making it a misdemeanor for election officers to knowingly permit or direct the deposit of ballots in ballot boxes without the removal of the numbered corner.

Referred to the Committee on Elections.

By Mr. HIRSCH. HOUSE BILL No. 470.

Proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five.

Referred to the Committee on Constitutional Amendments.

By Mr. HIRSCH. HOUSE BILL No. 471.

Imposing liability for damages sustained by reason of coal mining operations.

Referred to the Committee on Mines and Mining.

By Mr. SARRAF. HOUSE BILL No. 472.

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

Referred to the Committee on Appropriations.

By Mr. FALKENSTEIN. HOUSE BILL No. 473.

An Act to further amend clause (i) of section two of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by changing the definition of eating place.

Referred to the Committee on Liquor Control.

By Mr. FALKENSTEIN. HOUSE BILL No. 474.

An act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by changing the definition of restaurant.

Referred to the Committee on Liquor Control.

By Mr. BROWN. HOUSE BILL No. 475.

An Act to further amend section seven of the act approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (P. L. 212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments", as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

Referred to the Committee on Judiciary General.

By Mr. BRADLEY. HOUSE BILL No. 476.

An act to further amend clause (i) of section two and clauses (II) and (IV) of section twenty-three of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by abolishing the requirement relative to the sale of food by licensed retail dispensers of malt or brewed beverages; and by changing the times when malt or brewed beverages may be sold by such dispensers.

Referred to the Committee on Liquor Control.

By Mr. BRADLEY. HOUSE BILL No. 477.

To amend the fourteenth paragraph of section two and to further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled; as amended; "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by abolishing the requirement relative to the sale of food by restaurant licensees; and by changing the times when liquor and malt or brewed beverages may be sold by such licensees.

Referred to the Committee on Liquor Control.

By Mr. BENTZEL. HOUSE BILL No. 478.

To amend section four as amended and section seventeen of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled, "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commerically usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use

of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers, common carriers, county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by providing for refunds of taxes paid on liquid fuels by political subdivisions of the Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. RILEY, (By Request). HOUSE BILL No. 479.

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Referred to the Committee on Ways and Means.

By Mr. MARKS. HOUSE BILL No. 480.

An Act to amend sections eight hundred thirty-four and eight hundred thirty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making the crimes fraudulent conversion of property and cheating by fraudulent pretenses misdemeanors; and modifying penalties.

Referred to the Committee on Judiciary Special.

By Messrs. MOUL and WOODRING.
HOUSE BILL No. 481.

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulations of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

Referred to the Committee on Dairy-Industries.

By Messrs. GOODWIN and HEATHERINGTON.
HOUSE BILL No. 482.

An Act providing a method of annexation of townships of the second class and parts thereof to cities and boroughs, and regulating the proceedings pertaining thereto.

Referred to the Committee on Municipal Corporations.

By Mr. POLASKI. HOUSE BILL No. 483.

An Act to amend section four thousand four hundred two of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," prescribing the qualification of one of the members of certain civil service boards.

Referred to the Committee on Cities—Third Class.

By Mr. BAKER. HOUSE BILL No. 484.

An Act requiring commissioners of counties of the second class to transact all insurance business of such counties with stock insurance companies.

Referred to the Committee on Counties.

By Messrs. KNOBLE and O'NEILL.
HOUSE BILL No. 485.

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commisioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining political parties and political bodies, excluding therefrom parties or bodies desiring to change the Government of the United States by means not provided for under the Constitution of the United States.

Referred to the Committee on Elections.

By Mr. WOODRING. HOUSE BILL No. 486.

An Act to facilitate vehicular traffic between the western and eastern sections of the Commonwealth, and afford transportation for defense purposes by providing for the construction, operation, and maintenance of a turnpike, from a point at Middlesex in Cumberland County to a point on the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey; and conferring powers, and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing, that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds, and for the cost of maintenance, operation, and repair of the turnpike, making such turnpike bonds exempt from taxation, constituting such bonds legal investments in certain instances, requiring suits against the commission to be brought in Dauphin County, prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation, and restoration of public roads and state highways affected by the turnpike; providing for condemnation, granting certain powers and authority to municipal subdivisions, and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Referred to the Committee on Highways.

By Mr. LEVY. HOUSE BILL No. 487.

To repeal clause (o) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund

for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by eliminating requirement that the names of general assistance recipients be made public.

Referred to the Committee on Welfare.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 488.

To further amend clause six of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the Commonwealth to pay to certain school districts of the third class fifty per centum of the total minimum increments of salary provided for by law.

Referred to the Committee on Education.

By Mr. KEENAN. HOUSE BILL No. 489.

Making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and the purchase of apparatus and equipment for, the University of Pittsburgh, and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Referred to the Committee on Appropriations.

By Mr. BONEY. HOUSE BILL No. 490.

To further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providin ; that in certain cases when relief is given milk orders shall be given in addition to such relief.

Referred to the Committee on Welfare.

By Mr. REGAN. HOUSE BILL No. 492.

An Act licensing and regulating the business of mining anthracite coal; providing for the issuance and revocation of licenses by the Secretary of Mines; authorizing said Secretary to enter mines, to issue regulations governing the administration of this act, and to appoint mining engineers who are empowered to enter mines and inspect the same; requiring a corporate surety bond to accompany every application for a license; authorizing appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

Referred to the Committee on Mines and Mining.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 145. (HOUSE BILL No. 491.)

An Act to amend further section fourteen of an act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relating to the creation of flood control districts, adoption of plans for flood control works, and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," as re-enacted and amended, by conferring additional powers on the Department of Highways.

Referred to the Committee on Highways.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SARRAF and KEENAN, (Concurrent) RESOLUTION No. 32.

In the House of Representatives, February 19, 1941.

Whereas, In the City of Pittsburgh and in the County of Allegheny the dissemination of smoke and other products of combustion into the atmosphere has long been unusually great, and

Whereas, The recent marked increase of industrial activity in said city and county has operated to raise considerably the smoke content of the atmosphere thereabouts, and

Whereas, The presence of such unusual amounts of smoke in the atmosphere results in the so called "smog" which has a recognizable ill-effect upon the general health of the residents of said city and county, and

Whereas, The chief cause of such smoke is incomplete combustion which it may prove possible to eliminate to a considerable degree, with material savings in operating costs to the various industries located in said city and county, and

Whereas, On the other hand any satisfactory and adequate method of eliminating smoke from the atmosphere of said city and county may be found to entail such prohibitive expense as to drive out important and necessary industries, with consequent unemployment, and

Whereas, Any effective program of smoke elimination might necessitate a decrease in the amount of bituminous coal consumed in said city and county, with a consequent depressing effect upon the bituminous mining industry which is so essential to the prosperity of that area, therefore be it

Resolved (if the Senate concur), That a committee of five members shall be appointed, three by the Speaker of the House of Representatives and two by the president pro tempore of the Senate for the purpose of investigating the smoke and the so called "smog" condition existing in the County of Allegheny and the City of Pittsburgh, and for the purpose of ascertaining whether such conditions can be effectively eliminated or relieved without unduly burdening or discouraging industrial and mining activities in that area.

The said committee shall make a report of the result of this investigation to the General Assembly now in session as speedily as possible in order that appropriate

legislation may be enacted if such be found feasible or necessary, and be it further

Resolved, That an appropriation of $3500 be made available through the adoption of an appropriation act to cover the expenses of this committee.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. CHARLES H. BRUNNER, from the Committee on Welfare, reported as committed House Bill No. 103, entitled:

An Act to repeal the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on certain State and local officers and employees, and on charitable institutions, persons, copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed."

Mr. JEFFERSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 349, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. MELCHIORRE, from the Committee on Rules, reported as amended House Resolution No. 14.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 402, entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 366, entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 202, entitled:

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 374, entitled:

An Act to add clause (e) to section four of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "An act defining the term 'fiduciary'; prescribing the nature and kind of investments which may be made by such fiduciaries; validating certain investments heretofore made by such fiduciaries; and repealing acts and parts of acts inconsistent herewith," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 51, entitled:

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 183, entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION NO. 26.

Mr. STINE. Mr. Speaker I desire to call up Resolution No. 26, Printer's No. 30.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

Whereas, Nationally organized poultry interests have announced the dates of March 6-12 inclusive and May 1-7 inclusive as Springtime Egg Festival and

Whereas, This event is designed to increase the consumption of eggs during the period of peak production and thereby lessen the egg surplus that depresses the egg market for the remainder of the year and

Whereas, Pennsylvania leads America in the dollar value of eggs produced annually and

Whereas, Poultry and Eggs are a $67,000,000 annual industry in Pennsylvania with its 67 counties and

Whereas, There are 167,000 farmers owning flocks producing eggs in Pennsylvania in every one of the State's 67 counties and

Whereas, Merchants throughout the State have agreed to cooperate with the poultry raisers in the intensive promotion of Springtime Egg Festival

Therefore be it resolved that the House of Representatives of the Commonwealth of Pennsylvania endorses Springtime Egg Festival and calls upon the consumers of the State to help Pennsylvania's 167,000 poultry raisers through materially increasing their use of eggs during Springtime Egg Festival

On the question,

Will the House adopt the resolution?

Mr. STINE. Mr. Speaker, organized poultry interests throughout the United States are interested in setting aside the two weeks referred to in the resolution, March 6 to March 12 inclusive, and from May 1 to May 7 of this year as the resolution sets out. The egg industry is one of the big farm interests of this Commonwealth, and leads the nation. There is annually, as the resolution sets out, sixty seven million dollars involved.

I call upon the Members of this House to vote for this resolution and thereby indicate their interest in promulgating and maintaining the egg industry as one of the foremost industries in this Commonwealth.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION NO. 19.

Mr. HOLLAND. Mr. Speaker, I desire to call up Resolution No. 19, Printer's No. 28.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 10, 1941.

Whereas, December 15, 1941 will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments, and

Whereas, This date, which is ordinarily significant, assumes unusual importance at this particular period in the history of our Nation and of the world, when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home, and

Whereas, The American Legion, Spanish American War Veterans, and Veterans of the World War and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary, therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to designate December 15, 1941 as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, each of the presiding officers of the two branches in Congress and to each United States senator and member from this Commonwealth.

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION NO. 25.

Mr. D'ORTONA. Mr. Speaker, I desire to call up Resolution No. 25, Printer's No. 29.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

Whereas, The City of Philadelphia and particularly the citizens of the twenty-sixth ward thereof recently experienced a horrible tragedy as a result of a series of gas explosions resulting in the death of at least five of its citizens and injuries to at least twenty-five others and

Whereas, A serious controversy regarding the cause of said explosions has resulted in a series of investigations being made by eight different city agencies and

Whereas, Said agencies are to make a report to the Mayor of the City of Philadelphia and

Whereas, The City of Philadelphia has an interest in the findings of said agencies in that the city may be responsible for the occurrence of the catastrophe and

Whereas, Said investigations may not properly enlighten the citizens of the City of Philadelphia as to the cause of the explosions and

Whereas It is deemed desirable to make a thorough investigation in order that the cause of the explosions be determined and a recurrence thereof prevented and

Whereas Legislation may be necessary to prevent a recurrence thereof therefore be it

Resolved, That the Speaker of this House appoint a committee of thirteen members whose duty it shall be to make a careful thorough and impartial investigation of the causes and reasons for the explosions and that the said committee shall make a report of its findings and recommendations to this House as early as possible

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have

power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect to refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

GEORGE WASHINGTON

Mr. LOVETT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 19, 1941.

Whereas, During the recess this week, we will observe the two hundred and ninth anniversary of the birth of him who not only led the patriots of his day through a successful revolution against tyranny and oppression, but triumphantly builded this Nation amid an angry conflict of passion and prejudice.

His genius in military affairs begat the Nation, but his greatest service to mankind was the holding together of the feeble life that marked its inauguration as an independent power among the governments of the world.

The same high degree of courage and perseverance that inspired the half-frozen patriots at Valley Forge to carry on in the face of starvation and death, met and conquered every political disease that threatened the life of this new child in the world's family of nations, and made its growth sure and its development certain.

The days that marked his military service to his Country were constantly fraught with danger for all, food was scarce, property was insecure, and death lurked everywhere; but the courage of this man dispelled fear, inspired a patriotism that laughed at disaster, gave birth to a faith that was unconquerable, and won for him the love and devotion of all his countrymen.

During the years of his presidency, his courage met a greater task than Valley Forge, but with that same perseverance and devotion to duty, he carried on against enemies who sought to drag him from the heights, and despoil the Nation for their personal gain.

Amidst the innumerable pages of history, we find none other whose courage and genius contributed as much to free our land from bondage and elevate it to the rank of an independent and sovereign power.

George Washington was the noblest figure that ever stood in the forefront of a Nation's life; therefore be it

Resolved, That this House of Representatives when it adjourns this week, does so out of respect to the memory of that patriotic and inspirational hero, George Washington the Father of our Country.

COMMITTEE APPOINTED

RESOLUTION NO. 25.

The SPEAKER: In accordance with the provision of House Resolution No. 25 Printer's No. 29 adopted Wednesday February 19th, the Chair appoints the following Select Committee.

Messrs. D'Ortona, Chairman, Skale, Corrigan, Voldow Rosenfeld, DiGenova, Falkenstein, Melchiorre, Edwin Lee Thomas Lee, Voorhees, O'Dare and Fletcher.

ADJOURNMENT

Mr. SCHWAB. Mr. Speaker, I move that this House do now adjourn until Monday, February 24, 1941, at 9 p. m.

The motion was agreed to, and (at 12:30 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, FEBRUARY 24, 1941. No. 13.

SENATE

MONDAY, February 24, 1941.

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

O Lord Our God, as we begin another legislative week, we are deeply impressed with Thy goodness, love and providence unto us as a nation. We repose our faith in Thee and our nation. Our love for both, O God, would be unquestioned through the evidence of our external acts. May we be fired with the same patriotic zeal which animated our forefathers to sacrifice even that which they held most dear—their own lives.

May we ever believe in our nation that she may always derive her just powers from the consent of the governed, a democracy in a republic, a more perfect union one and inseparable, respecting and honoring her flag and pledging allegiance to this one nation, indivisible, with liberty and justice for all.

Guard and defend the armed forces of our nation whether it be the soldier in the field, the sailor tossing upon the billowy deep, the aviator in the skies or the navigator under the sea. May all our people, together with these, feel the need of sacrifice in order that our defense may be made strong and our rights inviolate among the nations of the earth.

Truly this day our hearts rise to Thee filled with thanksgiving as we receive Thy blessings showered upon us so copiously. We give thanks in Thy Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TAYLOR and Mr. BELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Shapiro asked and obtained leave of absence for the Senator from Luzerne, Dr. MUNDY.

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. McGinnis asked and obtained leave of absence for the Senator from Allegheny, Mr. BARR.

TIME OF NEXT MEETING

Mr. HENRY I. WILSON offered the following resolution which was twice read, considered, and agreed to:

In the Senate, February 24, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday afternoon, March 3, 1941, at 4:30 o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March 3, 1941, at 9:00 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. "The weeks necessary for organization having passed, the members of this body will soon be called upon to vote on legislation which will come before the Senate with some rapidity in the near future. The imminence of this impels me to call your attention to certain facts which will become obvious from the recitation of the history of the particular piece of legislation which I intend to discuss today.

"On January 16, 1939, Mr. Boyd, a Republican member of the House of Representatives from Philadelphia, introduced a bill to amend Sections 3, 4, 5, and 9 of the Act of June 28, 1935, P. L. 463, commonly referred to as the 'State Authority Act.' This act authorized the creation of municipal authorities by the law-making bodies of municipalities in the Commonwealth for the purpose of 'acquiring, holding, constructing, improving, maintaining and operating, or owning or leasing . . . . buildings to be devoted wholly or partially for public uses and for revenue producing purposes . . . . grounds and facilities, sewers, sewer systems, sewage treatment works, water supply works, lakes, dams, hospital . . . .' all of which were referred to in the act as 'projects.'

"The Act of 1935 also authorized 'the Commonwealth, the County, or any city, borough or township in the County, to lease, grant, or convey to the Authority, upon such terms and conditions as are mutually satisfactory . . . . any existing' projects.

"The amendments introduced to this Bill by Mr. Boyd were as follows:

(a) Section 3 was amended by removing the existing requirement in the law that the ordinance of the council creating the Authority should set forth "in full the proposed articles of incorporation" of the Authority,

(b) Section 4 was amended by enlarging the 'projects' to include 'gas works, gas manufacturing and gas distribution systems' and adding that the municipality organizing such Authority may 'in its resolution or ordinance, or from time to time by subsequent resolution or ordinance, specify the project or projects to be undertaken . . . . and no other projects shall be undertaken by the said Authority than those so specified,'

(c) Section 5 was amended by (1) increasing the authorized term of the bonds issued by the Authority from 30 to 40 years, and (2) by making such bonds legal investments for banks, fiduciaries, insurance companies, boards, commissions and agencies of the Commonwealth.

(d) Section 9 was amended by making this section dealing with transfers of existing facilities by local communities conform to the amendments of Section 4, including gas works, etc., as a project.

"It is important to call attention here to the fact that in January, 1939, the City of Chester did not have a municipal authority, but it did have a privately owned water works. I emphasize the word 'privately' for reasons which will become apparent as we go on.

"The amendments offered by Mr. Boyd became House Bill No. 38, and it was referred to the Committee on Municipal Corporations, of which Mr. Boyd was not a member.

"On March 15, 1939, Mr. Leydic, a Republican member of that Committee, reported the bill out of Committee, as amended in the Committee. What were these Committee amendments?

Section 3 was amended in the Committee so that, if the ordinance or resolution of council did set forth the articles of incorporation of the Authority in full (even though by the proposed amendment it was not obligated to do so) it should not be necessary in advertising the resolution of council to publish the articles of incorporation in full, but it would be sufficient to set forth briefly the substance and refer to the provisions of this Act.

Section 3 was also amended in the Committee so that one municipality could join another for the purpose of forming an Authority.

Section 4 was amended in the Committee to add "parts of sewage systems" to sewers and sewer systems projects already authorized by the existing law as an authorized Authority project, and removed 'gas works, gas manufacturing and gas distribution systems' but in its place it added 'water works and water distribution systems' as an authorized project.

Section 9 was amended in the Committee to conform to the amendments of Section 4 by removing 'gas works' as an authorized project and adding 'parts of sewage systems and water works and water supply works,' etc., as a project which any municipality might transfer to an Authority.

Section 11 was amended in the Committee by adding the provision that 'water and water rights' might be acquired by the Authority by purchase or by eminent domain.

"On March 20, 1939, the Bill passed first reading in the House.

"On March 21, 1939, the Bill, on being called up for second reading—Mr. Boyd offered amendments on the floor—which Mr. Turner, the Speaker, directed the Clerk to read. They were adopted without a roll call. These amendments were as follows:

"Section 9 was amended by adding the words 'or an owner' so that transfers of existing projects by municipalities was extended so as to authorize transfers to a Authority by a private owner; and, in order to clinch th matter and leave no loophole to thwart the scheme ther was added to Section 9 the following: 'This Section, with out reference to any other law, shall be deemed complet for the acquisition by agreement of projects as define in this Act, located wholly within or partially withou the municipality or municipalities causing such Authorit to be incorporated, any provision of other laws to th contrary notwithstanding and no proceedings or other ac tion shall be required except as herein prescribed.'

"On March 23, 1939, the Bill was read for the thir time and passed finally by a vote of 152 to 2 with Repre sentatives Achterman and Brancato, Democrats, voting i the negative.

"On March 27, 1939, the Bill was presented to the Senat for concurrence; and was referred to the Committee o Municipal Government, consisting of 8 Republicans an 4 Democrats.

"I was a member of that Committee. In the Committe I opposed the Bill. I particularly objected to the amend ment to Section 5, which made the bonds of such Author ities legal investments. I pointed out that since ther was no control under the Act over the price which th Authority might pay for a project or over the sale o the bonds by the Authority, it was dangerous to mak these bonds legal investments; that this was especiall true in view of the fact that our Fiduciaries Act regu lating and defining legal investments passed only afte careful consideration by persons of considerable experi ence in that field.

"On April 5, 1939, the Committee reported the Bill ou as amended so that the provision making the bonds lega investments was removed but there was added to th Bill an amendment which included 'low head dams' a an additional Authority project; the Committee also adde a little irony to the picture by including the followin statement in the Bill: 'The purpose and intent of thi Act being to benefit the people of the Commonwealth by among other things, increasing their commerce an prosperity, and not to necessarily burden or interfer with existing business.'

"On the same day the Bill was read for the first time

"April 11, 1939, on motion of Mr. Owlett, seconded b Mr. Mallery, House Bill No. 38 was recommitted to th Committee on Municipal Government.

"On April 24, 1939, Mr. Owlett re-reported House Bi No. 38 from the Committee on Municipal Government a amended. The amendments in Committee were as follows

(1) The amendment making the bonds legal inves ments was restored.

(2) The approval of the Water and Power Resource Board was made a necessary requisite for the acquisitio by the Authority of water and water rights, and

(3) The Authority could only exercise the right eminent domain after it had acquired 65% of the proper involved by the purchase or agreement.

"On April 25, 1939, the Bill passed second reading, the Senate.

On April 26, 1939, the Bill came up for third readi and final passage, and Mr. Owlett asked unanimous co sent to correct a minor error; but on interrogation by M Edmonds, Mr. Owlett admitted that the amendment ma

ng the Authority bonds legal investments had been restored to the Bill. In the discussion on the objection to the Bill by Mr. Edmonds and myself on a motion that the Bill be re-committed to the Committee for further study, the majority floor leader, made the following statement:

'Mr. President, I have no objection to the motion, and I have no interest in the bill myself, except I understand that some of the members of the House are very much interested in this bill because of a provision which permits the acquisition of water works by several municipalities, and I understand they are exceedingly interested in having these bonds legal investments for financing a number of improvements in the Senator from Montgomery's section of the State. I know there would be serious objection in the House to the Senate taking that clause out."

"On the assurance of Mr. Owlett that consideration of the Bill would be postponed to give the Senate time to consider the matter, Senator Edmonds withdrew his motion to re-commit the Bill and action on it was postponed.

"On May 1, 1939, the majority floor leader, called up House Bill No. 38 and moved to amend the Bill by striking out the provision which made the bonds legal investments. The amendment was agreed to.

"On May 8, 1939, Mr. Owlett moved that the Senate resume consideration of House Bill No. 38. I objected to the Bill, and among other things said:

'Mr. President, this Bill originally gave the right to State authorities—to local authorities, rather, to engage in water projects and sewer projects. It was then amended so as to make the bonds of those authorities subjects of investment for trust funds. It was then amended to make these bonds negotiable instruments. And then it was amended to take out the trust fund portion so that these bonds are no longer investments for trust funds. Now it is amended so as to include not only the purchase of water works from municipalities but also from private owners.

'Ordinarily this bill might not mean anything but if you read the rest of the bills that are coming through the Senate, there was one bill that came from the House last week which makes these bonds, municipal authority bonds, proper for deposit to secure bank deposits.'

* * *

'If we pass these bills and we continue to allow these State authorities to issue these bonds we will find ourselves in a position where we just as well might have permitted the amendment in the bill; and I think this bill is a bad bill because it does not stand alone but is aligned with other bills that are coming over to the Senate for passage, which will make the bonds acceptable as security—give the State a great deal of security which may turn out to be of no value, and for that reason I am voting against this bill.'

"The assertion often made, that a speech seldom changed vote in the Senate proved true again. My remarks did ot convince a single Republican Senator, nor did it change vote; the lines were fixed; the Bill passed finally. It eceived a bare constitutional majority 26 votes, though here were only 24 Republican Senators in the Senate, and ll the Democratic Senators voted against it.

"This, Mr. President, is the actual and factual history of ouse Bill No. 38 in its travels through the House and e Senate. There can be no dispute as to the facts reted. I have quoted from the record.

"The enactment of this Bill into law has created the scond political scandal in Delaware County; and the man involved in the first has now been indicted as the principal actor in the second.

"I am convinced that any disinterested person having some knowledge of legislative matters and the average citizen following the progress of this Bill from its introduction to its final passage would ask—

"(1) Why did Mr. Boyd, a member of the House from Philadelphia, introduce a Bill affecting or intended to affect a situation in Delaware County?

"(2) Who prepared the amendments introduced by Representative Leydic in the House?

"(3) At whose suggestion did Mr. Leydic introduce these amendments?

"(4) Who prepared the amendments for Mr. Boyd, which he introduced on second reading, the effect of which was to add water works and water distribution systems as an authorized project?

"(5) Who prepared the amendments for Mr. Boyd which authorized the transfer of any project by private owners by private agreement?

"(6) At whose suggestion was the amendment making the Authority bonds legal investments restored to the Bill after it had been stricken out by the Committee on Municipal Affairs in its first action on that Bill?

"(7) Who were the 'some members of the House' who, according to Mr. Owlett, were 'very much interested in this Bill because of a provision which permitted the acquisition of water works by several municipalities,' and who, according to the majority leader 'are exceedingly interested in having these bonds legal investments for financing a number of improvements in the Senator from Montgomery's section of the State?'

"(8) How did Mr. Owlett know that 'there would be serious objection in the House to the Senate taking that clause out?'

"And lastly, you, the members of this Senate, will ask, 'How did the Bill receive the requisite constitutional majority of 26 if, as I have said, all the Democrats voted against the Bill and only 24 Republicans voted for it?'

"The answer to all these questions, except the last, is not within my knowledge nor within the purpose of this discussion. But to the last question I think I know the answer. But first I should say that no one can deny that the whole corrupt scheme now sticks out like a sore thumb, and that the plan weaves its way through the pages of our Legislative Journal to its ultimate consummation, directed by the hand or hands of a person or persons who knew legislative procedure and legislators. Obviously the recitation of these facts is proof positive that without the active or at least passive assistance of the Legislature the scheme would have died aborning. That the members of this Senate actively participated I deny; but that the members of the Senate passively assisted by their votes at least, cannot be doubted; that the Republican Party leaders must bear full responsibility is the only honest conclusion.

"I think I can establish that fact. But if that were my only purpose I would not have taken the trouble or the time to bring this matter to your attention. These remarks are not intended to be destructive. Nor is it my aim to prove or claim that righteousness is an exclusive virtue of the Democratic party. On the contrary, I hope that my discussion may serve as a constructive criticism which may serve to bring about a more serious considera-

tion of every piece of legislation that comes before this body by both parties.

"On the radio, in the newspaper, in our homes, we are constantly made aware of the fact that our democracies cannot prevail unless we can convince our people that a democracy is worth fighting for. The strength of a democracy lies in its law-making and law-enforcing bodies. I think I have said that frequently; and the ability of those bodies to function effectively increases in proportion to the respect which the people have for the law-making and law-enforcing bodies. Twenty-six people in this Senate, I have often said, hold in their hands the destiny of 10 millions of people. The history of House Bill No. 38 conclusively proves that every bill that comes before this Senate, no matter how innocuous it may appear, may be used for or have the effect of interfering with the financial or physical well-being of the people in some community or all over the State.

"Twenty-four Republican Senators voted for this Bill. The floor leader of the majority party made it his business to see to it that this Bill was finally enacted into law. The vote, which included every Republican in his seat at the time, indicates clearly that this was caucus action or that the desire of the majority floor leader was accepted by all the Republican members of the Senate.

"I have acquired a great respect and admiration for all these men. I have no word of criticism to offer of any one of them with respect to their vote on this Bill. Party regularity has been used and abused many times for the purpose of accomplishing the passage of legislation. Where it involves party pledges or principles, I can understand and agree with it. Our two party system requires it, for in that way only can the people judge of the sincerity of party promises. But when it is extended to non partisan or non political matters, it becomes an abuse. That it was abused in this case is obvious, because the party as such could have had no party interest in the passage of House Bill No. 38, unless it was that the party leaders were willing to pay a debt to a local leader and with absolute contempt for the Senatorial members of their party, used their votes for their own corrupt purposes. If this were not so, how could 24 Republican members of the Senate become a majority of 26 without Democrats voting for the Bill. The only way that could be accomplished would be by getting two members of the Senate who were not elected as Republicans to join the Republican ranks.

"Certainly neither Mr. Eroe nor Mr. Dando could be called Democrats. The methods by which Mr. Eroe was induced to vote with the Republicans on the organization of the Senate in 1939 was certainly a Senatorial, if not a public, scandal; the reason for Mr. Dando's absence from that organization meeting is a matter upon which I prefer not to linger. Mr. Dando and Mr. Eroe were elected as Democrats; their alliance with the Republican party is not a fit subject in a non political discussion such as this. These two men joined the Republicans in voting for the Bill. Who got them to do that, and at whose request? I am exposing no secrets when I refer to the fact that the majority leader of the Senate frequently came to the minority side to confer with these two gentlemen whenever the voting situation required it.

"I am frank to say that I do not believe that the majority floor leader was actuated by any desire, motive or interest other than to carry out the requests of the Republican party leaders in dealing with this Bill.

"As I said before, I do not make any charge, nor do I reflect on any single member of this Senate; but I do indict and charge the leaders of the Republican party with full responsibility.

"I cannot forget that the Earle administration, from the Governor down, were accused by the Republican party of high crimes and misdemeanors upon charges so flimsy that they cry out for shame in the face of this story.

"The local authorities in Delaware County have exposed this transaction. It has been made the subject matter of indictment. What have we, here in the Senate, done about the matter? There is a mad rush on the part of the Republican Senators to amend the laws so that this may not occur again. The Republicans are adopting the usual but futile method of attempting to cure moral ills by the application of a legislative poultice plaster. This case ought to serve as an answer to the cry of party regularity. It ought to destroy once and for all the argument that 'the organization is in favor of this bill,' as a reason for voting for it, which I so frequently heard as a member of the Republican party. I sense a rising feeling on both sides of this House against such arguments, and it is because of that feeling that I am willing to risk being misunderstood in order to focus attention upon a custom and a method of dealing with important legislative problems, which should long since have been outmoded and outlawed.

"The majority side include men of ability and conviction—men who have the courage of their convictions and who I am certain resent the fact that their votes were used for the purpose of carrying out the avaricious and the corrupt intentions of some greedy politicians. I think and I hope that that will appear from the manner in which legislation about to come before us will be treated.

"You may ask, 'Is this preliminary to a request for a legislative investigation,' and my answer is that so far as I am concerned I shall ask for no investigation and I do not think that anybody on this side of the House will. I am, however, expressing my personal opinion. I feel and I think that my colleagues will agree with me that whether it be by investigation or otherwise, the matter is in the lap of the Republican party leaders.

"The vehicle of corruption was created and built by them. It is their child. The exposition of its parentage and the reasons for its birth lie within the knowledge of those persons whose conception it is.

"The Republican majority of this Senate may take steps to lift the curtain if it so desires. If it does, and allows the chips to fall where they may, it will be to its everlasting credit. If it doesn't the public may assume that the legislature is corrupt and the Republican Party leadership is content. What may come from either an investigation or from completely ignoring these facts is problematical. What can come from a disclosure of these facts is what prompted me to recite them.

"The members of both parties with a full sense of their responsibilities to the people as well as to their party can make democracy worth fighting for by showing that the Legislative process is a democratic and not a dictated process. We of the Senate by resolving that we will view and act upon all non political legislation solely on its

value to the people as a whole, can do much to bring the Legislature to that high public regard to which it should aspire.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, last week I spoke briefly upon the results of the Louis-Dorazio fight. Since that time I have received compliments and plenty of criticism. I have not been alarmed about the criticism up until today, when I found out that the Republican State Committee has injected themselves into this argument.

Mr. President, before I proceed I would like to have permission for the Clerk to read a release as given to the press on the twenty-first day of this month. I asked unanimous consent to present this release.

The PRESIDENT. The gentleman from Cambria may proceed.

The Clerk read the release as follows:

"February 21, 1941.

Republican State Committee
Front and Market Streets,
Harrisburg, Pa.

"For Release Saturday A. M. and P. M. Editions

"Harrisburg, Feb. 21st—Senator John J. Haluska, (D), Cambria County, who promulgated the "dive" charges in connection with the recent Joe Louis-Gus Dorazio fight, was called upon today to exercise his self-admitted pugilistic skill to sidestep explosive verbal punches tossed his way by Republican legislative leaders.

"Rep. Lloyd H. Wood, (R), Montgomery County, aggressive spokesman for a younger bloc of House Republicans, said that Haluska's 'comic-opera effort' to project himself as a Democratic authority on athletic and gaming issues was an 'irresponsible product of thwarted statesmanship.'

"Mr. Haluska's self-styled 'record' as an old-time fighter is as mysterious as the reasons for the electrifying speed with which his gaming skill now before the Legislature were repudiated this week by Democratic State Chairman Meredith Myers," Mr. Wood declared.

"If Mr. Haluska's views on gaming are so vigorously frowned upon by the leaders of his own party, with what degree of credibility can we look upon his 'expert' analysis of heavyweight championship fights?

"The gentleman from Cambria County, who admits, on the basis of his own boxing experience that he knows a dive when he sees one, not only takes issue with 60 of America's top-flight sports writers when he labels the Louis-Dorazio fight a 'frame-up' but he executes a questionable piece of footwork to gobble some free publicity at the expense of the Pennsylvania State Boxing Commission.

" 'Mr. Wood questioned Haluska's purported ring background and said that boxing records failed to identify anyone by that name who might even remotely be qualified to judge a "right cross from a green shutter."

" 'Mr. Haluska challenges the ephemeral quality of Joe Louis' punching prowess in an obvious effort to create an element of fraud and substantiate the Jaspan-Di Silvestra resolution to investigate the chairman of the State Boxing Committee.

" 'If Gus Dorazio was a party to a frame-up, then all of the victims of Mr. Louis' ring skill . . . Schmeling, Braddock and Baer . . . are placed in a similar light.'

" 'The Montgomery County Republican leader said he doubted that this theory would be accepted by accredited boxing scribes who have written the history of boxing 'since the halcyon days of Corbett and Sullivan.'

" 'Certainly the gentlemen of the press are better qualified to judge a knockout blow than an ex-boxer who had the dubious distinction of fighting for ten years only to have his contributions to fistic science so completely ignored by the official records.

"It is unlikely that in the course of his own meteoric career, Mr. Haluska was ever thrown in the same ring with anyone packing the pulverizing punch of Joe Louis or he might have greater respect for the courage displayed by Dorazio in carrying the fight to the champion before Louis administered the 'coup de grace.'

"Similarly, to accuse Joe Louis of any part in a shady ring frame-up is an affront to a great, deserving champion and the race he so honorably exemplifies,' Mr. Wood charged."

Mr. President, so that the record may be clear I wish to state that release was issued by the Republican State Committee.

Last week, Mr. President, the papers misquoted me when they said I said on this floor I had spent ten years of my life as a professional boxer. I said no such thing and the record shows that.

I did say, however, that I spent ten years of my life as a boxer. I mean now just what I said then, and Joe Louis was not implicated in any sense whatsoever in my remarks, but it is my opinion had Joe Louis wished he could have in the first minute of the first round flattened this man Dorazio.

However, Mr. President, this man Wood, whoever he might be, I understand is a member of the House of Representatives. I have checked the record and I find no place in that record of last week where he made any such remark but I do find by reading the press the remarks were made and therefore he must be a power and the words were placed in his mouth and I am surprised that the Republican State Committee would stoop so low as to inject themselves into this battle. Who are they? Who are these leaders?

This afternoon to determine the facts I tried to reach the Republican State Committee chairman, Mr. Torrance. I called three times but he failed to answer. I left word to have him call me but until the present time he has failed to call me.

I understand, Mr. President, the Republican party has a deficit to meet and I would like to make the suggestion, if Mr. Torrance deems it wise, he might try to arrange a bout between his power Wood and myself, the proceeds, if the contract is good, to go to the Republican party and to John Haluska.

Mr. President, I am not speaking for the Democratic party, I have never spoken for the Democratic party and whatever I say on this floor I am responsible for. If it is bad, it is my fault and if it is good the credit goes to me, but my party is not responsible for any bills that I introduce, as quoted by Mr. Wood.

Mr. President, my party is not responsible for what I say or do. I do the best I know how, the best I can. As Lincoln once said, I expect to keep on doing that to my very, very end, whatever the end brings me, and regardless of what might be said about me, and if the end proves me to be wrong, it would make no difference.

Now, Mr. President, I have not in any way tried to mislead anyone or make anyone believe Joe Louis was in the frame-up battle but I do say and I repeat that Gus Dorazio in that fight to find an easy way out went to the mat. He said himself he did not even feel it.

Mr. President, I recall when Joe Louis fought Schmeling,

after he was hit, he went to the hospital; when Louis fought Galento he went to the doctor's immediately and some of the sports writers said Louis struck the greatest blow of his life when he hit Dorazio. What did Dorazio say? Mr. President, quoting from the paper Dorazio said he did not even feel it, and therefore Louis must have lost his punch if he struck the toughest punch and the hardest punch of his career.

So, in conclusion, Mr. President, I wish to state I am responsible for what I do. If Mr. Wood or the Republican party wishes to blame the Democratic Party for what I do it is up to them. If they refer to my gambling bills they are my own pet bills. I believe in them and this body will hear about them if we stay here until next December, I expect to put my bills before this body and get fair consideration of them, but do not blame the Democratic party for what I do.

Mr. President, if you men are interested in that release, if you are interested in bringing about a little clash, contact the State Chairman and let me see the contract and I will sign on the dotted line.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. WALKER. Mr. President, I would like to convey to a very distinguished member of the press the sincere congratulations of the great State of Allegheny; we are awfully glad to see that he has recovered from the arduous responsibilities of becoming a proud father. Welcome back and sincere congratulations.

Mr. President, for the information of the members of the Senate, permit me to say the gentleman to whom I refer is the Honorable Joe Miller of the Philadelphia Inquirer.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, so as not to break the continuity of the business before the Senate, I now rise on a question of personal privilege.

The PRESIDENT. The gentleman from Lackawanna will state his question of personal privilege.

Mr. COLEMAN. Mr. President, the gentleman from Cambria complained about the punch in the jaw given to Gus Dorazio in Philadelphia and my complaint is about a slap in the face given to the City of Scranton last week.

As a native born Scrantonian my sense of appreciation of a great community asserts itself and rebels against any unfair treatment of the third largest city in the State. I rise this afternoon, Mr. President, to protest against a rank injustice done to the region I represent in the Senate of Pennsylvania. In 1937 the Publicity Commission, whose function was taken over by the Department of Commerce, issued a booklet describing every political subdivision in the Commonwealth. After thousands had been distributed throughout the country it was discovered that reference to Scranton was omitted from the book. Notwithstanding that the taxpayers of Scranton had contributed their proportionate share of the $500,000 appropriation to the Commission, the City next to Pittsburgh in size was not even mentioned. I took up the matter with the late Warren C. Van Dyke, an estimable gentleman, who was Chairman of the Commission and learned that a proof reader had inadvertently omitted placing the sheet describing Scranton in the booklet. On the age old truism that 'twas human to err we accepted the apology and a clip sheet was later added to the remaining copies not distributed. The people of the metropolis of the anthracite then settled down to peaceful pursuits. We heeded the Biblical admonition and turned our collective cheeks only to get another slap last week, the sound of which has justifiably angered every resident of the region I represent.

Last week there was released the first edition of the book. "Pennsylvania; A guide to the Keystone State." Compiled and edited as a Pennsylvania Writers project of the W.P.A. and just published by the Oxford University Press, New York. It is a 660 page illustrated volume costing $3.00 per copy. It is sponsored, as I understand it, by the Pennsylvania Historical Commission and the University of Pennsylvania . Listen to their description of Scranton and surrounding communities I quote "Despite the angular skyline formed by coal breakers and factory stacks, despite an occasional building resting askew on sunken foundation, Scranton, as a whole is not dull or drab, though at places it is soot begrimed."

"Close to the river which winds in a southwesterly direction through the City, lies the downtown district, brightly lighted at night as if to relieve the miners' surfeit of subterranean darkness."

"Coal" continues the description "is the theme song of this City of the Hills. Coal brought prosperity and despair. Coal built its mansions, stores, banks, hotels and hovels, artificial hills of unsightly coal refuse and undermined the City itself."

Let me continue their description of some of the boroughs in Lackawanna County. Here is what they say about Mayfield. "Its wide main street terminates abruptly in shrubless mountainsides, to which grimy shacks, surrounded by grotesque alphabets of endless clothes lines cling desperately." Archbald, for example is described in this fashion.

"The coal black Lackawanna River flows through the town between high artificial banks, and periodic floods add silt to heavy layers of grime. Most of the streets are lined with shacks and end blindly in culm piles."

To add to the idiotic stupidity of those responsible for it the book contains a picture supposed to be a scene of Scranton. It appeared in a local paper with the caption "Take a Second look; W.P.A. calls this Scranton." Nobody in the community could recognize it. It happens to be a picture of Wilkes-Barre and I might say not a very flattering picture of the hustling community south of Scranton. I just want to talk briefly, Mr. President, if the members of the Senate will bear with me, about Scranton. There is not a camera developed as yet that can absorb the intangible things that make Scranton a great community. There is not a photographic plate sensitive enough to picture the things about Scranton I should like to discuss with you this afternoon.

For many years Scranton has been known as a terminal of good fellowship and while the coal mined from beneath our region has been diffusing the distilled sunshine of the ages over a shivering, though not always duly grateful country, its no less inexhaustible mine of hospitality has been giving warmth to people from all over the world. Those of you who might have visited our community have observed that we have abandoned the traditional policy of giving the key to the city to distinguished visitors, be-

cause in Scranton there is no necessity for any key. The warmth of our hospitality melted the lock away many years ago.

For more than thirty years, within the scope of my recollection, Scranton has been the greatest inland sporting city in America. Lackawanna County has been sending delegations to every sporting event from the game and play of chess to the sport of kings. Everywhere that champions contend for supremacy whether it be on netted courts, on baseball fields, amidst the swinging clatter of hockey sticks, on the gridiron, Scranton sons are on hand to yell and cheer to applaud and commend. Whenever the yearling or the colt contended for honors whether it be amid the blue grass hills of a Kentucky Derby or on the track at Saratoga you'll find the coal region boys occupying the best seats.

Whenever the emergency arose whether it be the call to colors or to contribute to a charitable cause the people of my community have always responded nobly. Those are the things that make a community great, not majestic temples of marble and granite. Scranton is a community where they still have wholesome sentiment, where the people still discuss with some reverence the church around the corner and the cemetery on the hill.

Scranton grew from a spot in the wilderness to the third largest city of Pennsylvania and while coal is the basic industry in our city Scranton runs the gamut in the diversity of her other products. Among them machinery, underwear, stoves, grates and stokers, salt, graphic art products. Scranton is the home of the nations greatest lace mill and is the second largest silk producing city in America. She is called the electric city because she was the first to run electric street cars in America. She was also the first city in which the third rail system was developed and operated. Scranton is proud of the university of Scranton and the graduates from the great Institution who have made their mark in various fields throughout the nation. She likewise takes great pride in Marywood college and boasts of being the home of the International Correspondence school, the largest of its kind in the entire world. Scrantonians are noted for their fine civic pride and many of them have bestowed gifts upon their city—Everhart museum. Weston Field and Albright Memorial Library to name but a few. Scranton has the greatest natural water supply in America. Her sons and daughters have reflected credit upon our community. In the movies Allen Jones has captured the hearts of theatre-goers in America and the little girl universally hailed as the screen find was born within the very shadow of my home. I refer to little Gloria Jean. The O'Neils, the Shortens, McNally and others left their impression on the national pasttime, Pete Latzo, George Chip and others won world's championships in the boxing ring.

We're proud to say that Scranton is the home of such men as Frank Walker, Postmaster General, E. J. Lynett, owner and publisher of the Scranton Times, the late M. E. Comerford, who built a small Nickelette into the greatest chain of theatres in the Nation and whose life story reads like a page torn from fiction, the late John Mitchell, great labor leader and defender of human rights.

The Lackawanna Valley is a community in which thirty-seven different religions and as many nationalities live in peace, tolerant of the others point of view. The three great faiths, the Catholic, Protestant and Jewish, are ever eager to join together in any community enterprise for the public good.

Yes, I am proud of the city in which I was born and which has given me the opportunity to sit in the Senate of Pennsylvania, and I rightly resent this distortion of facts in connection with the community I represent. We overlooked the inadvertent omission several years ago which didn't do our community any good. But we cannot sit idly by and see such gross exaggeration contained in a book compiled at the expense of the taxpayers. Scranton invites you to visit our community and get a first hand view of a truly great city.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I regret very much I am not able to add anything to the tribute to the City of Scranton paid by the gentleman from Lackawanna and I am not able from lack of intelligence to discuss the question of personal privilege raised by the gentleman from Cambria and, indeed, Mr. President, the condition of my throat is such that I could not discuss anything at great length but, Mr. President, I do want to say a word about the report which the gentleman from Philadelphia, Mr. Shapiro, has just read to us in connection with the municipal authorities.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. Mr. President, the Senator from Philadelphia is perfectly right. there is something wrong there. I have made some little study of this question and personally I have reached the conclusion the fault is in the act of 1935 and not the act of 1939, as the act of 1939 widened the scope of the act of 1935 but it was the act of 1935 that started these authorities with a legal existence, making it easy to establish them and easy for them to borrow money, and easy for them to enter into contracts, and all this without supervision by the state.

Mr. President, I think there is evil in this legislation which ought to be corrected and I think we can do it at this session. We have been trying to find out some information concerning authorities, and with the thought this might be viewed preliminarily, Mr. President, I ask permission to offer a resolution and urge its immediate adoption.

DIRECTING THE SECRETARY OF THE SENATE TO ADDRESS A LETTER TO MUNICIPAL AUTHORITIES, REQUESTING INFORMATION

Mr. EDMONDS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 24, 1941.

Resolved, by the Senate of the General Assembly of Pennsylvania, That the Secretary of the Senate be and he is hereby authorized and directed to address a letter to the various Municipal Authorities of the Commonwealth, as set forth in the list provided by the Secretary of the Commonwealth at the request of the Senate, requesting answers to the following questions:

First: What projects have been undertaken by the Municipal Authority in question, and which of these projects have been finished?

Second: What debt has been contracted by the Municipal Authority and how many bonds are now outstanding?

Third: What is the rate of interest upon the bonds of the Municipal Authority?

Fourth: Will you please send a copy of your latest Annual Report or Financial Statement with the answers to this question?

REPORT BY STATE HOUSING BOARD

Mr. EDMONDS. Mr. President, last week I offered a resolution calling upon the State Housing Board for information and that information has just come and it is very interesting. It gives a list of the Housing Authorities and shows the series of bonds that have been authorized, totaling between sixty and seventy millions of dollars.

MOTION TO FURNISH COPIES OF REPORT TO MEMBERS OF SENATE

Mr. EDMONDS. Mr. President, I move that the Secretary of the Senate be instructed to mimeograph this answer and place a copy on the desks of each of the Senators.

Mr. JAMES. Mr. President, I second the motion.

It was agreed to.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 24, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LANCASTER COUNTY

J. Andrew Frantz, Lancaster, February 27, 1941.

PHILADELPHIA COUNTY

H. A. Cannon, Phila., Burd Bldg., S. W. Cor. 9th and Chestnut Sts., February 27, 1941.

DELAWARE COUNTY

Miss Mary F. McMenamin, Media, February 28, 1941.

BEAVER COUNTY

Curtis P. Sims, Aliquippa, March 1, 1941.

ALLEGHENY COUNTY

Harry J. Reick, Pittsburgh, 5803 Center Avenue, March 2, 1941.

BERKS COUNTY

Carl Hans Dill, Reading, March 2, 1941.

PHILADELPHIA COUNTY

Wm. C. Hall, Phila., 917 Noble St., March 2, 1941.

Miss Mary A. McCrorey, Phila., 5532 Boyer St., March 2, 1941.

Harry W. Rommel, Phila., 555 North 17th St., March 2, 1941.

Edward W. Wyatt, Phila., 23 South 52d St., March 2, 1941.

SCHUYLKILL COUNTY

Paul Gavala, Mahanoy City, March 2, 1941.

ALLEGHENY COUNTY

Miss Agnes G. Carroll, Pittsburgh, Union Trust Building, March 5, 1941.

Miss Florence M. Rebbeck, Pittsburgh, Shadyside Hospital, 5230 Center Avenue, March 5, 1941.

Don A. Stewartson, Pittsburgh, Frick Bldg., March 5, 1941.

BEAVER COUNTY

W. W. Piper, Beaver Falls, March 5, 1941.

BLAIR COUNTY

Miss Helen C. Wolf, Altoona, March 5, 1941.

ERIE COUNTY

Mrs. Luella M. Schmidt, Erie, March 5, 1941.

LUZERNE COUNTY

Miss Hilda H. Richardson, Wilkes-Barre, March 5, 1941.

MONTGOMERY COUNTY

John E. Brogan, Norristown, March 5, 1941.

John C. Miller, Hatboro, March 5, 1941.

PHILADELPHIA COUNTY

Leo M. Brichta, Phila., Gilbert Bldg., 1315 Cherry St., March 5, 1941.

Parker W. Failor, Phila., 5339 North 5th St., March 5, 1941.

Miss Anna M. Feeney, Phila., Room 700, 1528 Walnut St., March 5, 1941.

Harry F. Hauck, Phila., Mitten Bank Bldg., Market St. and West City Hall Square, March 5, 1941.

Jacob Hoffman, Phila., 449 Ritner St., March 5, 1941.

Morris Kauffman, Phila., 2020 North 32d St., March 5, 1941.

Harry G. Keller, Phila., Land Title Bldg., March 5, 1941.

Miss Justina Rawle, Phila., 3446 North 6th St., March 5, 1941.

Martin Rosenthal, Phila., Market St. National Bank Bldg., March 5, 1941.

Joel Weinman, Phila., 624 Snyder Ave., March 5, 1941.

Walter M. Wood, Phila., 1240 North 52d Street, March 5, 1941.

W. B. Worthington, Phila., 2035 Washington Avenue, March 5, 1941.

SOMERSET COUNTY

Roy H. Shaulis, Somerset, March 5, 1941.

SUSQUEHANNA COUNTY

Miss Emily R. Avery, Springville Twp., Springville, March 5, 1941.

YORK COUNTY

Robert E. Hamm, Codorus Twp., Brodbecks, March 5, 1941.

ALLEGHENY COUNTY

Mrs. E. Wilson Owston, Homestead, March 6, 1941.

Max Rogal, Pittsburgh, 630 Grant Building, March 6, 1941.

ARMSTRONG COUNTY

Mrs. Mabel A. Waugaman, Leechburg, March 6, 1941.

BLAIR COUNTY

B. B. Guyer, Hollidaysburg, March 6, 1941.

CAMBRIA COUNTY

Miss Edith M. Butts, Johnstown, March 6, 1941.
Floyd M. Sawtelle, East Conemaugh, March 6, 1941.

DELAWARE COUNTY

Frank Snowden, Chester, March 6, 1941.

ERIE COUNTY

Jackson D. Magenau, Erie, March 6, 1941.
Gustave J. Radov, Erie, March 6, 1941.

INDIANA COUNTY

Arch Catalano, Canoe Twp., Rossiter, March 6, 1941.

LACKAWANNA COUNTY

Henry S. Lee, Carbondale, March 6, 1941.
Cromwell W. Oliver, Scranton, March 6, 1941.

LUZERNE COUNTY

Oscar H. Phillips, Pittston, March 6, 1941.

MERCER COUNTY

Ira B. McNeal, Sharon, March 6, 1941.

PHILADELPHIA COUNTY

Miss Evelyn L. Jacot, Phila., 425 Walnut St., March 6, 1941.
Maurice L. Van Zandt, Phila., 709 East Allegheny Avenue, March 6, 1941.

SCHUYLKILL COUNTY

Earl B. Albright, Orwigsburg, March 6, 1941.

WESTMORELAND COUNTY

W. A. Saling, Ligonier, March 6, 1941.

ALLEGHENY COUNTY

R. A. Cargo, Wilkinsburg, March 7, 1941.
J. H. Laurent, Ingram, March 7, 1941.
William J. Molleston, Verona, March 7, 1941.

BERKS COUNTY

Miss Bessie C. Davis, Reading, March 7, 1941.

CAMBRIA COUNTY

G. Martin Fox, Johnstown, March 7, 1941.
H. R. Hershey, Johnstown, March 7, 1941.

DAUPHIN COUNTY

Stanley S. Zimmerman, Harrisburg, March 7, 1941.

DELAWARE COUNTY

John T. McCoy, Upper Darby Twp., 450 Burnley Lane, Drexel Hill, March 7, 1941.

LACKAWANNA COUNTY

Miss Mary F. Evans, Scranton, March 7, 1941.

LEBANON COUNTY

Miss Mary A. Ringland, Lebanon, March 7, 1941.

LEHIGH COUNTY

Mrs. Lillian M. Grebs, Bethlehem, March 7, 1941.

LYCOMING COUNTY

Miss Mary E. Hales, Montgomery, March 7, 1941.
Miss Mary D. Stuempfle, Williamsport, March 7, 1941.

PHILADELPHIA COUNTY

Mrs. Florence V. Ahlers, Philadelphia, 6423 Torresdale Avenue, March 7, 1941.
Miss Mary J. Belsito, Philadelphia, 2203 Frankford Ave., March 7, 1941.
David Friedman, Philadelphia, Liberty Trust Building, March 7, 1941.
Nathan Gross, Jr., Philadelphia, 730 South 5th St., March 7, 1941.
John H. Hosking, Philadelphia, 1414 Commonwealth Building, March 7, 1941.
Leon Kazanjian, Philadelphia, 34 South 62d St., March 7, 1941.
Albert C. Roemhild, Philadelphia, 122 Dock St., March 7, 1941.

SCHUYLKILL COUNTY

Claude E. Miller, Tamaqua, March 7, 1941.

DELAWARE COUNTY

Miss Anna E. Graham, Lansdowne, March 8, 1941.

JEFFERSON COUNTY

Miss Anna J. Batastini, Brookville, March 8, 1941.

LAWRENCE COUNTY

Miss Edna V. Matthews, New Castle, March 8, 1941.
Mark Runyon Bittner, Allentown, March 8, 1941.

LEHIGH COUNTY

Herbert C. Whitman,, Emaus, March 8, 1941.

PHILADELPHIA COUNTY

Mark Abrahams, Phila., 5422 Florence Ave., March 8, 1941.
Mrs. Lillian E. Altman, Phila., 2442 North 29th St., March 8, 1941.
Mrs. Clare G. Bishop, Phila., Perry Building, 1530 Chestnut St., March 8, 1941.
George Blatz, Phila., 2512 South Iseminger Street, March 8, 1941.
Maurice L. Lieber, Phila., 7727 Frankford Ave., March 8, 1941.
Francis V. J. Mason, Phila., N. W. Cor. 3d and Mifflin Streets, March 8, 1941.

ARMSTRONG COUNTY

Bartholomew C. Favero, Leechburg, March 9, 1941.

BERKS COUNTY

Miss Catharine G. Rothermel, Reading, March 9, 1941.

CAMBRIA COUNTY

Miss Elisabeth R. Taney, Johnstown, March 9, 1941.

DELAWARE COUNTY

Richard C. Bergeman, Darby, March 9, 1941.

ERIE COUNTY

Mrs. Lenore Rossbacher, Corry, March 9, 1941.

FAYETTE COUNTY

W. A. Crow, Smithfield, March 9, 1941.
Harold R. Romesburg, Uniontown, March 9, 1941.

NORTHAMPTON COUNTY

Edward Sylvester, Northampton, March 9, 1941.

PHILADELPHIA COUNTY

Israel Prusky, Phila., 203 North Broad St., March 9, 1941.
Vincent S. Shirar, Phila., c/o F. G. Vogt and Sons, Inc., 36th and Grays Ferry Road, March 9, 1941.
David A. Wallace, Phila., 1102 West Moyamensing Ave., March 9, 1941.

WESTMORELAND COUNTY

O. W. Laughrey, Scottdale, March 9, 1941.
James W. Ramsey, Ligonier, March 9, 1941.

YORK COUNTY

Archie B. Rose, York, March 9, 1941.

ARMSTRONG COUNTY

Miss Mary Josephine Rhodes, Kittanning, March 10, 1941.

ALLEGHENY COUNTY

George Edwards, Pittsburgh, 5037 Second Ave., March 11, 1941.

CLINTON COUNTY

Miss Marie E. Wentz, Lock Haven, March 11, 1941.

LACKAWANNA COUNTY

Preston Badger, Scranton, March 12, 1941.

LUZERNE COUNTY

Mrs. Frances Sippel Griffiths, Hazleton, March 12, 1941.

LAWRENCE COUNTY

S. Y. Douds, Ellwood City, March 13, 1941.

MONTGOMERY COUNTY

Charles A. Differ, Bridgeport, March 13, 1941.
Elmer J. Jackson, Pottstown, March 13, 1941.

ALLEGHENY COUNTY

J. F. Nugent, Pittsburgh, 5819 Forbes St., March 14, 1941.

ERIE COUNTY

Frank Kurczewski, Erie, March 14, 1941.

ALLEGHENY COUNTY

Walter A. Wennerstrom, Pittsburgh, 604 Warrington Avenue, March 15, 1941.

COLUMBIA COUNTY

D. G. Feterolf, Catawissa, March 15, 1941.

LANCASTER COUNTY

W. Russell McCauley, Manheim, March 15, 1941.

MONROE COUNTY

Howard S. Eckert, East Stroudsburg, March 15, 1941.

PHILADELPHIA COUNTY

Thos. B. Ward, Jr., Philadelphia, Keystone Bldg., 261 North Broad St., March 15, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Edward C. Miller, Pittsburgh, 536 Boggs Ave., March 2, 1941.
Miss Adaline Solomon, Pittsburgh, 1207 Law and Finance Bldg., March 2, 1941.

PHILADELPHIA COUNTY

John Harper, Philadelphia, Real Estate Trust Building, March 2, 1941.

ALLEGHENY COUNTY

Miss Mary F. Collins, McKees Rocks, March 5, 1941.

DELAWARE COUNTY

Matthew Rankin, Chester, March 5, 1941.

FRANKLIN COUNTY

Mrs. Hazel Stahl Clark, Chambersburg, March 5, 1941.

PHILADELPHIA COUNTY

Russell H. Ferrier, Philadelphia, 8340 Germantown Ave., March 5, 1941.
Henry C. Shriver, Philadelphia, 1944-52 North Front St., March 5, 1941.

ALLEGHENY COUNTY

Adolph Goldberg, McKeesport, March 6, 1941.
P. W. Lancaster, Pittsburgh, 5526 Penn Ave., March 6, 1941.

INDIANA COUNTY

Miss Bessie McIntire, Blairsville, March 6, 1941.

LYCOMING COUNTY

William S. Mallalieu, Williamsport, March 6, 1941.

ALLEGHENY COUNTY

C. R. Doughall, Pittsburgh, Penna. Produce Terminal Bldg., 21st and Smallman Sts., March 7, 1941.
Miss M. C. Leiser, Pittsburgh, Pgh. Post Gazette, 110 Grant St., March 7, 1941.
Miss J. Mildred Wallace, Pittsburgh, 730 Oliver Bldg., March 7, 1941.

HUNTINGDON COUNTY

Miss Gretta M. Drake, Huntingdon, March 7, 1941.

MONTOUR COUNTY

Ellis S. Raup, Danville, March 7, 1941.

PHILADELPHIA COUNTY

Miss Mary Henze, Philadelphia, 106 East Girard Ave., March 7, 1941.

SCHUYLKILL COUNTY

Miss Anna Bardsley, Pottsville, March 7, 1941.

PHILADELPHIA COUNTY

Vincent A. Frank, Philadelphia, 1020 Filbert St., March 8, 1941.

ALLEGHENY COUNTY

Miss Ruth M. Ely, Ingram, March 9, 1941.
C. D. Lamade, Wilkinsburg, March 9, 1941.

LAWRENCE COUNTY

Roy W. Hazen, New Castle, March 9, 1941.

PHILADELPHIA COUNTY

Mrs. Minerva P. Simons, Philadelphia, 710 South Washington Square, March 9, 1941.

JEFFERSON COUNTY

J. B. Stewart, Brookville, March 10, 1941.

MONTGOMERY COUNTY

Jesse R. Evans, Pottstown, March 10, 1941.

LACKAWANNA COUNTY

James F. McCabe, Carbondale, March 11, 1941.

ALLEGHENY COUNTY

Miss Hilda M. Schoeneman, Pittsburgh, 5104 Penn Ave., March 15, 1941.

DELAWARE COUNTY

R. S. Fitzsimmons, Trainer, March 15, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

William A. Livingston, Pittsburgh, 804 Investment Building.
Mrs. Eleanor A. Pikulski, McKeesport.
John T. Small, East McKeesport.
Harry J. Steele, Pittsburgh, 3113 Grant Bldg.

BUCKS COUNTY

Mrs. Bettina Schutt Cissel, Doylestown.

CAMBRIA COUNTY

Miss Katherine M. Fisher, Johnstown.

CRAWFORD COUNTY

Geo. A. Smith, Meadville.

ERIE COUNTY

Miss Mary Crawford, Erie.
John W. English, Erie.

LUZERNE COUNTY

William C. Boyd, Kingston.

LYCOMING COUNTY

Richard R. Motter, Jersey Shore.

MONTGOMERY COUNTY

C. J. Dillman, Lower Merion Twp., Rolling Mill Lane, Pencoyd, Bala-Cynwyd.
W. C. King, Jenkintown.

PHILADELPHIA COUNTY

Mrs. Mary E. Dahlhausen, Philadelphia, c/o Mahon and Jarrett, 7150 Ogontz Ave.
Cyrus S. Gorson, Philadelphia, 674 North Broad St.
Miss Helen S. Lennon, Philadelphia, 2643 Orthodox St.
James E. McClellan, Philadelphia, 123 South Broad St.
Harry J. Op'Dyke, Philadelphia, 5536 Chew St.
Thomas B. Perkins, Philadelphia, 723 East Chelten Ave.

YORK COUNTY

Russell J. Smith, York.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate, of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from date of confirmation:

ALLEGHENY COUNTY

Nicholas A. Capo, Pittsburgh, 1240 Woodbourne Ave.
Hector R. Mariani, Pittsburgh, 4613 Lorigan St.

BLAIR COUNTY

Robert P. Goss, Altoona.

CHESTER COUNTY

Mrs. Ida N. Stoltzfus, Phoenixville.

CUMBERLAND COUNTY

A. Douglas Thompson, Carlisle.

ERIE COUNTY

Miss Margaret R. McMichael, Erie.

FRANKLIN COUNTY

Earl G. Mentzer, Waynesboro.

INDIANA COUNTY

Mrs. Blanche Burke, Indiana.

LEHIGH COUNTY

Donald S. Kistler, Emaus.

MONTGOMERY COUNTY

Ralph M. Allen, Lower Merion Twp., 843 Lancaster Ave., Bryn Mawr.
J. Harry Wagner, Jr., Cheltenham Twp., 7720 Woodlawn Ave., Melrose Park, Oak Lane, Philadelphia.

NORTHAMPTON COUNTY

Robert H. Reimer, Upper Mt. Bethel Twp., R. F. D. 1, Bangor.

PHILADELPHIA COUNTY

Miss Susan M. Bukofski, 613 South 24th St.
Miss Edna M. Campbell, 1523 North 26th St.
J. G. Happ, Jr., Philadelphia, 1106 East Stafford St.
Miss Margaret M. McDevitt, Philadelphia, 1701 Summer St.

WESTMORELAND COUNTY

Mrs. E. V. Arthurs, Greensburg.
Miss Mary Cimino, Arnold.

YORK COUNTY

Michael Dietz, York.
Miss Alma E. Sleeger, York.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which

were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF PEACE IN YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Blessley, of R. D. 1, Etters, York County, for appointment as Justice of the Peace in and for the Township of Newberry, York County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. A. Hudson of Jamestown, Mercer County, for appointment as Justice of the Peace in and for the Borough of Jamestown, Mercer County, until the first Monday in January, 1942, vice S. A. Willson, deceased.

ARTHUR H. JAMES.

MEMORIALIZATION OF GEORGE WASHINGTON

Mr. MILLER. Mr. President, I am happy in the thought that we as Americans are privileged to pay tribute to two illustrious individuals whose birthdays appear this month, and as has been the precedent and custom in the chambers of this Senate on Lincoln's birthday, I feel it is only fit and proper that we lay aside our arduous duties long enough to say some word of tribute in respect to George Washington, and, Mr. President, with that in mind I respectfully ask the indulgence of the members of this body.

The PRESIDENT. The Senator from Luzerne will proceed.

Mr. MILLER. Mr. President, members of the Senate of Pennsylvania, there is no mistaking the gravity of the times in which we live. Fortunate as we are in our residence and citizenship in this great State of Pennsylvania and in this blessedly situated United States of America, the shadow of the world conflict now raging inevitably is with us at all times. In the words of Matthew Arnold:

"We are here as on a darkling plain
Swept with confused alarms of struggling and flight
Where ignorant armies clash by night."

But no matter how serious the hour or how pressing the business of the day, the State Senate of Pennsylvania would be remiss in its obligation, would be unmindful of the great traditions which illuminate the pages of our country's history, were we not to pause for a moment to pay homage to that greatest of all Americans whose anniversity a grateful nation celebrated just two days ago.

An English historian has pointed out rather keenly, that it is a wise country that knows its own parent, and Americans are properly proud that the life and accomplishments of the father of this country are well known to all of us. Beginning in his own day, the wise men of America and indeed of every other nation have been quick to recognize the nature of George Washington. The tributes that have been paid to him are many and varied. They range from the sonorous eloquence of Edward Everett's master on the character of Washington:

"No gilded dome swells from the lowly roof (of Mount Vernon) to catch the morning or evening beam; but the love and gratitude of United America settle upon it in one eternal sunshine. From beneath that humble roof went forth the intrepid and unselfish warrior, the magistrate who knew no glory but his country's good; to that he returned, happiest when his work was done. There he lived in noble simplicity, there he died in glory and peace. While it stands, the latest generations of the grateful children of America, will make this pilgrimage to it as a shrine; and when it shall fall, if fall it must, the memory and name of Washington shall shed an eternal glory on the spot."

to the homely words of the humorist, Artemus Ward, who said:

"The prevailin' weakness of most public men is to slop over. George Washington never slopt over."

But while it has been customary on the occasion of Washington's birthday to rehearse what has been said and what is known of his life and accomplishments, to do so at this particular time in our nation's history is of more than usual moment. It is fitting that in times of crises we look back to the founding fathers of the nation and that from their words and actions, we take increased devotion to the cause for which they gave their full measure of devotion. Just as the devil can cite scripture to his own purposes, so the public speakers, the legislators, the publicist can in the writings and sayings of a man like Washington, find words to suit whatever doctrine he desires to promulgate. The interventionist and the pacifist, the Republican and Democrat, the loyal American and the member of secret shirted groups can twist the words of George Washington to suit his own purpose.

It is not my intention to do that, in the limited time we pause to take this afternoon. But I cannot help delving into the life and background of the immortal founder of American Democracy, to find an incident which can serve to hearten and inspire us for the days of anguish and effort that lies ahead for all Americans. And fittingly enough I find those words in a letter which George Washing wrote on Pennsylvania's soil, written from Valley Forge to the Continental Congress in Philadelphia. This letter was written on December 23rd, 1777, at a time when criticism of Washington's leadership had grown loud and [illegible]cus.

"Sir, (Washington wrote)

Though I have been tender heretofor of giving any opinion, or lodging complaints, as the change in that department took place contrary to my judgment, and the consequences thereof were predicted; yet, finding that the inactivity of the army, whether for want of provisions, clothes, or other essentials, is charged to my account, not only by the common vulgar, but by those in power, it is time to speak plain in exculpation of myself. With truth, then, I can declare that no man in my opinion ever had his measures more impeded than I have, by every department of the army.

. . . As a proof of the little benefit received from a clothier general, and as a further proof of the inability of an army, under the circumstances of this, to perform the common duties of soldiers . . . we have by a field returned this day, made, no less than two thousand eight hundred and ninety-eight men now in camp, unfit for duty, because

they are barefoot or otherwise naked . . . Since the fourth instant, our numbers fit for duty, from the hardships and exposures they have undergone, particularly on account of blankets (numbers having been obliged, and still are, to sit up all night by fires, instead of taking comfortable rest in a natural and common way), have decreased nearer two thousand men.

We find gentlemen, without knowing whether the army was really going into winter quarters or not . . . reprobating the measures as much as if they thought the soldiers were made of stocks or stones and equally insensible of frost or snow . . .

But what makes this matter still more extraordinary in my eye is, that those very gentlemen—who were well apprized of the nakedness of the troops from ocular demonstration . . . should think a winter's campaign and the covering of these states (New Jersey and Pennsylvania) from the invasion of an enemy, so easy and practicable a business. I can assure these gentlemen, that it is a much easier and less distressing thing to draw remonstrances in a comfortable room by a good fireside, than to occupy a cold, bleak hill, and sleep under frost or snow without clothes or blankets. However, although they seem to have little feeling for the naked and distressed soldiers, I feel superabundantly for them, and, from my soul, I pity those miseries, which it is neither in my power to relieve or prevent.

It is for these reasons, therefore, that I have dwelt upon the subject; and it adds not a little to my other difficulties and distress to find, that much more is expected of me than is possible to be performed, and upon the ground of safety and policy, I am obliged to conceal the true state of the army from public view, and thereby expose myself to detraction and calumny.

Signed—GEORGE WASHINGTON.

Viewed in the lapse of a century and a half the life of George Washington may have seemed serene and unsullied by failure or fear of failure. But this letter indicates that the father of his country lived too in parlous times. The glorious success which attended the efforts of that army which wallowed in the despair of "miseries which it is neither in my power to relieve or prevent" should serve to inspire America and Americans to go forward with our own fight for democracy. The opologists of gloom which surrounds us to-day are the same which no doubt surrounded Washington at Valley Forge. There were undoubtedly many sincere and loyal followers of the Revolutionists who argued that the Colonial forces were hopelessly unprepared, that they were woefully weak and that they would not be able to withstand attack. And yet under the leadership of Washington they came through the dark days.

The dark days that are before us, are trifling compared to those of Washington's times. We are a great nation now, rich, powerful, augmented by that strength which true democracy has instilled in us. With but a tithe of Washington's courage we can surmount all obstacles. But in addition to that fortitude of Valley Forge we need something else which Washington too, foresaw. In a circular letter addressed by George Washington to the governors of the states at the close of the revolution, he said—"There are four things which I humbly conceived are essential to the well being, I may venture to say to the existance of the United States.

First: An indissoluble union of the states under one federal power.

Second: A reward for public justice.

Third: The adoption of a proper peace establishment.

Fourth: The prevelence of that pacific and friendly disposition among the peoples of the United States, which will induce them to forget their local prejudices and policies; to make those mutual concessions which are requisite to the general prosperity; and in some instances to sacrifice their individual advantages to the interest of the community.

Fellow Senators, a century and a half later we have need of unity in the spirit and form of Washington's common sense—a unity based upon a deep and sympathetic knowledge of differences. And we have need also of a sense of consecration to those fundamental principles which Washington valiantly fought for. In George Washington's pew in Saint Paul's Chapel in New York City are inscribed the words of a prayer which we may repeat today:

"Almighty God, we make our earnest prayer that thou wilt keep the United States in thy holy protection; that thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large."

Fortitude; unity; good will—those were the qualities of George Washington—and it is for those, that we of the Pennsylvania Senate due him honor today.

REPORT FROM COMMITTEE

Mr. CHAPMAN from the Committee on Appropriations re-reported as committed, Senate Bill No. 159, entitled:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

REPORTS FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, of the Commonwealth which I will ask that the Clerk read. I might say the nominations are divided into classifications of various boards. After the clerk has read the nominations I will ask that the Senate act on them separately.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

BRIGADIER GENERALS

John Aiken, Washington, from June 12, 1940, until annulled.

William A. March, Norristown, from December 6, 1940, until annulled.

Eric Fisher Wood, Pittsburgh, from December 20, 1940, until annulled.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

WORKMEN'S COMPENSATION REFEREE

Gladstone A. Carmalt, Brookville, from May 17, 1940

until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Robert M. Vail, Kingston, from December 16, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

John Barrett, Pottsville, from September 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BANKING BOARD

Claude E. Bennett, Wellsboro, from October 2, 1940, until September 1, 1943, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEGE

M. Jackson Crispin, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Frank D. Coop, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Fred W. Diehl, Danville, from October 21, 1940, for the term of four years, and until his successor is qualified.

R. W. Hemingway, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

W. Clair Hidlay, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

Milton K. Yorks, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Evan G. Evans, Edgmont, Lansford, from July 25, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Walter P. Johns, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

Merle M. Davis, Erie, from November 13, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE EMPLOYMENT BOARD

Robert Hall Craig, Paxtang, from August 15, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Walter Barthalomay, Carbondale, from May 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

Henry Walser, Hazleton, from August 7, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Herman A. Fisher, Kutztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Alvin F. Kemp, Mertztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Hanns Gramm, West Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

Charles A. Bachman, Emmaus, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert Grey Bushong, Sinking Spring, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert S. Birch, Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

C. Fred Beck, Cressona, from July 16, 1940, for the term of four years, and until his successor is qualified.

Joseph Kane, Allentown, from July 16, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Josephine A. Siegfried, Allentown, from July 16, 1940, for the term of four years, and until her successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

C. Vincent Michener, Allenwood, from November 27, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

William Becker, Mahanoy City, from September 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

William R. Williams, Wilkes-Barre, from December 12, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE COLONY FOR EPILEPTICS

Edward A. Phillips, Milton, from May 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Herbert Cummings, Sunbury, from August 8, 1940, for the ter mof four years, and unti his successor is qualified.

George Shade, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

Charles W. Frye, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

John Higgins, Shamokin, from August 8, 1940, for the term of four years, and until his successor is qualified.

Clayton Steshinski, Mt. Carmel, from August 8, 1940, for the term of four years, and until his successor is qualified.

Wm. Penn Kemble, Mt. Carmel, from August 8, 1940, for the term of four years, and until his successor is qualified.

Paul Miller, Sunbury, from August 8, 1940, for the term of four years, and until his successor is qualified.

Charles Petrovich, Kulpmont, from August 8, 1940, for the term of four years, and until his successor is qualified.

H. Wilson Lark, Shamokin, from August 12, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

Roger W. Rowland, New Castle, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

Edgar C. Weichel, Scranton, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

George B. Wolf, Williamsport, from July 15, 1940, for the term of four years, and until his successor is qualified.

J. E. Bogar, Millersburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

Paul J. Abraham, Greensburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Florine Koegler, Pittsburgh, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Margaret Hays Lamade, Williamsport, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Lucille Ward, Bellefonte, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Mabel F. Schooley, Watsontown, from July 15, 1940, for the term of four years, and until her successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

John H. Harris, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

Frank L. Duggan, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John A. Lathwood, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John L. Glenn, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

P. J. McDonough, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

W. P. Sieg, Bellefonte, from July 25, 1940, for the term of four years, and until his successor is qualified.

L. Frank Mayes, Lemont, from July 25, 1940, for the term of four years, and until his successor is qualified.

William T. Root, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

Edwin C. May, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

ALDERMEN

Willis W. Gilbert, 1027 South Queen Street, York, York County, for appointment as Alderman in and for the Fifteenth Ward of the City for York, York County, until the first Monday in January, 1942, vice Mrs. Mary G. Cooper, resigned.

Walter I. Glassmoyer, Sr., 425 North Partridge Street, Lebanon, Lebanon County, for appointment as Alderman in and for the Seventh Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1942, vice Ray A. Bixler, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

JUSTICES OF THE PEACE

A. Newton Parker, of Mill Creek, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Brandy, Huntingdon County, until the first Monday in January, 1942, vice P. W. Finn, deceased.

Henry E. Dunn, 318 Main Street, Towanda, Bradford County, for appointment as Justice of the Peace in the Borough of Towanda, Bradford County, until the first Monday in January, 1942, vice Harry N. White, deceased.

H. B. Wittel, Wood Street, Florin, Lancaster County, for appointment as Justice of the Peace in the Township of East Donegal, Lancaster County, until the first Monday in January, 1942 to fill a vacancy.

William H. Swartz, 355 West Broad Street, Telford, Montgomery County, for appointment as Justice of the

Peace in the Borough of Telford, Montgomery County, until the first Monday in January, 1942, to fill a vacancy.

Louis F. Longwell, Rutland, Tioga County, for appointment as Justice of the Peace in the Borough of Roseville, Tioga County, until the first Monday in January, 1942, to fill a vacancy.

Merle E. McClain, of Blue Ridge Summit, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, to fill a vacancy.

Edgar Z. Mann, of Rouzerville, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, vice C. S. Kugler, resigned.

J. Donald Appleby, 204 West Market Street, Mount Union, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Mount Union, Huntingdon County, until the first Monday in January, 1942, vice Robert C. Appleby, deceased.

Mrs. Helen J. Holford, 617 Keystone Avenue, Peckville, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Blakely, Lackawanna County, until the first Monday in January, 1942, vice O. A. Holford, deceased.

Lisle H. Kunkle, 262 South Main Street, Homer City, Indiana County, for appointment as Justice of the Peace in and for the Borough of Homer City, Indiana County, until the first Monday in January, 1942, vice W. L. Hutchinson, deceased.

Charles W. Henninger, 624 North 2nd Street, Lykens, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Lykens, Dauphin County, until the first Monday in January, 1942, vice Harvey A. Koons, resigned.

John J. Gannon, P. O. Box 142, Robertsdale, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Wood, Huntingdon County, until the first Monday in January, 1942, vice Edward Jones, deceased.

Mrs. Erie G. Hughes, 315 West Avenue, Mount Carmel, Northumberland County, for appointment as Justice of the Peace in and for the Borough of Mount Carmel, Northumberland County, until the first Monday in January, 1942, vice David M. Hughes, deceased.

ARTHUR H. JAMES.

Governor's Office, Harrisburg.
Commonwealth of Pennsylvania,

CORONER

B. O. Sheldon, of Laceyville, Wyoming County, for appointment as Coroner in and for the County of Wyoming, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice Ray W. Greenwood, resigned.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE VALLEY FORGE PARK COMMISSION

Norris D. Wright, 1734 DeKalb Street, Norristown, Montgomery County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice Mrs. Mary Gray Stetzer, resigned.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE
HUNTINGDON COUNTY

Charles H. Stong, of Petersburg, Huntingdon County, to fill a vacancy, for the term ending December 31, 1943, and until his successor is duly appointed and qualified.

CLARION COUNTY

Rev. R. K. Atchison, Rimersburg, until December 31, 1943. (Reappointment)

Mrs. Elizabeth Cribbs, New Bethlehem, until December 31, 1943. (Reappointment)

Mrs. Stella Shotts, Leeper, until December 31, 1943. (Reappointment)

WAYNE COUNTY

Dr. Kenneth A. Gillespie, Honesdale, until December 31, 1943, and until his successor is duly appointed and qualified, vice Mrs. Ernestine Haag, whose term expired.

Mrs. Gladys Herrman, Honesdale, until December 31, 1943, and until her successor is duly appointed and qualified, vice Miss Bridget Corcoran, whose term expired.

Mrs. Hazel Hill, Honesdale, until December 31, 1943. (Reappointment)

CAMBRIA COUNTY

Evan B. Lloyd, 139 Green Street, Johnstown, Cambria County, until December 31, 1943. (Reappointment)

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

It was agreed to.

The PRESIDENT. The Chair understands the Senator from Bucks desires to withdraw a nomination?

Mr. JAMES. Yes, Mr. President, on behalf of the Committee on Executive Nominations, I desire to withdraw the nomination of Edward A. Phillips, of Milton, Pennsylvania, as a member of the Board of Trustees of the Selinsgrove Epileptic Hospital.

The PRESIDENT. If there is no objection the withdrawal is agreed to.

Mr. JAMES. Mr. President, I ask unanimous consent that the nominations just reported may be considered under the headings as reported by classification. Justices of the Peace, for instance.

The PRESIDENT. The Chair understands the nominations are divided into different classes.

Mr. JAMES. That is correct, Mr. President.

The PRESIDENT. The Senator from Bucks requests unanimous consent to consideration of the nominations, and that action of the Senate be on the different classes, one by one.

Is there any objection?

Mr. SHAPIRO. Mr. President, for the information of the Senate, I understand we are now voting on Aldermen, Justices of the Peace, Coroner, Boards of Trustees for the Stevens Industrial School—

Mr. JAMES. Mr. President, that has not been presented.

Mr. SHAPIRO. None of them, Mr. President.

Mr. JAMES. No, Mr. President.

Mr. SHAPIRO. Mr. President, for Aldermen, Justices of the Peace, Coroner, County Boards of Assistance.

Mr. JAMES. Mr. President, only two or three of them.

Mr. SHAPIRO. Which one, Mr. President, I think the nominations should be read.

Mr. JAMES. Those that have been reported out with favorable recommendations, Mr. President.

The PRESIDENT. In order that there may be no error and every senator may be familiar with the nominations on which we are voting, the Chair will ask the Clerk to read the nominations, on which the Senate is going to vote.

Mr. JAMES. Mr. President, on behalf of the Committee on Executive Nominations, I desire to withdraw the nomination of Members of Board of Trustees of the Shamokin State Hospital.

The PRESIDENT. All of them, Mr. James?

Mr. JAMES. All of them, Mr. President.

The PRESIDENT. The Chair hears no objection.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

BRIGADIER GENERALS

John Aiken, Washington, from June 12, 1940, until annulled.

William A. March, Norristown, from December 6, 1940, until annulled.

Eric Fisher Wood, Pittsburgh, from December 20, 1940, until annulled.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

WORKMEN'S COMPENSATION REFEREE

Gladstone A. Carmalt, Brookville, from May 17, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE ARMORY BOARD OF THE STATE OF PENNSYLVANIA

Robert M. Vail, Kingston, from December 16, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF ASHLAND STATE HOSPITAL

John Barrett, Pottsville, from September 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BANKING BOARD

Claude E. Bennett, Wellsboro, from October 2, 1940, until September 1, 1943, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE TEACHERS COLLEG7

M. Jackson Crispin, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Frank D. Croop, Berwick, from October 21, 1940, for the term of four years, and until his successor is qualified.

Fred W. Diehl, Danville, from October 21, 1940, for the term of four years, and until his successor is qualified.

R. W. Hemingway, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

W. Clair Hidlay, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

Milton K. Yorks, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

Evan G. Evans, Edgmont, Lansford, from July 25, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

Walter P. Johns, Bloomsburg, from October 21, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

The PRESIDENT. Will the Senate advise and consent to the nominations just read?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Chair understands the nominations of members of the various boards of trustees will be voted on in a group unless there is objection.

The nominations are as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE TEACHERS COLLEGE

Merle M. Davis, Erie, from November 13, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Walter Bartholomay, Carbondale, from May 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF HAZLETON STATE HOSPITAL

Henry Walser, Hazleton, from August 7, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE TEACHERS COLLEGE

Herman A. Fister, Kutztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Alvin F. Kemp, Mertztown, from July 16, 1940, for the term of four years, and until his successor is qualified.

Hanns Gramm, West Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

Charles A. Bachman, Emaus, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert Grey Bushong, Sinking Spring, from July 16, 1940, for the term of four years, and until his successor is qualified.

Robert S. Birch, Reading, from July 16, 1940, for the term of four years, and until his successor is qualified.

C. Fred Beck, Cressona, from July 16, 1940, for the term of four years, and until his successor is qualified.

Joseph Kane, Allentown, from July 16, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Josephine A. Siegfried, Allentown, from July 16, 1940, for the term of four years, and until her successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

C. Vincent Michener, Allenwood, from November 27, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF NANTICOKE STATE HOSPITAL

William R. Williams, Wilkes-Barre, from December 12, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE BOARD OF TRUSTEES OF LOCUST MOUNTAIN STATE HOSPITAL

William Becker, Mahanoy City, from September 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

George B. Wolf, Williamsport, from July 15, 1940, for the term of four years, and until his successor is qualified.

J. E. Bogar, Millersburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

Paul J. Abraham, Greensburg, from July 15, 1940, for the term of four years, and until his successor is qualified.

(Mrs.) Florine Koegler, Pittsburgh, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Margaret Hays Lamade, Williamsport, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Lucille Ward, Bellefonte, from July 15, 1940, for the term of four years, and until her successor is qualified.

(Mrs.) Mabel F. Schooley, Watsontown, from July 15, 1940, for the term of four years, and until her successor is qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE COLLEGE

Roger W. Rowland, New Castle, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

Edgar C. Weichel, Scranton, from August 9, 1940, until July 1, 1943, and until his successor is appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF THE BOARD OF TRUSTEES OF WESTERN STATE PENITENTIARY

John H. Harris, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

Frank L. Duggan, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John A. Lathwood, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

John L. Glenn, Pittsburgh, from July 25, 1940, for the term of four years, and until his successor is qualified.

P. J. McDonough, Pittsburgh, from July 25, 1940, for the term of four years. and until his successor is qualified.

W. P. Sieg, Bellefonte, from July 25, 1940, for the term of four years, and until his successor is qualified.

L. Frank Mayes, Lemont, from July 25, 1940, for the term of four years, and until his successor is qualified.

William T. Root, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

Edwin C. May, Pittsburgh, from December 20, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

Mr. JAMES. Mr. President, I am directed by the Committee on Executive Nominations to request the withdrawal of nominations of the members of the Board of Trustees of the Shamokin State Hospital.

The PRESIDENT. All of them?

Mr. JAMES. All of them, Mr. President.

The PRESIDENT. On behalf of the Committee on Executive Nominations the gentleman from Bucks desires to withdraw nominations to the Board of Trustees of the Shamokin State Hospital.

If there is no objection, it is so ordered.

The question before the Senate is,

Will the Senate advise and consent to the nominations just read?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—45

Bartlett,	DiSilvestro,	Kephart,	Shapiro,
Becker,	Ealy,	Lanius,	Snowden,
Carr,	Edmonds,	Letzler,	Stevenson,
Cavalcante,	Farrell,	Mallery,	Stiefel,
Chapman,	Frey,	McCreesh,	Tallman,
Coleman,	Geltz,	McGinnis,	Taylor,
Cox,	Haluska,	McQuiddy,	Thomas,
Crider,	Heyburn,	Miller,	Tyler,
Crowe,	Homsher,	Reed,	Wade,
Deitrick,	James,	Ruth,	Watkins,
Dent,	Jaspan,	Scarlett,	Wilson, H. I.,
			Ziesenheim,

NAYS—1

Walker,

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

How does the gentleman from Allegheny, Mr. Walker, wish to be recorded as voting?

Mr. WALKER. Mr. President, I wish to have my vote recorded as "no".

The PRESIDENT. The vote of the gentleman from Allegheny will be so recorded.

The PRESIDENT. The Chair now understands the nominations for Justices of the Peace will be considered as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

JUSTICES OF THE PEACE

A. Newton Parker, of Mill Creek, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Brady, Huntingdon County. until the first Monday in January, 1942, vice P. W. Finn, deceased.

Henry E. Dunn, 318 Main Street, Towanda, Bradford County, for appointment as Justice of the Peace in the Borough of Towanda, Bradford County, until the first Monday in January, 1942, vice Harry N. White, deceased.

H. B. Wittel, Wood Street, Florin, Lancaster County, for appointment as Justice of the Peace in the Township of East Donegal, Lancaster County, until the first Monday in January, 1942, to fill a vacancy.

William H. Swartz, 355 West Broad Street, Telford, Montgomery County, for appointment as Justice of the Peace in the Borough of Telford, Montgomery County, until the first Monday in January, 1942, to fill a vacancy.

Louis F. Longwell, Rutland, Tioga County, for appointment as Justice of the Peace in the Borough of Roseville, Tioga County, until the first Monday in January, 1942, to fill a vacancy.

Merle E. McClain, of Blue Ridge Summit, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, to fill a vacancy.

Edgar Z. Mann, of Rouzerville, Franklin County, for appointment as Justice of the Peace in and for the Township of Washington, Franklin County, until the first Monday in January, 1942, vice C. S. Kugler, resigned.

J. Donald Appleby, 204 West Market Street, Mount Union, Huntingdon County, for appointment as Justice of the Peace in and for the Borough of Mount Union, Huntingdon County, until the first Monday in January, 1942, vice Robert C. Appleby, deceased.

Mrs. Helen J. Helford, 617 Keystone Avenue, Peckville, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Blakely, Lackawanna County, until the first Monday in January, 1942, vice O. A. Holford, deceased.

Lisle H. Kunkle, 262 South Main Street, Homer City, Indiana County, for appointment as Justice of the Peace in and for the Borough of Homer City, Indiana County, until the first Monday in January, 1942, vice W. L. Hutchinson, deceased.

Charles W. Henninger, 624 North 2nd Street, Lykens, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Lykens, Dauphin County, until the first Monday in January, 1942, vice Harvey A. Koons, resigned.

John J. Gannon, P. O. Box 142, Robertsdale, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Wood, Huntingdon County, until the first Monday in January, 1942, vice Edward Jones, deceased.

Mrs. Erie G. Hughes, 315 West Avenue, Mount Carmel, Northumberland County, for appointment as Justice of the Peace in and for the Borough of Mount Carmel, Northumberland County, until the first Monday in January, 1942, vice David M. Hughes, deceased.

ARTHUR H. JAMES.

POINT OF INFORMATION

Mr. SHAPIRO. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Philadelphia will state his point of information.

Mr. SHAPIRO. Mr. President, is the name of R. M. Weinrich to be voted on as an alderman, or a justice of the peace, by the name of Andrew P. Beres?

Mr. JAMES. Mr. President, those nominations were not offered.

Mr. SHAPIRO. Mr. President, I merely wanted to be sure.

And the question recurring,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follow, viz:

YEAS 46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The Chair understands the Senate will now consider nominations for Aldermen, which are as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

ALDERMEN

Willis W. Gilbert, 1027 South Queen Street, York, York County, for appointment as Alderman in and for the Fifteenth Ward of the City of York, York County, until the first Monday in January, 1942, vice Mrs. Mary G. Cooper, resigned.

Walter I. Glassmoyer, Sr., 425 North Partridge Street, Lebanon, Lebanon County, for appointment as Alderman in and for the Seventh Ward of the City of Lebanon, Lebanon County, until the first Monday in January, 1942, vice Ray A. Bixler, deceased.

ARTHUR H. JAMES.

Mr. SHAPIRO. Mr. President, if my memory serves me correctly we voted on the confirmation of this gentleman from York sometime ago.

The PRESIDENT. The Chair is inclined to believe the gentleman from Philadelphia is correct.

Mr. JAMES. Mr. President, I received that information from the Clerk, that this nomination had not been confirmed and I therefore reported it out.

The PRESIDENT. The Senator from Bucks stated he was informed by the Clerk.

What happened was that we sent the name up and the Clerk did not report it.

Mr. JAMES. Mr. President, it will do no harm to confirm him again.

And the question recurring,

Will the Senate advise and consent to the nominations just read?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The Chair understands the next nomination is that of coroner, as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

CORONER

B. O. Sheldon, of Laceyville, Wyoming County, for appointment as Coroner in and for the County of Wyoming, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice Ray W. Greenwood, resigned.

ARTHUR H. JAMES.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The next nomination for consideration is as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE EMPLOYMENT BOARD

Robert Hall Craig, Paxtang, from August 15, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The next nomination to be considered is as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBER OF THE VALLEY FORGE PARK COMMISSION

Norris D. Wright, 1743 DeKalb Street, Norristown, Montgomery County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice Mrs. Mary Gray Stetzer, resigned.

ARTHUR H. JAMES.

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The next nominations are as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE
HUNTINGDON COUNTY

Charles H. Stong, of Petersburg, Huntingdon County, to fill a vacancy, for the term ending December 31, 1943 and until his successor is duly appointed and qualified.

CLARION COUNTY

Rev. R. K. Atchison, Rimersburg, until December 31, 1943. (Reappointment)

Mrs. Elizabeth Cribbs, New Bethlehem, until December 31, 1943. (Reappointment)

Mrs. Stella Shotts, Leeper, until December 31, 1943. (Reappointment)

WAYNE COUNTY

Dr. Kenneth A. Gillespie, Honesdale, until December 31, 1943, and until his successor is duly appointed and qualified, vice Mrs. Ernestine Haag, whose term expired.

Mrs. Gladys Herrman, Honesdale, until December 31, 1943, and until her successor is duly appointed and qualified, vice Miss Bridget Corcoran, whose term expired.

Mrs. Hazel Hill, Honesdale, until December 31, 1943. (Reappointment)

CAMBRIA COUNTY

Evan B. Lloyd, 139 Green Street, Johnstown, Cambria County, until December 31, 1943. (Reappointment)

ARTHUR H. JAMES.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

REPORT ON CO-OPERATIVE RESEARCH PROGRAM ON ANTHRACITE AND BITUMINOUS COAL

Mr. MILLER. Mr. President, I do not know whether it will be necessary for me to formally arise on a question of personal privilege, in order to state that I desire to submit to the Senate a report on the progress and accomplishments of the Bureau of Research covering anthracite and bituminous coal, established by the Pennsylvania State College, under the supervision of the Department of Mines and Mining.

Mr. President, it is rather a lengthy report and I would respectfully ask that it be printed in the journal of the Senate.

The PRESIDENT.. If there is no objection the report will be printed in the journal of the Senate.

The report is as follows:

ADDRESS BY THE HONORABLE ROBERT M. MILLER
SENATOR FROM THE 20TH DISTRICT

Reporting Progress on the Cooperative Research Program on Anthracite and Bituminous Coal at Pennsylvania's School of Mineral Industries and Experiment Station The Pennsylvania State College under Act No. 392 of the General Assembly of 1939

Anthracite and bituminous coal are the principal sources of mineral wealth in Pennsylvania. In dollars, they commonly represent three-quarters of the total produced in the Commonwealth annually.

Anthracite production reached a peak in 1917 with 99,611,811 tons. Since that date, there has been an almost constant decline so that recorded production for 1939 amounted to only 51,345,701 tons. Preliminary figures indicate that production during 1940 will be slightly less than this figure. Similarly, bituminous coal production in Pennsylvania has declined from a peak in 1918 of 178,550,741 tons to 92,190,000 tons in 1939.

Conditions in these industries during the decade from 1929 to 1938 are shown in the following table.*

TABLE 1

Anthracite Industry in Pennsylvania

	Wage Earners	Wages	Capital Invested	Tons Produced	Value of Production
1929	151,379	$237,331,400	$435,621,400	64,316,310	$383,869,000
30	149,757	214,147,100	445,509,400	58,783,618	347,792,200
31	131,283	165,088,800	432,299,600	55,963,275	284,955,400
32	106,969	124,725,600	419,799,300	46,969,932	214,314,400
33	98,761	112,366,200	411,843,300	46,571,800	201,525,100
34	100,505	132,027,600	396,700,800	53,732,110	238,470,700
35	94,053	116,196,100	363,065,100	49,214,582	208,215,600
36	92,790	119,897,100	344,411,500	53,016,148	224,887,100
37	88,711	109,000,800	323,390,300	49,404,092	192,628,900
38	86,105	95,164,000	290,576,900	41,639,525	168,346,700

Bituminous Coal Industry in Pennsylvania

	Wage Earners	Wages	Capital Invested	Tons Produced	Value of Production
1929	124,725	155,995,200	493,336,300	139,332,921	253,325,800
30	124,179	130,029,000	473,695,000	121,384,040	209,274,300
31	110,817	91,315,000	469,560,200	94,346,345	149,400,200
32	97,555	57,082,500	433,005,000	71,755,806	96,701,400
33	106,301	62,523,600	437,698,600	76,472,738	104,174,400
34	116,026	98,364,000	403,375,200	85,890,376	158,291,000
35	116,903	106,221,100	389,044,700	86,630,333	164,164,800
1936	120,420	134,649,200	367,701,200	104,234,698	196,700,100
37	120,748	142,880,400	373,917,500	104,650,715	212,950,100
38	104,838	100,569,100	347,360,400	72,570,325	152,043,900

* Figures from Dept. of Internal Affairs, Harrisburg, Pennsylvania

These figures in themselves mean little, but when translated into terms of unemployment, decline in real estate values, loss of revenue to the State and staggering relief costs, they supply the most serious social and economic problem with which the State must deal.

Realizing this situation and seeking to alleviate these conditions by increasing the market for Pennsylvania coals, I proposed to the General Assembly of the Commonwealth in 1939 a bill providing for research work on anthracite and bituminous coal to be conducted at the School of Mineral Industries and Experiment Station of The Pennsylvania State College under the supervision of the Department of Mines of the Commonwealth. This bill was passed as Act No. 392 appropriating the sum of $50,000 for the biennium for the program of research contingent upon the provision of a like matching sum. The bill as signed by the Honorable Arthur H. James, Governor of the Commonwealth, provided an appropriation of $35,000 for the biennium.

It is a pleasure to be able to report that both the anthracite and bituminous coal industries of Pennsylvania have cooperated whole-heartedly in this program and that substantial progress has been made toward the development of new or improved uses for coal.

Immediately following authorization by passage of this law, the late Honorable John Ira Thomas, then Secretary of Mines, called a meeting of representatives of the anthracite and bituminous coal industries and of both operators and labor at his office in Harrisburg. At this meeting provision of matching funds by both anthracite and bituminous industries was guaranteed, and the Secretary was requested to appoint committees representing all interested parties to meet with representatives of the School of Mineral Industries to formulate programs of research for the two industries.

In the latter part of July 1939, representatives of the anthracite industry met with the staff of the Mineral Industries School and, after an extended consideration of the problems facing this industry, it was decided that research should be concentrated upon two lines of attack. The major problem selected was "Gasification of Anthracite" and as a secondary problem "Activation of Anthracite" was chosen because it was believed that these projects would prove most beneficial to industry in the immediate future. At this meeting a Research Advisory Committee was appointed to cooperate with the College staff in the effective furtherance of the projects. Members of this committee were as follows:

Name	Affiliation
John Ira Thomas	Secretary of Mines (to July 1940)
Richard Maize	Secretary of Mines (from December 1940)
Joseph J. Walsh	Deputy Secretary of Mines
Edgar Weichel	Gen. Mgr., Hudson Coal Company
J. F. K. Brown	Asst. Gen. Mgr., Engr., Hudson Coal Company
F. C. Wright	Vice Pres., Philadelphia and Reading Coal and Iron Company
Donald Markle	Pres., Jeddo-Highland Coal Company
Mart F. Brennan	Pres., Dist. No. 9, U. M. W. A.
Dr. H. J. Rose	Senior Industrial Fellow, Mellon Institute
H. G. Turner	Research Engr., Anthracite Equipment Corporation
Louis C. Madeira, III	Exec. Director, Anthracite Institute
Edward Griffiths	Vice Pres., Glen Alden Coal Company
H. S. Gilbertson	Personnel Director, Lehigh Navigation Coal Company

Early in August representatives of the bituminous industry likewise met with the staff of the Mineral Industries School and adopted a program of two projects. As major project "Comfort Heating with Pennsylvania Bituminous Coal" was selected and as secondary project, the development of "Soluble Coal" studies. The Research Advisory Committee appointed to represent the bituminous coal industry was as follows:

Name	Affiliation
John Ira Thomas	Secretary of Mines (to July, 1940)
Richard Maize	Secretary of Mines (from December, 1940)
Joseph J. Walsh	Deputy Secretary of Mines
E. J. Newbaker	Vice Pres., Berwind-White Coal Mining Company
J. B. Morrow	Pres., Pittsburgh Coal Company
C. B. Baton	Gen. Supt., Baton Coal Company
B. H. Canon	Secretary, Western Pa. Coal Operators Asso.
L. W. Householder	Vice Pres., Rochester and Pittsburgh Coal Company
James Mark	Pres., Dist. No. 2, U. M. W. A.
Patrick T. Fagan	Pres., Dist. No. 5, U. M. W. A.
W. A. Jones	Secretary, Central Pa. Coal Prod. Asso.

Due to delays in determining the methods of financing this work, it was not until October 15, 1939, that an agreement was finally reached between the representatives of the two industries, the State Department of Mines and the College Administration, and funds were actually made available for use by the research staff of the School of Mineral Industries.

Since that time a staff of twelve full-time research men has been built up and these investigators are assisted by six full-time shop and laboratory technicians. The research staff of the project was carefully selected to include men with diversified education and training; eminent fuel technologists were placed in charge of the work. The School has assigned to the projects the use of four laboratories having a combined floor space of appproximately 1800 square feet with facilities for all types of fuels research.

A review of the purpose, method of attack and progress on each specific project is outlined briefly in the following paragraphs.

Gasification of Anthracite

Prior to and during the first world war, and appreciable tonnage of the larger sizes of anthracite found a ready market as generator fuel for the production of carburetted water gas. Although statistics are incomplete for that period, the peak sales of anthracite for water gas generator fuel appear to have reached well over a million tons per year about 1919. Partly as a result of excess coke producing facilities engendered by the war effort of 1917 and 1918 and partly as a result of the prolonged anthracite strike of the early twenties, anthracite was largely replaced in the water gas field by coke, bituminous coal and oil. Little or no research effort was exerted by the anthracite industry to counteract the extensive programs of research and improvement initiated by other interests, and as a result, anthracite has failed to recapture this important tonnage market. The 1938 statistics, the latest available, show that the anthracite industry provided 57,000 tons of generator fuel, or less than 5 per cent of the total solid fuel used in the normal anthracite marketing area. Modern developments of gas manufacturing equipment and methods of operation have, in general, been such as to favor the use of these substitute fuels and further displace anthracite from its once held position as a premium fuel for this market. This trend has had definite repercussions throughout the entire anthracite industry: Decreased demand for over a million tons of grate and egg sizes has necessitated crushing these sizes to stove, nut and pea with increase in processing costs and subsequent losses due to the production of lower valued buckwheat sizes.

With these considerations in mind, the Advisory Committee on Anthracite Research selected as the major project for investigation the use of anthracite as generator fuel for the water gas process. Plans were formulated for a threefold attack upon the problem and included: Laboratory studies on the properties of anthracite of specific importance in water gas manufacture; plant scale tests on the use of anthracite in both the heavy oil and gas oil

processes of water gas manufacture; and a survey and compilation of operating methods and operating data for plants successfully using anthracite in order to familiarize the gas industry with the possibilities of this fuel, and to inform the anthracite industry as to the requirements of this market.

A study of the probelms of the gas industry revealed that the one property of anthracite about which least was known and yet which was of vital concern in gas manufacture was that of stability to thermal and mechanical shock. Laboratory studies were made of this property and as a result of these investigations a method has been developed by which this property can be quantitatively evaluated. The details of the method have been published in summary for use by interested parties.

Using the standard test procedure, tests have been made on anthracite from all the major mining districts of Pennsylvania. These tests demonstrated conclusively that a wide variation exists between the stability of coals from various districts. Some coals are resistant to thermal shock, others to mechanical shock, but only those of a few districts are reasonably resistant to a combination of the two types of shock to which water gas fuel is normally subjected. Calculations have been made to show the probable degree of satisfaction to be expected from coals of any district, and the results show that for the majority of water gas plants most anthracites are sufficiently stable for all practical purposes. For those plants where conditions of thermal and mechanical shock are severe, however, only a few of the most stable coals can be expected to perform with satisfaction. Details of the tests and methods of calculations have been presented to the Anthracite Institute in order that greater care may be exercised in recommending sources of coals for use in gas manufacture.

Through the courtesy and cooperation of the management of the Pottsville Gas Company, of Pottsville, Pennsylvania, extensive plant scale tests on the use of anthracite as generator fuel for the heavy oil process of water gas manufacture have been made at the Pottsville Gas Plant. These tests have been quite comprehensive and have included the use of three different anthracites. Studies were made on the most suitable methods of operation, efficiency of operation, and technical factors of specific interest to the gas industry. The results of these tests are very promising and indicate that anthracite can be used with satisfaction and efficiency with but minor modifications in methods of operating technique. Data were likewise secured on the necessary modifications required for using coals from different districts. Conclusions resulting from the laboratory studies on the effect of thermal and mechanical shock were substantiated in these tests. At the present time a technical article is in preparation covering the results of these tests and will be presented in the near future before a meeting of gas engineers in order to acquaint them with the possibilities of anthracite for use as water gas generator fuel.

Further plant scale tests are now underway at Carlisle, Pennsylvania, where, through the courtesy of the Pennsylvania Power and Light Company, studies are being made on the use of anthracite as generator fuel for a plant using the gas oil process. In these tests, coals from all the major anthracite fields will be studied, and further technical data secured on such points of interest as rate of steam decomposition, heat balances, and pressure and temperature surveys.

For use by the anthracite industry, a technical bulletin is now in preparation which outlines the scope and the needs of the water gas industry, the properties required of generator fuel, the methods of operation of gas-making equipment and modifications desirable for best results using anthracites, the results now being obtained by plants using anthracite, and the results that may reasonably be expected in various types of equipment if anthracite is used.

The selection of this subject as the major research problem of the anthracite project was, I believe, especially fortunate at this time when National Defense is paramount in the interest of the Nation. At the present time, a shortage of coke is developing as a result of the demands of our metallurgical industry. Technical information on the use of anthracite in gas manufacture is, therefore, urgently needed in order that maximum efficiency can be maintained in our varied war efforts. The staff of the water gas research project has already been called upon for advice and recommendations regarding the use of anthracite for water gas production and it is expected that the importance of this work will gain further recognition in the near future.

Activation of Anthracite

As the secondary project of the anthracite research program, the Advisory Committee selected a study of non-fuel uses for anthracite. Of the numerous possibilities considered, the production of active carbon was chosen because the inherent properties of anthracite appear to be such that it might have certain advantages over competing raw materials.

Active carbon is a material which by suitable treatment can be prepared from a variety of carbonaceous materials but, as the name indicates, it is essentially a form of carbon, and anthracite is the most concentrated form of carbon available in nature at reasonable cost. Active carbon is a special form of carbon that possesses the property of selectively absorbing other materials, especially liquids and gases, and is used industrially for a variety of purification processes such as deodorizing, decolorizing, clarifying and filtering gases and liquids. It is produced by selective oxidation, often with steam, at high temperatures and is a product whose use by industry is rapidly increasing both in scope and in quantity.

Because active carbons are quite specific in their action, and methods of preparation vary considerably depending upon the use for which they are intended, it was agreed that effort should be concentrated upon the preparation of a granular carbon suitable for the rapidly expanding water purification market. In view of the National Defense measures, the possibilities of gas mask carbon was also to be considered.

From time to time the results of small scale batch-type laboratory experiments have appeared in the technical literature claiming that anthracite could be satisfactorily activated to give suitable active carbons for some purposes. Experience has shown, however, the results of this type of work rarely agree with the findings from continuous industrial processes. This is not surprising in view of the sensitivity of active carbons to the conditions under which they are prepared. It was decided, therefore, that the activation project should be on a scale that would warrant predictions as to the probability of industrial success.

An activation furnace was designed and constructed for the continuous production of approximately one pound per hour of active carbon. This unit is capable of considerable flexibility in operation and permits careful control and controlled variation in any one of the several factors which influence the degree of activation and the quality of the product.

Experiments have been made with a number of anthracites using pea and buckwheat sizes from the several coal fields. The results have shown that all coals are not equally well adapted for the process, and that considerable variation is possible in coal from a given colliery. Using pea size coal, granular active carbon has been produced which possesses from 50 to 75 per cent of the activity of the better grades of carbon now marketed and compares favorably with the poorer grades sometimes found. Although, in general, not sufficiently active for most purposes, this anthracite carbon could be produced relatively cheaply and may prove of industrial use as a cheap active carbon for industrial water purification. Efforts are being made at the present time to determine the applicability of the product for this purpose because of the demand for a cheap means of purifying industrial waters to eliminate stream polution.

For the production of a carbon with activity comparable to the best grades now marketed, experiments have shown

that it will be necessary to reduce materially the particle size of the coal to be activated. In order to accomplish this objective and still produce a granular product, studies are being made on the briquetting of fine sizes prior to activation. Through cooperation of the American Briquet Company of Lykens, Pennsylvania, a variety of blends have been prepared in briquet form. Experiments have been made to determine the most suitable baking conditions to give a briquet of maximum strength, and activation experiments are now underway on the briquetted material. Due to the presence of the briquet binder and to the changed physical condition of the coal in the briquet, a recheck is necessary of the most suitable activation conditions to give maximum activity.

This work is progressing satisfactorily and the results so far obtained indicate that improvement in activity is possible by this method of treatment.

Comfort Heating with Pennsylvania Bituminous Coal

The comfort heating of residential homes is a development of recent years resulting from the application of science and engineering to the fulfillment of a public demand. The American public has demanded, and at a price has secured, automatic heating with virtually all domestic fuels except bituminous coal. Even with bituminous coal a certain degree of pseudo-automatic heating is possible in certain sections of the country where coals are available which are adapted to use in the type of stoker generally marketed. The extent to which this industry has grown in recent years is illustrated by the following figures: The stoker production of the United States for the past three years has approximated 100,000 units per year and the total number of stokers estimated to be in use exceeds one-half million units. Of these, approximately one-half or about 250,000 are believed to be of the residential heating type. For the past five years the sale of stoker coal has been increasing at the rate of approximately 3 million tons per year and in 1939 reached the rate of approximately 20 million tons per year.

It is readily apparent from these figures that automatic heating has attained the status of a major industry and the question may well be asked as to how Pennsylvania industry and labor are sharing in the benefits of this development. Unfortunately, we are not securing our proportionate share of this rapidly expanding market, and Pennsylvania coals supply but a minor fraction of the residential stoker coal now sold.

There are two major reasons why Pennsylvania has failed to benefit by this trend toward automatic heat and both originate with the development of bituminous coal stokers. Soft coal stokers had their origin in the far West where high grade coking coals such as abound in Pennsylvania are not generally available. Hence, the burning equipment was designed to handle those coals most readily procured, namely, weakly coking, low ash fusion coals. The development and manufacture of domestic stokers has continued to concentrate in the West, and even today considerably over 90 per cent of the stokers are manufactured in states west of Pennsylvania. Advancement in design, efficiency, and manufacturing have, therefore, with few exceptions been based upon the utilization of local or cheaply imported coals and not upon the use of high quality Pennsylvania coal.

In general, Pennsylvania bituminous coals are strongly coking and have ash fusion characteristics that are not adapted to use in stokers designed primarily for other types of coal. Minor attempts at modification of the burning equipment have been made, but prior to the present research program at The Pennsylvania State College, no concentrated effort has been undertaken to develop a unit specifically adapted to our coals. Moreover, virtually all the residential type bituminous coal stokers now marketed are, because of the character of the coal for which they were designed, of the clinkering type which require daily manual removal of ash in the form of clinkers. Under no stretch of the imagination can these be classed as truly automatic, and they do not, therefore, fulfill completely the public demand.

Surveys of the domestic heating field showed that only one stoker was on the market which could be classed as fully automatic. This unit was developed by The Pocahontas Fuel Company of West Virginia and has proved highly satisfactory for the purpose intended, namely, automatic comfort heating with Pocahontas coal. Until recently it has been the policy of this company to sell and guarantee their stoker only if used with Pocahontas coal, but the sales policy has been liberalized somewhat within the past year or two. However, this unit has not proved entirely successful for use with the majority of Pennsylvania bituminous coals due to the strongly coking nature of our coal.

Four other stokers that purport to give automatic comfort heating are known to be in various stages of development and two of these have been placed on the market this past fall. Only two of these units have been developed with the idea of burning Pennsylvania coals and neither has yet proved itself satisfactory.

Research work on comfort heating under the Miller Bill program has of necessity followed two lines of attack, both having the same objective, namely, development of a satisfactory, completely automatic stoker for Pennsylvania bituminous slack coals. One phase of the work deals with the testing of automatic stokers that appear promising in order to determine their applicability to the burning of Pennsylvania coals, and has included minor development work on modifications to adapt the units for this purpose. The other phase has been the development of an entirely new unit specifically designed for the purpose of burning Pennsylvania coking coals.

The combustion laboratory of the project is now one of the most competely equipped and staffed organizations in the country for studies on comfort heating with bituminous coal. Facilities are available for simultaneous testing and development work on three units. Equipment is also available for modification of the properties of bituminous coals in order to change their behavior in combustion equipment. Tests have been completed or are now in progress on one conventional clinkering type stoker and all the automatic and semi-automatic ash removal type stokers now available on the market.

Of the stokers tested, only one has proved reasonably satisfactory for the handling of bituminous coal and that one only for a limited few coals with properties that are not common to the major portion of the tonnage of the Commonwealth. Suggestions for modification of these stokers have been made to the manufacturers and in two instances some improvement has been obtained. In neither stoker, however, have the improvements yet been sufficient to warrant unconditional recommendation of these units for use with Pennsylvania coals. Interest in the problem has been stimulated as a result of these tests and suggestions, however, and there is reasonable justification for the belief that substantial improvement of these stokers will result.

Development work on a new stoker has progressed satisfactorily. The primary problem of burning the strongly coking coals without formation of coke trees or coke plugs has been satisfactorily solved by utilizing the principle of preoxidation of the coal. This has been accomplished in the full scale experimental stoker by utilizing a portion of the air supplied for combustion. The mechanical features of air admission and proportioning have been worked out in the laboratory to give maximum simplicity of operation. Combustion tests have been made in this experimental stoker using 14 different coals representing all the major seams of Pennsylvania and covering a wide range of physical properties. The results have been decidedly encouraging. No coal has yet been found which cannot be handled satisfactorily in this stoker.

Studies have been made of the four basic types of ash removal systems—clinker, spill-over, scraper and movable grate, and the conclusion reached that some type of movable grate is most suitable for use with Pennsylvania coals. Experiments are now underway on the incorporation of such a device on the experimental stoker.

In view of the results so far secured as a result of both

test and development work, the technologists in charge of this research feel confident in stating that the time is not far distant when we can expect to see on the market one or more bituminous coal stokers that will enable the public to secure from Pennsylvania bituminous coals the automatic comfort heating they have every right to expect.

"Soluble Coal"

As a result of researches carried out at the School of Mineral Industries of The Pennsylvania State College between the years 1936 and 1939, it was discovered that by suitable methods of oxidation, bituminous coal could be rendered soluble in certain organic solvents such as furfural and that by subsequent recovery of the soluble material an ash free product could be secured. This ash free product which has been termed "soluble coal" possesses physical and chemical properties which suggest its possible applicability for a variety of industrial uses such as the production of carbon black, Diesel fuel, and synthetic plastics, as an intermediate product in the production of liquid hydrocarbons by hydrogenation or as raw material for active carbon production.

Recognizing the long-range nature of such work, the Research Advisory Committee for bituminous coal recommended as a secondary project that a more intensive study be made of the methods of producing, recovering and utilizing the "soluble coal." Following these suggestions, the research staff has completed an extensive study of production and recovery methods from which it is possible to estimate the probable costs of commercial manufacture. Studies on possible methods of utilization of the "soluble coal" have been carried out along one of two lines of attack with definite indications of success.

After a study of a wide variety of possible oxidizing agents, it was concluded that nitric acid in either liquid or vapor form was the most suitable oxidizing agent. This conclusion was in agreement with preliminary experiments used in the development of the original process; but using larger scale experiments and new methods of application, it has been shown that the consumption of nitric acid can be reduced by 50 per cent or more without seriously affecting the yield of "soluable coal." This reduction in acid consumption is of decided economic importance because for the original process the acid costs limited materially the economic possibilities of the "soluble coal."

The method of recovery found most successful for laboratory work in the original experiments involved precipitation of the "soluble coal" by means of a second organic solvent. Large scale experiments showed that this method was impractical for commercialization due to cost. Other methods were studied, and a process involving steam distillation was developed which is reasonably cheap and effective.

Sufficient data on the properties of the "soluble coal" were available to indicate that it could be used for the production of carbon black, but economic considerations showed that further work on methods of producing carbon black with specific properties to meet the requirements of special industries was not warranted unless by-products could be developed which could in part carry the burden of processing costs.

Experiments on the chemical constitution of the material indicated that a certain fraction of the "soluble coal" had promise as a dye or dye-stuff intermediate, and for the past several months an intensive study has been made of the dye possibilities of the material. Four separate dyes have resulted from this study, and as work continues there is every probability that others will be discovered. The dyes thus far produced range from pale yellow through a variety of shades to deep brown.

A number of different fibers including cotton, linen, wool, rayon, celanese, nylon, silk and jute have been dyed with these four dyes. In general, the results secured for the dyeing of the protein-like fibers, wool, silk and nylon and for jute have been highly satisfactory. For the other fibers a limited degree of success has been secured in special cases. Laboratory investigations for quality of the dyes, using all the standard methods commonly employed, indicate that a very satisfactory product has been produced.

The dyes appear to have definite industrial possibilities, and in view of the fact that they are the first dyes known to have been produced by the direct processing of coal, there is a reasonable likelihood that another non-fuel use has been discovered for bituminous coal.

Further research is now being conducted on processing the "soluble coal" to produce other dyes, and upon completion of these studies attention will be given to the possible production of synthetic plastics from the "soluble coal."

Summary

Summarizing briefly the progress that has been made in a little over a year of investigation under the provisions of the cooperative Miller Bill research program, the following points are of interest.

(1) A research organization has been assembled which for practical studies on the utilization of anthracite and bituminous coal is second to none in the United States.

(2) Work on the gasification of anthracite has resulted in the development of a standard test by which the decrepitation characteristics of anthracite can be determined quantitatively in the laboratory and their behavior in a water gas generator predicted with reasonable assurance. Plant scale tests have been completed on the use of anthracite as generator fuel in a water gas machine employing the heavy oil process and have demonstrated conclusively that by minor modifications in operating procedure a number of anthracites can be used with satisfaction. Plant scale tests are now underway on the use of anthracite as generator fuel in a plant employing the gas oil process.

(3) Raw anthracite in pea and buckwheat sizes has been activated to give granular carbon with activity as high as about 75 per cent that found for the best grades of carbon now marketed. It has been demonstrated that the lower activity of the anthracite carbons was due to incomplete penetration by the activating agent. Experiments are now underway on the activation of fine sizes or anthracite in briquet form and preliminary results indicate that improved activity results from this method of operation.

(4) Test work on comfort heating with slack bituminous coals has shown that at the present time there is no truly automatic stoker available which will satisfactorily burn the majority of Pennsylvania strongly coking coals. Development work on a new stoker has reached the point where it is possible to burn satisfactorily even the most strongly coking coals without any difficulty from coke tree formation—something that can be accomplished satisfactorily by no other stoker tested or observed. Work is now underway on the problem of incorporating an ash removal mechanism on this stoker to make it compeletely automatic.

(5) Experiments have been completed on methods for the production and recovery of "soluble coal" and data secured on probable processing costs. Development work on uses for the material have resulted in the preparation of several dyes which appear to have industrial possibilities. Further work is now underway on expanding the range of colors available from these dyes.

Future Plans

As a result of the delayed start on the foregoing research program it will be of 20 months' duration rather than the 24 months indicated in the original Act. Because of the shorter time, and due to the fact that it is not feasible to start such a program efficiently at full scale, less than one-half the appropriated funds were expended during the first year of the biennium. It has been possible, therefore, to operate the program during the present fiscal year at the rate intended by the Legislature, namely, on a budget of $50,000, one-half of which has been provided by the anthracite and bituminous coal industries and one-half by the Commonwealth. In view of the fine progress made, it is my recommendation that the General Assembly continue sponsorship of this cooperative research effort on new and improved uses for Pennsylvania coals to the extent of appropriating $75,000 for the biennium 1941-1943. The program of research, subject to modification by the Research Advisory Committee, will be along the following lines.

Anthracite: Completion of plant scale studies on the production of carburetted water gas from anthracite in a gas plant employing the gas oil process.

Studies on the production and use of domestic purposes

of blue water gas produced entirely from anthracite without any form of oil enrichment. This project is very wide in scope and involves both laboratory and field experiments on a variety of possible methods.

Completion of studies on the preparation of active carbons from anthracite followed by laboratory and field experiments demonstrating the applicability of this material for use in specific industries.

Bituminous Coal: Continuation of test and development work on bituminous coal stokers to automatically burn Pennsylvania coals. This problem includes completion of development work on an ash removal mechanism, studies of the most satisfactory design and controls for efficient operation, and studies on methods of eliminating or decreasing the fly-ash-fly-carbon nuisance inherent in the design of most stokers.

Continuation of the search for new uses and application for "soluble coal;" specifically along the lines of synthetic plastic, synthetic fibres, dyes and carbon blacks.

BILLS INTRODUCED

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 225, entitled:

An Act to amend sections six hundred three, seven hundred one, nine hundred twelve, and to further amend section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," regulating the nomination and election of county chairmen of all political parties, and requiring all qualified voters to vote at all general, municipal, special and primary elections unless specifically exempted; and further imposing penalties for violations of the act.

Which was committed to the Committee on Elections.

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 226, entitled:

An Act making an appropriation to the Bryn Mawr Hospital, Bryn Mawr, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 227, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital, Huntingdon, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 228, entitled:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not in the miliary or naval service of the United States before the issuance of a subpoena.

Which was committed to the Committee on Judiciary General.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 229, entitled:

An Act creating a commission to make a study and investigation of the laws governing, and the practical operation of, the parole and penal systems of this Commonwealth, and other parole and penal systems; defining its powers and duties; and making an appropriation.

Which was committed to the Comittee on State Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 230, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured and dependent relative, members of families and personal representatives of persons killed, through negligence in the operation of trucks of, or under the control of, the Pennsylvania National Guard.

Which was committed to the Committee on Military Affairs.

He also read in his place and presented to the Chair Senate Bill No. 231, entitled:

An Act making an appropriation to the Department of Military Affairs for the further relief of members of the Pennsylvania National Guard or their dependents where such members have heretofore been disabled, or have died as a resutl of disability received while in the regular performance of duty, and limiting the circumstances under which such further relief may be paid.

Which was committed to the Committee on Military Affairs.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 232, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Which was committed to the Committee on Education.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 233, entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specified ages by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commission of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder. and establish-

ing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by exempting children employed as caddies from the provisions of this act.

Which was committed to the Committee on Labor and Industry.

Mr. CAVALCANTE, on behalf of Mr. DENT read in his place and presented to the Chair Senate Bill No. 234, entitled:

An Act to regulate the sale, licensing and other disposition of rights to publicly perform for profit in the Commonwealth, any copyrighted composition of music, lyrics, verse or drama; to protect performers of such compositions against arbitrary penalties for innocent infringements, by requiring registration in the office of the Secretary of State of the ownership and other rights in or concerning such compositions; providing for payment of registration fees on all such compositions registered, for certified copies of registration; providing a savings clause; and providing penalties for violation of this act.

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the Chair, Senate Bill No. 235, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one, (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," providing for the making of refunds of the liquid fuel tax to cities, boroughs, incorporated towns and townships, and increasing the proportionate amount thereof.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair, Senate Bill No. 236, entitled:

An Act to amend section six hundred fifty-four of article six of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation. supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," providing that all premiums and interest charges on account of policies insuring employers against workmen's compensation liability and all judgments recovered for same shall be preferred claims in all insolvency or bankruptcy proceedings and trustees proceedings for administration of estates and receiverships.

Which was committed to the Committee on Insurance.

BILL POSTPONED

Mr STIEFEL. Mr. President, I move that further consideration of Senate Bill No. 58, on third reading, entitled:

An Act to further amend section nine of the Act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred sixty-three), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom," as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, three hundred forty-nine), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

be postponed for the present.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED

Mr. RUTH. Mr. President, I move that Senate Bill No. 86, on third reading, entitled:

An Act requiring the court in imposing sentence to include in such sentence the costs of keeping the person in the institution to which he is sentenced for the term as fixed by the court; providing such person is or shall become, during such term, financially able to pay for the same.

be recommitted to the Committee on Judiciary General for the purpose of further amendment.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

Mr. DENT. Mr. President, I move that Senate Bill No. 125, on third reading, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

be recommitted to the Committee on Judiciary General for the purpose of further amendment.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 130, on third reading, entitled:

An Act prohibiting judges of courts of record from engaging in political activity, except in furtherance of their own candidacy for the office of judge of any court of record; and imposing penalties.

be recommitted to the Committee on Judiciary General for the purpose of a public hearing.

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, both the chairman of the Committee on Judiciary General and myself, and I think many members of this Senate, have received requests for a public hearing of this bill, and obeying the tolerant spirit of this body in all matters that are fundamental

and of great importance I am glad to accede to those requests.

MOTION TO RECOMMIT SENATE BILL NO. 130 TO COMMITTEE ON JUDICIARY GENERAL

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 130 be recommitted to the Committee on Judiciary General for the specific purpose of an open and public hearing.

Mr. President, I think the remarks made for and against the bill ought to be stenographically transcribed and that, after a public and open hearing, the committee shall return the bill to this Senate with amendments or recommendations or both.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to and the bill was recommitted to the Committee on Judiciary General.

SENATE BILL NO. 172

Mr. CAVALCANTE. Mr. President, Senate Bill No. 172 also has developed considerable controversy and requests have been made concerning this bill, as I have stated concerning the bill we have just recommitted, and in order to receive intelligent and constructive criticism on this bill I am also willing—I speak for myself and the gentleman from Allegheny, Mr. Walker—that this bill be recommitted also.

However, Mr. President, I want to make this abservation before I make the motion to recommit Senate Bill No. 172.

Several of those who have requested a hearing on this bill have definitely promised they will come here with intelligent and able and constructive criticism in opposition to the bill, that they will not do anything to bring about a demonstration such as we have had around this Capitol in years past. Mr. President, I explained to them that as far as I am concerned and my co-sponsor, and I think all of the members of this Senate, we are beyond the spirit where a march en masse to this Capitol can bring any pressure on any member of this Senate, that this matter is a very serious matter and we want intelligent and constructive help on this bill.

MOTION TO RECOMMITT SENATE BILL NO. 172

Mr. CAVALCANTE. Mr. President, with that in mind I move that Senate Bill No. 172 be recommitted to the Committee on Judiciary General, for the specific purpose of an open and public hearing, and that the remarks of those for or against the bill shall be stenographically transcribed and reported, and that after the hearing then the committee shall report this bill back to the Senate with amendments or recommendations or both.

The PRESIDENT. Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I hope the Senator from Fayette, Mr. Cavalcante, understands when this bill goes back to committee it cannot go back with any understanding that it shall be reported out. That is up to the committee; the committee may see fit not to report this bill back, and as I heard the words of the gentleman from Fayette, I am assuming he understands, he has an understanding that the bill will come back to the floor of this Senate.

Mr. President, so far as I am concerned I want to place myself on record as understanding that the committee has full authority over this bill and it may not come back.

Mr. WALKER. Mr. President, I would like to say the suggestion made by the gentleman from Fayette was very well taken. Of course, we all understand it depends on the action of the committee and no member of the committee is bound to report the bill out; the bill may not meet with favor in committee or it might be amended in committee.

Mr. President, we have no way interpreting the minds of the very intelligent members of a very fine committee and may I suggest to the gentleman from Fayette that the possibility of having the minutes of the hearing stenographically transcribed is somewhat of a surprise.

Mr. President, the appropriation to committees are confined to the Committee on Appropriations alone and the Committee on Judiciary General does not have an appropriation to buy a brief case or to hold a stenographic hearing.

Mr. CAVALCANTE. Mr. President, my remarks were planned and I do not want them to be misconstrued. I absolutely feel that after a hearing has been had on this bill the bill should be reported out either with a favorable or an unfavorable recommendation, or amended. I think that is very plain language.

Mr. President, this bill deals with an ever present and serious situation and I have all of the confidence in the world in my colleagues that constitute the Committee on Judiciary General, but this bill is now out on the floor and these gentlemen that are asking for a hearing knew that this bill had been introduced, because I think it has received more newspaper publicity than many other important bills have, and it slept in committee for some time, it was put out on the floor of this Senate, it received second reading and they have had sufficient time and I think the bill ought to come out on the floor after a hearing.

Mr. President, I am not ashamed to hold my ground on that bill here on the floor of the Senate, and if the Committee on Judiciary General were to report the bill out with a negative recommendation I am sure I would not permit myself to lose my bearings and not take the recommendation of the Committee seriously, to view it seriously, to examine it seriously, and then either accept the report of the Committee with its negative recommendation or accept its amendments to the bill but, Mr. President, I do think we ought to vote upon recommitting this bill the same as we did on the bill just previous to this one.

I made the same motion and it was adopted and I think we ought to adopt the same motion here, that the committee ought to report the bill out after a hearing, either with amendments or with recommendations, negative or otherwise, but it ought to come out on the floor of the Senate and we should never leave any insinuation or impression that some sinister influence or hidden power around this Senate or anywhere has been powerful enough to kill this bill in committee.

Mr. President, I am speaking for all the members of this Senate when I say that. I think the bill ought to come out, so that if it is accepted every voter in the State of Pennsylvania can see all of us were for it and if it ought to be defeated, if it is not a wise and just bill, all the voters in the State of Pennsylvania ought to know that we think it is an unwise bill, but I think it would be a bad policy, I think it would leave a very unwholesome taste in the minds of many citizens of this Commonwealth if we were to send this bill back to committee and after a hear-

ing have the bill vote negatively in committee and not reported to the floor of the Senate.

Mr. WALKER. Mr. President, I do not want the Committee on Judiciary General to be under any misapprehension but up to this moment I am still Chairman of that Committee and when a bill is referred back to that committee it will be taken up in committee meeting and I insist that the action of that committee shall determine what shall be done with the bill and not any action taken on this floor.

Mr. President, if this Senate desires to destroy the committee or does not find favor with what the committee does with that bill then it can take appropriate action, but, Mr. President, if that bill goes back to my committee again, my committee will govern whatever happens to that bill.

Mr. President, I do not propose to vote to have this bill recommitted to my committee with my hands tied.

In that connection, Mr. President, I should like to read several telegrams I have received and in reading them I want to say to the people who expressed the desire to have this hearing; I have no objection to granting a hearing but I do object to having threats tossed at me by people whom I think this bill is aimed at and I suggest they abadon this type of propaganda, as far as my committee is concerned, because it will not influence or control me and has no influence on my committee.

Mr. President, if this bill is to go back to committee and the hands of the committee are tied, I will vote against recommitting this bill. If this bill goes back to my committee for action, the action of the committee will control

QUESTION OF PARLIAMENTARY INQUIRY

Mr. THOMAS B. WILSON. Mr. President, I rise to a question of pariamentary inquiry.

The PRESIDENT. The gentleman from McKean will state his question of parliamentary inquiry.

Mr. THOMAS B. WILSON. Mr. President, the Senator who made the motion on the previous bill now seems to say to this Senate that by adopting his motion we have tied the hands of the Committee on Judiciary General so that we must report this bill out.

Mr. President, is that the effect of that motion?

The PRESIDENT. The Chair believes that is the intent of the motion.

Mr. THOMAS B. WILSON. Mr. President, could there be any such motion passed by the Senate of Pennsylvania that ties the hands of the Committee on Judiciary General on the bill just committed?

The PRESIDENT. The Chair would rule no.

Mr. THOMAS B. WILSON. Mr. President, if there is any such motion I am going to move that the Senate reconsider that motion, because the Committee on Judiciary General cannot be bound by this Senate except to take the bill away from it after the committee refuses to act.

Mr. President, there is no such parliamentary procedure as to instruct us to send back a bill.

The PRESIDENT. The point of order of the gentleman from McKean is well taken.

Mr. THOMAS B. WILSON. May I again inquire; is the Committee on Judiciary General bound to return the prior bill to this Senate. I refer to Senate bill 130, the bill on which action was taken just prior to consideration of this bill, because the gentleman from Fayette had intimated we are bound to send the bill back.

The PRESIDENT. The Chair understands the motion was just to recommit the bill. The Chair may be mistaken. Will the reporter read the motion of the gentleman from Fayette

The motion was read, as follows:

MOTION TO RECOMMIT SENATE BILL NO.130 TO COMMITTEE ON JUDICIARY GENERAL

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 130 be recommitted to the Committee on Judiciary General for the specific purpose of an open and public hearing.

Mr. President, I think the remarks made for and against the bill ought to be stenographic transcribed and that, after a public and open hearing, the committee shall return the bill to this Senate with amendments or recommendations or both.

Mr. REED. Mr. President, I second the motion.

Mr. THOMAS B. WILSON. Mr. President in this motion with reference to Senate Bill No. 130 I understand the gentleman from Fayette has intimated we are bound to send that bill back.

The PRESIDENT. The Chair understands the motion was just to recommit this bill. Perhaps the Chair is wrong.

Mr. CAVALCANTE. Mr. President, I want the members of this Senate to understand me well. I made that motion in order to allow a public hearing on this bill but I want the bill back on the Senate floor.

Mr. President, I cannot understand the position taken by any member of this Senate that my motion ties the hands of the committee. It does not tie the hands of the committee, it just means that they have a right to amend the bill or they can report it out, but they must report it out, either with a favorable recommendation or a negative recommendation, and, Mr. President, that is provided for in the rules. If you study the rules it is in there that a committee may make a negative recommendation and then the rule says what the action on that negative recommendation might be.

You may defeat the motion if you want to. You may not agree with me but it is just simply a position that I have taken over the course of many sessions, that many bills come into this Senate that should come to the Senate floor after having been sent to committee and members of this Senate permitted to vote one way or the other on those bills.

Of course, Mr. President, you say you can accomplish that object by moving to discharge the committee but the gentlemen who have been around these assembly halls before know what inlaid prejudice and opposition there is upon members of this body to vote for the discharge of any committee and it was my hope to save the members of this Senate, should we come to that point where it might be necessary to move to discharge the committee in order to bring that bill on the floor of the Senate, by simply incorporating in my motion a provision that the committee shall report it out, amended or with a negative or an unfavorable recommendation.

Now there is nothing wrong with that, Mr. President; it does not tie the hands of the committee at all, unless there is somebody minded here to stifle the legislation or as we say to pickle the bill in committee, and that places the sponsor of the bill or any other member of the Senate in

the position of moving to discharge the committee where, if the bill is reported out, if the committee does not like it, report it out with a negative recommendation and then the bill is finished unless under the rules of this Senate, some member that is interested persists and moves, as the rules provide, for consideration of the report from committee.

That does not tie the hands of the committee at all.

Mr. SHAPIRO. Mr. President, when the gentleman from Fayette was discussing Senate Bill No. 130, I noticed he confined the provision which dealt with the return of that bill to remarks which were made after the motion, and therefore I made no objection to his first premise, but if you read the second motion on Senate Bill No. 172, you will find he coupled his remarks in the motion and he moved that this bill be recommitted for the purpose of a hearing and for the purpose of returning it to that committee and that it shall be returned to this Senate.

Mr. President, I know the Senate has control over the committees and also the Senate has control over the bill and it can either discharge the committee or it can give them instructions.

Mr. President, if this Senate votes to support that motion it is in effect a motion to discharge the committee in advance if it does not report the bill out, because the Senate has adopted a resolution directing the committee to do a specific thing.

Mr. President, I am in favor of the bill and I have no hesitancy in saying I am in favor of the bill, which will effectively make people who have subversive doctrines and want to be on our ticket state or disclose the doctrines so that we can vote intelligently but, Mr. President, at the same time I reserve to myself the right to vote as a member of that committee, and when I hear arguments by everybody concerned that the bill is a bad bill, I reserve the right to vote as I see fit and I do not want to be committed by any member of the Senate, no matter who he might be, in the matter of judgment by a preconceived motion which in effect is a motion to discharge the committee if the committee does not want to bring that bill back to the floor of this Senate.

Therefore, Mr. President, I ask as a matter of parliamentary inquiry and information that that second motion be read, in connection with Senate Bill No. 172.

Mr. THOMAS B. WILSON. Mr. President, will the Chair please state to the members of the Senate what question the Senate is now acting on.

The PRESIDENT. The question is on the motion of the Senator from Fayette, Mr. Cavalcante, to recommit Senate Bill No. 172, with a public hearing, w stenographic notes to be taken, and the bill reported out y committee.

The Chair understands this motion is entirely different from the motion made in connection with Senate Bill No. 130.

Mr. CAVALCANTE. Mr. President, I am one member of this Senate who has never—

The PRESIDENT. Did the Chair state the motion correctly of the gentleman from Fayette?

Mr. CAVALCANTE. —that has never plead and will never plead for the right to hide my vote on any matter behind an action of the committee.

MOTION TO WITHDRAW MOTION

Mr. CAVALCANTE. Mr. President, I at this time ask the privilege of withdrawing my motion to recommit Senate Bill No. 172 for the purpose of a public hearing.

The PRESIDENT. Will the Seconder of the motion agree to withdraw his seconding?

Mr. WALKER. Mr. President, I very willingly agree with the gentleman.

The PRESIDENT. The motion is withdrawn.

Mr. DiSILVESTRO. Mr. President, I do not think it is fair to keep us sitting in our places here while some of our distinguished lawyers in this Senate chamber are fighting amongst themselves when, in plain language, we can make a motion for the privilege of a group to have a public hearing on one of our bills.

Mr. President, I think it is no more than fair—and I am not a Communist, I am against the Communist party—to give these people an opportunity to express their opinions because this is America, this is not a dictatorship, and I think the gentleman from Fayette took our time up in discussion, together with our other distinguished attorneys; we understand procedure and so on, but it is not fair to keep us here by the half hour or three quarters of an hour discussing a very important bill and then making a motion to withdraw the motion.

Mr. President, I think it is unfair, this is too delicate a proposition in a world of unrest, with so many insinuations and so many labels being put on people today, I do not think it is fair we should be put on the spot on this bill.

Mr. President, I think there should be a public hearing and I think the bill should go back to committee and if the committee feels the bill should be brought out, it is up to them, that is their privilege and their right.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 172, on third reading, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand three hundred thirty-three), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies.

be recommitted to the Committee on Judiciary General for the purpose of a public hearing.

Mr. KEPHART. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A roll call was demanded by the Senator from Fayette, Mr. Cavalcante.

(During the calling of the roll the following occurred.)

Mr. MILLER. Mr. President, I desire to be recorded as voting—

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, there is nothing before

the Senate except the vote on the motion to recommit the bill.

The PRESIDENT. The point of order of the gentleman from Philadelphia is well taken.

Mr. MILLER. No. Mr. President.

And the question recurring.

Will the Senate agree to the motion?

The yeas and nays were required by Mr. DiSILVESTRO and Mr. JASPAN and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Lanius,	Tallman,
Becker,	Edmonds,	Letzler,	Taylor,
Carr,	Farrell,	Mallery,	Thomas,
Chapman,	Frey,	McGinnis,	Tyler,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Haluska,	Ruth,	Walker,
Crider,	Heyburn,	Scarlett,	Watkins,
Crowe,	Homsher,	Shapiro,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Dent,	Jaspan,	Stiefel,	Ziesenheim,
DiSilvestro,	Kephart.		

NAYS—4

Cavalcante,	Miller,	Reed,	Stevenson,

So the question was determined in the affirmative.

The PRESIDENT. Senate Bill No. 172 is recommitted to the Committee on Judiciary General for a hearing.

The PRESIDENT. The next bill before the Senate for action is Senate Bill No. 201.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 201, as follows:

An Act to amend a certain appropriation item contained in section two of Act 69-A approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Act of one thousand nine hundred thirty-nine page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thoousand nine hundred and thirty-nine" by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans Compensation Bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following appropriation item contained in section two of Act No 69-A approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts of one thousand nine hundred thirty-nine page sixty) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" specifically appropriated to the hereinafter named agency of the Ececutive Department is hereby amended to read as follows

To the Treasury Department

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred and thirty-four (One thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four Pamphlet Laws page two hundred nineteen) the sum of seven million four hundred fifty thousand one hundred ninety-two dollars and fifty cents ($7,450,192.50) according to the following schedule

	Requirements		
Date of Payment	Principal	Interest	Total
September 1 1939 .		$ 487,500.00	$ 487,500.00
November 1 1939 .		300,000.00	300,000.00
March 1 1940	$1,237,253.21	487,500.00	1,724,753.21
May 1 1940	912,843.04	300,000.00	1,212,843.04
September 1 1940 .		487,500.00	487,500.00
November 1 1940 ..		300,000.00	300,000.00
March 1 1941	1,237,253.21	487,500.00	1,724,753.21
May 1 1941	912,843.04	300,000.00	1,212,843.04
Total	$4,300,192.50	$3,150,000.00	$7,450,192.50

Provided however That of this amount the sums of one million two hundred thirty-seven thousand two hundred fifty-three dollars and twenty-one cents ($1,237,253.21) and nine hundred twelve thousand eight hundred forty-three dollars and four cents ($912,843.04) representing the principal requirements due March 1 1941 and May 1 1941 respectively shall not be paid into said fund until on or after the first day of June one thousand nine hundred forty-one but not later than the thirtieth day of June one thousand nine hundred forty-one

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

QUESTION OF PERSONAL PRIVILEGE

Mr. MILLER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Luzerne will state his question of personal privilege.

Mr. MILLER. Mr. President, as I attempted to say, I desire to be recorded as voting "No" on the motion made. From my observation, from my experience, I feel this committee is making a grave mistake in permitting any individual who is going to represent a party at a public hearing, whose purposes and aims is the establishment, control, conduct, seizure or overthrow of the government of the Commonwealth of Pennsylvania or the United States of America by the use of force, violence, military measures or threats, to have any right in the hall of the Senate or in the committee rooms of this General Assembly.

Mr. President, I have found that these subversive groups who carry on their underhanded methods thrive on publicly that are given along such lines as we are permitting in the form of this public hearing.

Mr. President, I feel and so wish to express myself that I am in accord with granting those individuals, whoever they might be, the right to appear before the committee, but I am just fearful there may be some sort of a demonstration which we of the Legislature of Pennsylvania might have caused to regret, and I can see that nothing can come out of a public hearing other than publicly, and that is the thing I am definitely against insofar as these subversive groups are concerned, because not one of them who will enter that committee meeting will say the aims and principles of their party are those that are contained in the bill.

QUESTION OF PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. DiSILVESTRO. Mr. President, I would like to explain my vote. I voted to recommit the bill because I feel that by denying this group the privilege of coming before us it destroys the purpose of our democracy and encourages dictatorship.

Mr. President, I feel that any group has the right to be heard no matter how they think or how they feel and therefore, Mr. President, that is why I cast my vote in the manner I did.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege, to answer the remarks of the gentleman from Philadelphia.

The PRESIDENT. The gentleman from Fayette will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, I think that in the remarks I am going to make I have judged well the mind of the gentleman from Philadelphia. My motion was very specific; it did not deny anybody a public hearing, but it took away from Senators like the gentleman from Philadelphia the right to hide behind the action of this committee in case the committee should refuse to report the bill back to the Senate, and any true blooded American, regardless of who he is, should not be afraid to let that bill out of the floor of the Senate and vote for or against it so that the world may see how he stands on this proposition, and I challenge the accuracy of the statement made by the gentleman from Philadelphia that my motion in any way took away those fundamentals, those God-given rights of mankind, the right to express their opinions here in this United States of America.

Mr. President, my motion specifically provided for a public hearing and no man should have any objection to having his remarks recorded for or against that bill unless he has sinister motives in his remarks or in his conduct.

I again want to repeat, I am one member of this Senate that can stand on my feet on the floor of this Senate and defend every vote that I cast for or against a bill and I do not need the action of a committee to protect me from public view on this very vital matter.

Mr. DiSILVESTRO. Mr. President, I am very sorry the distinguished Senator from Fayette felt I was making him the target of my remarks. I felt the previous speaker before I arose had objected to a public hearing and I tried to answer the fine gentleman from Luzerne, Mr. Miller, in the best way possible.

Mr. President, I do not intend to enter into any exchange of remarks with the distinguished attorney from Fayette but I wish to assure this body I have as much courage as anybody in this room to stand on my feet and express my opinion and I will vote as I see fit on every bill. Mr. President, I want to assure my impulsive colleague from Fayette I have no intention of touching his integrity.

And the question recurring,

The PRESIDENT. The clerk will read the bill.

Mr. SHAPIRO. Mr. President, what is before the Senate?

The PRESIDENT. The next bill in order is Senate Bill 201. The gentleman from Luzerne, Mr. Miller, rose on a question of Personal Privilege, which was granted. Therefore Senate Bill 201 is now before the Senate.

Mr. SHAPIRO. Mr. President, I should like to show by my conduct as well as by my speeches I do not need to express the fact I have courage, and I think there is a limit in debate too. When we were through with this bill the gentleman from Fayette said the friends of Communism had committed this bill back to the committee on Judiciary General.

Mr. CAVALCANTE. And I hope the reporter got it, Mr. President.

Mr. SHAPIRO. And, Mr. President, I am asking that might be made a part of the record so that those of us who vote may know that is the remark made. Mr. President, so far as I am concerned the gentleman, Mr. Reeve, who leads the Communists in Philadelphia has in written records before the election—not afterwards—a statement from me that I am not interested in Communist votes because the principles of those people and myself are at the two distant ends of the pole—for my party advocates a democratic form of government and his party advocates the overthrow of democracy as form of government.

Mr. President, I am sorry I had to get up and make this a matter of record but I have too much consideration and appreciation for the privilege of being in this Senate and of being permitted to live and raise my children as American citizens to sit idly by when an inconsiderate remark like that is made.

Mr. President, I too come from a people who know oppression and it is because we know oppression that we appreciate liberty and freedom, and the man does not live who can make a remark like that about me and get away with it without an answer. I want that understood, Mr. President.

Mr. CAVALCANTE. Mr. President, I will gladly answer the gentleman from Philadelphia, and if the comments—

The PRESIDENT. The Chair must state this is only by unanimous consent and the question now before the Senate is Senate bill 201. If there is no objection the Senate will proceed to consideration of that bill.

MOTION TO CONTINUE WITH CONSIDERATION OF CALENDAR

Mr. GELTZ. Mr. President, I do now move that the Senate now resume consideration of the calendar.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I want the remarks of the gentleman from Philadelphia stricken from the record if I am not permitted to answer his statement.

Mr. EALY. Mr. President, I think the Senator from Philadelphia, Mr. Shapiro, was a little unfair in speaking out loud some side remarks of the Senator from Fayette. It calls upon us, as it were, each one of us, to deny we are friends of the Communist party and I do not like that aspersion.

Mr. SHAPIRO. Mr. President, he did not speak quietly; he asked to put it on the record.

Mr. EALY. Mr. President, I would like to inquire whether that remark of the Senator from Fayette is in the record?

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. Is is on this particular motion?

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, there is a motion before the Senate. I made a motion that we proceed with consideration of the Calendar.

The PRESIDENT. That is correct.

The bill has been read three times.

Mr. SHAPIRO. Mr. President, I desire to speak on the bill. I understand we are discussing Senate bill 201.

The PRESIDENT. That is correct.

Mr. SHAPIRO. Mr. President, last week we had a lengthy discussion on the philosophy of life and the philosophy of government and I think I can point out to the gentleman from Montgomery, Mr. Edmonds, that this bill represents what I call the philosophy of government of the Governor and those who advise him.

Mr. President, as you will remember, there is a deficiency according to the budget of fourteen and a half million dollars, which will be necessary according to the budget to carry relief through the rest of this biennium.

Mr. President, this bill, Senate bill 201, has nothing to do with that deficiency at all but it is a bill which requires the postponement of payment of some two millions of dollars into the reserve fund or the amortization of the Soldier's Bonds—the bonus or bonds that are to pay for the bonus given to the soldiers.

This bill provides that these amortization funds which are due in March and May of this year, the payment of them, shall be suspended until June 30, 1941.

Mr. President, this two million dollars in this bill is made necessary by reason of the fact we are told a fourteen and a half million dollar deficit is not really fourteen and a half million dollars but will be exceedingly more than fourteen and a half million dollars.

It has been estimated by Mr. Russell at the public hearing we had that seven millions of dollars would be necessary in addition to the fourteen and a half million dollars to see us through on the relief until the end of this biennium. That being so, Mr. President, I object to this kind of philosophy of government, which, piecemeal and hurriedly, overnight, presents us with legislation to fill a gap which is known, the size of which is pretty nearly known and the condition which it raises ought to be known.

Mr. President, if we need seven millions of dollars I am willing to go along and vote for seven millions of dollars. But I want to know where it is coming from and we do not want to be asked every day to vote for two million dollars from this fund, and five hundred thousand dollars from another fund, without having a concrete proposition set before us so that we can act on it.

Mr. President, I am quite sure there are many men on both sides of this Senate who feel the same as I feel.

Mr. President, the next bill on the Calendar is for an appropriation of fourteen and a half million dollars, and I have no objection to it but I do say my philosophy of government is that the Governor owes it to every man in this Senate to sit down with him and tell him just how much money is necessary and plan from what source we are going to raise this money, but since there is no information forthcoming as to how much more we will need and where we are going to get it, then this in my opinion is piecemeal and foolish and certainly unwise legislation and I am going to vote against it and ask my colleagues to do likewise.

Mr. EDMONDS. Mr. President, we are at the same situation as we were last Wednesday, namely, the Senator from Philadelphia prophesizes and the Governor prophesizes and neither of them being the seventh son of a seventh son, their two prophesies do not agree.

As an actual matter of fact, Mr. President, the Governor prosposes in this bill, to delay payment of two millions of dollars to this particular fund until June, so that the money may be available for increasing the appropriation for assistance, if it is needed. I do not see any objection to that.

Mr. President, like the Senator from Philadelphia, I would be glad to have all these things come up at one time and in one paper, but if they do not come up all at one time and all in one paper they may be equally good if they come in two papers and at two times, and therefore. I am going to vote for this bill.

Mr. President, I may further state that the committee made a careful investigation of this matter. The fund at the present time has in it twelve millions of dollars. The first payment that it is to make on the principal of bond is in 1944— that is four years hence. It is proposed not to pay this amount on March 1st or May 1st but instead to pay it in June. And I do not think the interest of the Commonwealth will suffer if we allow it.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 27

Bartlett,	Ealy,	Kephart,	Tallman,
Becker,	Edmonds,	Letzler,	Thomas,
Carr,	Farrell,	Mallery,	Tyler,
Cavalcante,	Geltz,	Miller,	Watkins,
Chapman,	Heyburn,	Scarlett,	Wilson, H. I.,
Crider,	Homsher,	Snowden,	Ziesenheim,
Crowe,	James,	Stevenson,	

NAYS 17

Coleman,	Haluska,	McQuiddy,	Stiefel,
Deitrick,	Jaspan,	Reed,	Wade,
Dent,	Lanius,	Ruth,	Walker,
DiSilvestro,	McGinnis,	Shapiro,	Wilson, T. B.,
Frey,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 202, (House Bill No. 262) as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the

Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The sum of fourteen million five hundred thousand dollars ($14,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department.

Section 3 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. COLEMAN. Mr. President, I ask the Senate to defer action on Senate Bill No. 202 for just a moment or two, while the minority floor leader answers the telephone, as I believe he has a few pertinent remarks.

Mr. SHAPIRO. Mr. President, this bill originally passed the House containing an amendment, which provided control of distribution of administrative funds by the Governor, the Auditor General and the State Treasurer.

In 1939, before this Administration, there was a method of controlling the distribution of the administrative portion of this fund, and when this bill came over to the committee removed that amendment and I voted for the removal of that amendment and I want to put myself on record as doing so.

Mr. President, my reason is that I do not believe at this time controversial questions should be inserted in a bill which requires prompt action.

Mr. President, I do not agree that this appropriation bill should be a measure to test out the right or wrong of that situation and I do not think this bill should be made a vehicle for a political argument, though it may be a good one.

I should also like to say, however, the administration should know it is the intention, at least as far is I can understand it, and as far as the feeling on the part of the Democratic party is concerned to present legislation which will restore the distribution of the administrative portion of this fund to the situation to which it was before 1939 and that when the proper time comes legislation to bring about the same result which was attempted in this bill and which I say had no place in it, will be presented to this Legislature.

Mr. EDMONDS. Mr. President, I have here the figures for the appropriations to the State Treasurer from the Assistance Funs for 1939-1941.

In 1939, the general appropriation bill was $1,000,000, of which $154,000 has not yet been allocated or spent.

At the Special Session of 1940, the appropriation was $550,000 of which $60,000 has not been allocated or spent.

This Legislature has appropriated therefore, Mr. President, $214,000 more out of assistance to the state treasurer than has been used by the state treasurer in his work and I am inclined to think that is enough to last him out the biennium.

And the question recurring?

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Ealy,	Letzler,	Stiefel,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Scarlett,	Watkins,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Jaspan,	Snowden,	Wilson, T. B.,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 203, (House Bill No. 263) as follows:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Treasurer is hereby authorized and directed from time to time between the effective date of this act and May thirty-first one thousand nine hundred forty-one to transfer from the Motor License Fund to the General Fund such sums not exceeding in the aggregate the sum of six million four hundred thousand dollars ($6,400,000) as the Governor shall direct Transfers shall be made under this act upon warrants of the Auditor General upon requisitions of the Governor

The purpose of this transfer is to provide funds for the payment of the deficiency appropriation for public assistance made by this session of the General Assembly for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one To the extent to which this transfer makes it necessary the use of the transferred fund for its ordinary purposes shall be postponed but not otherwise modified

Section 2 The amounts transferred under this act from the Motor License Fund to the General Fund shall be

repaid to the Motor License Fund out of the General Fund not later than June thirtieth one thousand nine hundred forty-one

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, this bill provides for the transfer of $6,400,000 from the Motor License Fund for the purpose of making available funds for the deficiency appropriation of $14,500,000, for relief.

Mr. President, it is because I personally, and we on this side of the house who have discussed this matter, objected to the method of approach to the relief problem that I am going to vote against this bill. This is again another piece of so-called piecemeal approach to a very important and very troublesome problem and I do not think this is the way it should be handled and therefore I am going to vote against it, and ask my colleagues to vote against it.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were take agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Bartlett,	Edmonds,	Mallery,	Thomas,
Becker,	Farrell,	Miller,	Tyler,
Carr,	Geltz,	Ruth,	Wade,
Cavalcante,	Heyburn,	Scarlett,	Walker,
Chapman,	Homsher,	Snowden,	Watkins,
Crider,	James,	Stevenson,	Wilson, H. I.,
Crowe,	Kephart,	Tallman,	Wilson, T. B.,
Deitrick,	Letzler,	Taylor,	Ziesenheim,
Ealy,			

NAYS—13

Coleman,	Frey,	Lanius,	Reed,
Cox,	Haluska,	McGinnis,	Shapiro,
Dent,	Jaspan,	McQuiddy,	Stiefel,
DiSilvestro,			

A constitutional majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. GELTZ. Mr. President, I move that Senate Bill No. 23, on second reading, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

be recommitted to the Committee on Elections for the purpose of further study.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER. Mr. President, I just want to say to the sponsor of the bill I could see my colleague shake when he made that motion. I am very much against having this bill recommitted.

Mr. President, due to the lateness of the hour and my comradeship with that gentleman let me say I appreciate what he is doing and I am saying to him in all sincerity he is making a mistake.

Mr. President, in 1933 the same opportunity for decent legislation was afforded to the Republican party and they refused to accept it and were sorry later. In 1939 the same opportunity was offered the Republican party and they refused to accept it and again they were sorry.

Now, Mr. President, in 1941 again I call attention a golden opportunity is held out to them and with the hope that springs eternal in the human breast they are again refusing to strike a blow for a good cause.

Mr. President, for a moment I want to say I appreciate what was said by the distinguished gentleman from Fayette, Mr. Cavalcante, because if this bill is knocked out of the Senate it will never return again and I understand what is going on and merely want to say to my colleagues it is not with the idea of quarreling with your position or attempting to chastise your actions, it is merely saying to you on behalf of the Republican party I am sorry you are taking this action today.

Mr. DENT. Mr. President, I do not mind the bill going back to committee, but I would just as soon see it out so that I could vote "No."

However, Mr. President, I want to appease my friend from Allegheny and tell him Mr. Roosevelt will not run again.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, before we leave the discussion of the calendar I want to make a few brief remarks and then make a motion.

The PRESIDENT. The gentleman from Washington will proceed.

Mr. REED. Mr. President, very recently we reported a bill back to a committee for the purpose of a public hearing. That was for purpose of letting anyone who said they were interested in the bill come in before a Senate committee and express his views. Immediately after that, Mr. President, one of the members of this Senate was refused the privilege of speaking to this body.

The PRESIDENT. That is in the committee?

Mr. REED. No. Mr. President, right here.

MOTION TO GRANT PRIVILEGE OF THE FLOOR TO THE SENATOR FROM FAYETTE

Mr. REED. Mr. President, I move at this time that the Senator from Fayette, Mr. Cavalcante, be given the privilege of speaking to this body.

Mr. COLEMAN. Mr. President, I second the motion.

Mr. SHAPIRO. Mr. President, I second the motion.

The PRESIDENT. The motion of the gentleman from Washington is not in order. If the Senator from Fayette rises and addresses the Chair and asks permission he will be granted permission, but the gentleman from Fayette was out of order at the time, as it was a matter requiring unanimous consent.

The Chair has been fair, more than fair, with the gentlemen on the right and he will continue to be fair, but he is going to endeavor to conduct the proceedings of this Senate according to the Constitution and the rules adopted by this Senate.

If the gentleman from Fayette desires to address the Chair, the Chair will gladly recognize him.

Mr. GELTZ. Mr. President, I take exception to the remarks of the gentleman from Washington and wish to call to his attention Rule No. 4 of this Senate, which shows that the gentleman from Fayette had already spoken once more than he was entitled to speak on the same question, without there being any question or objection.

Mr. REED. Mr. President, that question was not raised by the gentleman from Allegheny. The gentleman from Philadelphia, Mr. Shapiro, spoke and then the gentleman from Fayette, Mr. Cavalcante, attempted to speak and he was shut off.

The PRESIDENT. That was unanimous consent and when the Chair discovered the gentleman was not talking on the motion the Chair denied the gentleman from Fayette the floor.

Following that the Senator from Somerset, Mr. Ealy, rose on a matter of parliamentary inquiry, which was entirely different from the question on which the Senator from Fayette rose.

Mr. REED. Mr. President, I am not criticizing the Chair, I am criticizing the procedure and I still maintain the gentleman has the right to speak.

The PRESIDENT. The Chair will continue in the performance of his duties in the future as he has in the past and if the gentleman from Fayette wishes to be recognized he may address the Chair.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President—

The PRESIDENT. The gentleman from Fayette will proceed.

Mr. CAVALCANTE. Mr. President, I have no criticism to make of the Chair in regard to the courtesies that I have been extended while a member of this body.

Mr. President, concerning the incident mentioned by the gentleman from Washington, Mr. Reed, I recall distinctly the gentleman from Philadelphia had spoken more than twice on the subject and then he made some remarks and asked me to answer his statement and I attempted to take the floor in order to answer him. Unfortunately the Chair felt it was not the time for me to answer but I do want to answer at this time.

The PRESIDENT. The gentleman from Fayette may proceed.

Mr. CAVALCANTE. Mr. President, as I recall the remarks of the gentleman from Philadelphia they were to the affect that I said the ones who had voted for the recommittal of the bill were aiding and protecting the Communists of this Commonwealth, and he very emphatically stated that my remark was inconsiderate.

Mr. President, I want to disillusion the mind of the gentleman from Philadelphia, Mr. Shapiro, My remarks were not made inconsiderately but with a deliberate mind and with deliberate words, knowing whereof I was speaking.

Mr. President, before this Senate convened today the gentleman from Philadelphia, Mr. Shapiro, rose to defend Mr. Carl Reeve, and personally handed to me and told me to read a speech that he had delivered somewhere in this Commonwealth and I am glad to know Mr. Reeve, at the recommendation of the gentleman from Philadelphia, Mr. Shapiro—I did not know where the headquarters of the Communist party might be in this Commonwealth; I am glad to know they are in Philadelphia and I am glad to know that the Communist party does thrive in Philadelphia.

Now, Mr. President, the statement handed to me by Mr. Reeve is headed "Speech of Carl Reeve on Behalf of the State Committee of the Communist Party of Pennsylvania at the Pennsylvania Congress for Civil Liberties, February 22, 1941,"—on the natal anniversary of George Washington, the father of his country.

Mr. President, I did not speak inconsiderately, I did not make the remark inconsiderately when I said they who had voted to recommit the bill were protecting Communists, individuals that should not be protected, especially when they make remarks such as I am going to read from that statement and ask to have them incorporated in the journal of this Senate. Here is what this gentleman said on the birthday of the father of his country:

"Certainly the frame-up of Earl Browder is a clear-cut indication that civil liberties today is being Blitzkrieged. Mr. Browder is the Tom Mooney of 1941. He is obviously the victim of political persecution. He is being railroaded to prison because of his political ideas. His conviction is a flagrant attack on the Bill of Rights. The technical passport charge against him is so flimsy that no one is fooled. As long as Mr. Browder is in jail because he leads a minority party, then we cannot boast that we have civil liberties in America.

"In our own state, there is another Tom Mooney case in the making—fantastic bomb plot frame-up against two leaders in the field of workers' education: Adolph Heller and Bernard Rush; and there is the case of Sam Darcy who was deported to California out of our state on framed-up charges.

"In my talk today, I want to deal chiefly with the moves of the politicians in power to outlaw the Communist Party and other minority parties and independent candidates which take a pro-labor, progressive or radical position. Senate Bill 172 of Senator Walker and Cavalcante which comes up Monday in the Senate for a final reading, is the most publicized of these Bills.

"Look to what lengths these fascists are going in their attacks on democracy. Take House Bill 395 introduced by Mr. Fiss. This bill provides that any candidate or party ticket may be removed from the ballot 'upon the verified petition based upon information and belief of at least five qualified electors' that the party or candidate is seditious or communistic; in other words five fascists have power under this Bill to remove a legal party from the ballot and to remove an elected candidate from office. Does anyone dare to say that such procedure is not fascism?"

Gentlemen, my honest belief in the Bill of Rights and in our form of government, my sincere desire to protect this democracy, does not at all tell me any American

citizen has the right, after a petit jury, after a lower court, has passed upon the innocence or guilt of a man, after the appellate courts of the State of New York and after the Supreme Court of this United States of America has passed upon Mr. Browder's conviction and said it was lawful and he was a law violator. I do not see that any man who now says the lower court was wrong, that the appellate courts of New York and that the Supreme Court of the United States was wrong, has any right to be heard by any patriotic body in this United States of America.

As an American, Mr. President, I am not willing to give any man the right of free speech on that particular subject. The Supreme Court of the United States has spoken and I am not going to defend or permit any right to be granted to a man who takes that attitude or has that frame of mind that Browder was railroaded, that he is persecuted and that he is not a law violator.

Mr. President, I was very considerate. I considered the matter very thoroughly when I said anybody who is seeking to send this bill back to committee and keep it there is protecting Communists that have no right under the American flag. Nobody has any right under this flag to its protection who would advocate its overthrow and its destruction by any means other than the means provided by the Constitution, and I sincerely believe the Communist Party as understood by us today is a party believing in the overthrow of our government by force and that they are merely hiding themselves behind other movements such as labor movements, such labels as "Congress of Civil Liberties"—what liberty do they mean—the liberty to overthrow our government by force?

Mr. President, that is the kind of individuals I do not want to do anything for on the floor of this Senate, to obtain for them any hearing or anything else as far as I am concerned.

I was ready and I am ready to vote upon Senate Bill No. 172 and I think we make a grave mistake whenever we yield the right of a public hearing to a man who is the leader of a party who has a philosophy such as I have read and quoted from his speech, a copy of which was handed to me by him personally on the floor of this Senate and in his presence I promised to give him the right to be heard in spite of what I have just stated and my feelings are, we will go to the limit to protect this form of democracy, that these gentlemen from Philadelphia who are so politically afraid of the Communistic party have been pleading for.

Mr. President, I am not afraid of any Communist in Fayette County. Men have red blood there, they are Americans, they face them in the open, they face them everywhere, and I repeat, the gentleman from Fayette—myself—does not need the protection of a committee room to hide my vote on that bill.

MOTION THAT SENATE ADJOURN

Mr. COLEMAN. Mr. President, before any of the members of the Senate yield to the gladiatorial urge and feeling that a good night's sleep might do all concerned a world of good, Mr. President, I move you that this Senate do now adjourn to meet at 11:00 o'clock a. m. tomorrow, Tuesday, February 25, 1941.

Mr. COX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. GELTZ. Mr. President, there is one bill to be read for the first time before we reach that motion, if there is no objection.

The PRESIDENT. A motion to adjourn is not debatable.

Mr. COLEMAN. Mr. President, I submit a motion to adjourn is always in order and not debatable.

The PRESIDENT. That is correct. Does the Senator from Lackawanna insist upon urging the motion?

Mr. COLEMAN. Mr. President, will the Chair allow me a minute?

Mr. President, I ask that the motion be submitted to the Senate for a vote.

The PRESIDENT. All in favor of the motion will signify their consent by saying "aye."

Mr. SHAPIRO. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. COLEMAN and Mr. SHAPIRO and were as follows, viz:

YEAS—4.

Coleman,	Cox,	Jaspan,	McQuiddy,

NAYS—42

Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	Miller,	Thomas,
Cavalcante,	Geltz,	Reed,	Tyler,
Chapman,	Haluska,	Ruth,	Wade,
Crider,	Heyburn,	Scarlett,	Walker,
Crowe,	Homsher,	Shapiro,	Watkins,
Deitrick,	James,	Snowden,	Wilson, H. I.,
Dent,	Kephart,	Stevenson,	Wilson, T. B.,
DiSilvestro,	Lanius,	Stiefel,	Ziesenheim,
Ealy,	Letzler,		

So the question was determined in the negative.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I will not engage in any long discussion except to say if the gentleman from Philadelphia had merely said all of the members of this Senate, outside of four or five, who voted to recommit this bill were protecting Communists, I would not have made any remarks, but what the gentleman from Fayette said, and what the newspaper gentlemen hurriedly wrote down, was that the bill was recommitted to the committee by friends of Communists, and because of that statement and because of the fact I knew it was going out to the public press, I felt it ought to be put on the record.

Mr. President, everybody in this Senate excepting four or five men voted for the same motion the gentleman from Fayette made, which was to recommit the bill, excepting that we voted for a motion without any strings attached.

He should not think that all of the patriotism that might be expressed on this floor and all the patriotism in this great country reposes solely in the soul of the gentleman from Fayette, and certainly I have a right to resent the charge that I am a friend of the Communists, and I certainly do not wish to put every other member on the other side or on this side of the House in the position to be compelled to answer it, but I want it known that the remark was made, and I want to record my objection to it.

Mr. President, I was fair enough and considerate enough to suggest that the gentleman had made it inconsiderately,

but if he did not, it makes no difference to me, but I for one want that to be on the record.

Mr. President, I do not know Mr. Reeve, except that I have seen him on one or two occasions. I do not have any contact with him, I do not read his speeches, I do not waste time on them, I do not pay any attention to them.

Mr. President, I rather like the suggestion by the gentleman from Somerset, Mr. Ealy. I do not believe it does any good to smother these people. The more they talk the better it is for freedom and democracy.

Mr. EALY. Mr. President, I voted "no" on this motion to adjourn, because I felt the Senate should not adjourn with the charge, the publicity, which the Senator from Fayette left.

Mr. President, I cannot think he charged us with being friends of Communists, because we voted to recommit this bill, and that was the reason for my former remark with regard to Senator Shapiro. Certainly, Mr. President, the Senator from Fayette does not charge us with being friends of the Communists, or to say we were against the conviction of Browder. Certainly I think everyone in this Senate was in favor of Browder's conviction, and that he should have been convicted very much earlier than he was. Mr. President, he is a menace to this country, and that is the position we all take, anybody that would do what he has done, and advocate what he advocates.

Mr. President, this bill raises entirely different questions, and that was the reason why we all saw fit to recommit it.

Mr. President, I am sorry the Senator from Fayette has indulged in these remarks, because we are all interested in this spirit to try to do what is right.

Mr. GELTZ. Mr. President, there has been a lot of loose talk it seems to me, in the Senate chamber today, and this again is just a very clear example in my judgment of why we should be a little more careful in choosing the words we use.

For instance, Mr. President, Senator Cavalcante read from a speech or article that referred to himself and Senator Walker as Facists.

Mr. President, the Senator from Allegheny, Mr. Walker, voted to recommit that bill, but with the all-inclusive remarks of the Senator from Fayette, he separates the Senator from Allegheny from himself and puts him in the class with the friends of the Communists.

Mr. President, of course that is ridiculous.

Mr. President, we ought to assemble here and get down to business and stick to business and lay off the clowning and the hippodroming that takes place in this Senate.

Mr. President, I also, as did the Senator from Somerset, Mr. Ealy, and the Senator from Philadelphia, Mr. Shapiro, want to object to and I do resent the fact that when I conscientiously vote on a question, that I be referred to in such a manner as the Senator from Fayette remarked after that vote was taken.

Mr. DiSILVESTRO. Mr. President, my colleague from Fayette seems to remember the city I come from very vividly, and I am happy he remembers the name of Philadelphia because Philadelphia is the cradle of liberty and we people who come from Philadelphia think everybody should have a voice in anything that comes up.

Now, Mr. President, the Senator from Fayette thought, in his judgment, he could just lay it on heavy and thick.

Mr. President, as a representative from South Philadelphia, I wish the members of this Senate to know I do not intend to enter into any controversy nor do I wish to enter into any controversy with the Senator from Fayette on his future campaigns.

INTRODUCTION OF MEMBER OF NEW YORK LEGISLATURE

The PRESIDENT. Before we adjourn, if the Senate will permit me, I should like to introduce Senator Wiswall, from New York State.

Mr. WISWALL. Governor Lewis and members of the Senate, I am an alumnus of some years standing but I notice that the government of the Commonwealth of Pennsylvania is taken care of in about the same manner as the government of the State of New York insofar as its higher body of the Legislature is concerned.

I felt much at home a little while ago when the Senator from Scranton was enumerating some of the illustrious sons of that great city, and it reminds me of an occasion twenty years ago in the Senate of New York when the then minority leader was the Honorable James J. Walker, better known as Jimmy, who later became the Mayor of the City of New York. In the majority party was Theodore Douglas Robinson, a nephew of Theodore Roosevelt. Senator Robinson was elected from Herkimer County but maintained an elaborate residence on Park Avenue in New York City.

Senator Walker, always witty, referred to Robinson as the Senator from Herkimer. Robinson rather resented this and one Monday night—these things always happen on Monday—he rose to the floor and he said, "I want the Senator from New York to know and understand that many illustrious men have come from Herkimer County." Then Walker arose and said, "Mr. President, I want the Senator to appreciate that I do know and understand that many illustrious men have come from Herkimer County, but the measure of their greatness was always determined by how soon they came.

I thank you for this opportunity to enjoy with you a short while this beautiful chamber in which you meet, and to congratulate you, as I know you congratulate yourselves, on having the benefit and the experience of a presiding officer who has come up through the ranks, and has been in the game a long time, and to know and understand that even though the sides of the aisles may divide rather acrimoniously sometimes, that we all have to live, that we are all still Americans, and that when we leave and go out of this chamber we are all friends.

Thank you.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, February 25, 1941 at 11:00 o'clock, a. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:55 o'clock, p. m., until Tuesday, February 25, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, February 24, 1941.

The House met at 9 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

We thank Thee for this, our land, wherein Thou hast set our feet. We express unto Thee our gratitude for its rich material resources. We glorify Thee for its opportunities for advancement. We are moved to praise Thee for the freedom which is ours to make of ourselves the very best. May we in turn prove ourselves worthy of all heritage which is ours. Help us to promote honorable industry. May we stress such education that coming generations shall be better than all preceding ones have been. May our conduct be worthy in the sight of both God and man. Let our ideals be of the highest, having roots in the very foundation of that which Thou hast created. Give us unity of thought and purpose in these trying times. Save us from violence and discord, from lawlessness and pride, from arrogance, pestilence and famine. Guide those in whose hands authority has been put. Give them wisdom from on high so that they may legislate wisely, act with justice and prudence, and themselves set the example of what a citizen should be. Amen.

JOURNAL APPROVED

The SPEAKER. The clerk will read the Journal of Wednesday, February 19, 1941.

The Clerk proceeded to read the Journal of Wednesday, February 19, 1941 when, on motion of Mr. Haines, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. McFALL. HOUSE BILL No. 493.

To amend section five of the act, approved the twenty-eighth day of June, one thousand nine hundred and twenty-three (P. L. 888) entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting, quarantining, and control of diseases declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom; and prescribing penalties," by requiring school registries to contain additional information.

Referred to the Committee on Public Health and Sanitation.

By Mr. KOLANKIEWICZ. HOUSE BILL No. 494.

Providing for the observance of a Bill of Rights Week in the public schools of this Commonwealth.

Referred to the Committee on Education.

By Mr. FALKENSTEIN HOUSE BILL No. 495.

To amend article nineteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," by providing for the establishment of free city colleges in school districts of the first class.

Referred to the Committee on Education.

By Mr. RUSH. HOUSE BILL No. 496.

To further amend section seven of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," requiring as many licensed projectionists to be employed in a projecting room as there are projecting machines therein.

Referred to the Committee on Labor.

By Mr. RUSH. HOUSE BILL No. 497.

Prohibiting the performance or use of equipment of bands and orchestras of schools and public institutions supported in whole or in part from moneys raised from state, county, or municipal taxes or granted tax exemption, at certain functions; and prohibiting teachers and supervisors of such schools and institutions and other persons from directing or allowing such performance or use; and prescribing penalties.

Referred to the Committee on Education.

By Mr. GYGER. HOUSE BILL No. 498.

Too add section three to the act, approved the second day of May, one thousand eight hundred ninety-nine (P. L. 163), entitled "An act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," by authorizing the use of barb wire fence under certain circumstances.

Referred to the Committee on Agriculture.

By Mr. D'ORTONA. HOUSE BILL No. 499.

To amend section eighteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by preventing the reduction in pay or position of any public officer or fireman by reason of any superannuation classification.

Referred to the Committee on Cities—First Class.

By Messrs. REUBEN E. COHEN and CHARLES H. BRUNNER HOUSE BILL No. 500.

To consolidate, revise and amend the laws relating to penal proceedings and pleadings.

Referred to the Committee on Judiciary Special.

By Messrs. ROYER and NORMAN WOOD. HOUSE BILL No. 501.

Making an appropriation to the Trustees of the Thaddeus Stevens Industrial School of Pennsylvania, at Lancaster, Lancaster County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McKINNEY. HOUSE BILL No. 502.

Authorizing the Department of Property and Supplies with advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land which is the site of an old fortress known as Old Garrison in the City of Franklin, Venango County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision and improvement thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Revolution and interested patriotic societies in providing funds for a restoration of Old Garrison; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. McCLESTER. HOUSE BILL No. 503.

To amend section two thousand two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," requiring completion bonds on State highway contracts to be purchased through agents residing in counties where work is to be performed.

Referred to the Committee on State Government.

By Mr. WIESS. HOUSE BILL No. 504.

An Act to amend section three and clause (88) of section one hundred one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," further providing for the position of the enacting clause; and further defining the phrase "political subdivision."

Referred to the Committee on Judiciary General.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 505.

An Act providing for the licensing, bonding and regulation of junk dealers, and prescribing penalties.

Referred to the Committee on State Government.

By Mr. BRADLEY. HOUSE BILL No. 506.

An Act providing for the licensing by the Department of Welfare, and legalizing when so licensed, daily lotteries or pools operated by bona fide clubs, as herein defined.

Referred to the Committee on Law and Order.

By Mr. WILLIAMS. HOUSE BILL No. 507.

An Act to amend article twenty-five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring the employment of and assistant to every motorman operating a locomotive in or about any mine.

Referred to the Committee on Mines and Mining.

By Messrs. PAUL A. BRUNNER and WOLF. HOUSE BILL No. 508.

An Act to further amend section two of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three, (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt, or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by amending the definition of "club"; defining "licensed business"; and providing that the records which must keep for the board shall pertain only to their licensed business.

Referred to the Committee on Liquor Control.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 509.

An Act relating to the practice of veterinary medicine; defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Veterinary Medical Examiners and the Department of Public Instruction; providing penalties; and repealing existing laws.

Referred to the Committee on Professional Licensure.

By Mr. O'BRIEN. HOUSE BILL No. 510.

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by changing the method whereby future referendums be initiated.

Referred to the Committee on Law and Order.

By Mr. ROSENFELD. HOUSE BILL No. 511.

An Act authorizing mutual savings banks to establish life insurance divisions; providing for issuance of certificates by the Secretary of Banking and Insurance Commissioner; defining the duties of the Insurance Commissioner; providing for the procedure and prerequisities and making an appropriation.

Referred to the Committee on Insurance.

By Mr. O'BRIEN. HOUSE BILL No. 512.

An Act requiring all authorities of political subdivisions of the Commonwealth, who contract for policies of insurance on behalf of such political subdivisions, to so contract with stock insurance companies only.

Referred to the Committee on Municipal Corporations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. SAMUEL ROSE. RESOLUTION No. 33.

In the House of Representatives, February 19, 1941.

Whereas, Under the provisions of the Selective Service Act, registrants who have been convicted of a felony are not eligible for induction; and

Whereas, Many selectees, otherwise fully qualified, voluntarily commit felonies to evade operation of the law; and

Whereas, Others have, by exemplary behavior, long eradicated the stigma of their conviction; therefore be it

Resolved, That the House of Representatives request the Governor, as head of the State Selective Service Program, to direct a communication to the Congress of the United States, praying that body to so amend the Selective Service Act so that local draft boards may exercise discretion in the cases of such individuals, and select those which in their opinion are now socially rehabilitated.

Referred to the Committee on Rules.

By Mr. HIRSCH. RESOLUTION No. 34.

In the House of Representatives, February 19, 1941.

Whereas, The Works Progress Administration of the Federal Government has, with the cooperation of the Commonwealth of Pennsylvania, established sewing projects within this Commonwealth, affording employment to approximately 12,000 women; and

Whereas, The contribution of the Commonwealth towards the total cost of these sewing projects has, in the past, been approximately 3½% while the Federal law requires a contribution of 25%; and

Whereas, The Works Progress Administration threatens to abandon these sewing projects unless the Commonwealth increases its proportionate contribution; and

Whereas, The Executive branch of the State Government has refused to make the 25% contribution now required by the Works Progress Administration or even to make the suggested compromise contribution of 15%; and

Whereas, If means are not found to adjust this difference and continue these sewing projects, some 12,000 needy women will be thrown out of work, many of whom have dependent families; and

Whereas, Any such cessation of these sewing projects will result in a material increase in the number of persons on the direct relief rolls of the Commonwealth thereby causing a much greater expense to the Commonwealth than would be occasioned by the 25% contribution towards these sewing projects; now therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania hereby pledges itself to adopt an appropriation bill furnishing the necessary 25% contribution by the Commonwealth for the continuation of these Works Progress Administration sewing projects.

Referred to the Committee on Welfare.

By Messrs. McGRATH and McSURDY.

RESOLUTION No. 35.

In the House of Representatives, February 24, 1941.

Whereas, The sole industry of the Lower Anthracite Region located in north Schuylkill County is the mining, preparing, and selling of coal; and

Whereas, The coal industry has suffered greatly during the years of the National depression, resulting in great unemployment in this region; and

Whereas, This condition of unemployment will not be corrected in the course of anticipated business improvements throughout the Nation as a whole, due to the fact that many of the mines are now flooded and the colleries demolished and can be made productive only at prohibitive cost; and

Whereas, The people have suffered greatly from reduced incomes and the various state relief agencies have been required to expend tremendous sums of money to maintain them; and

Whereas, It is the policy of the State and National Governments to create employment as one of the purposes in the reconstruction of the Defense Program of the Nation; and

Whereas, The government, as part of the National Defense Program, is at present distributing contracts for production of defense needs; and

Whereas, The geographical location of the region offers suitable sites for the construction of airports; and

Whereas, This petitioning region has sufficient skilled and unskilled labor and sufficient sites with adequate transportation facilities to warrant the location of defense industries; and

Whereas, The Borough Councils of Ashland, Frackville, Gilberton, Girardville, Gordon, Mahanoy City, and Shenandoah, their members, officers, and constituents have appealed to the Legislature directly for an immediate and thorough survey of the above mentioned region and its possibilities to determine the feasibility of maintaining and constructing factories, airports, or any other needs for the defense program, and such a survey would greatly aid in the reduction of the unemployment, which would in turn relieve the state agencies of the tremendous burden of providing for the unemployed of the region; therefore be it

Resolved, That the House of Representatives request the President of the United States and the Hon. Joseph Guffey and the Hon. James P. Davis, Senators from Pennsylvania, and all members of Congress from Pennsylvania, to make all possible effort to have the Federal agency directly in charge of the defense program make such a survey and take all steps necessary to achieve the objectives above; and be it further

Resolved, That a copy of this resolution be mailed to the President of the United States, and the Hon. Joseph Guffey and the Hon. James P. Davis, Senators from Pennsylvania, and all members in Congress representing the great Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read.

BILL OF RIGHTS

A communication from the Communist Party of Eastern Pennsylvania, Philadelphia, addressed to the Speaker, protesting against legislation for outlawing the Communist Party.

Referred to the Committee on Elections.

STERILIZATION

A communication from Mrs. Lillian S. Clayton, Phila-

delphia, addressed to the House of Representatives, protesting against the passage of the Winner Sterilization Bill (H. B. 420).

Referred to the Committee on Judiciary General.

JUVENILE COURT

A communication from the Federation of Social Agencies, Pittsburgh, addressed to the Speaker, opposing passage of House Bill No. 18.

Referred to the Committee on Judiciary General.

LIQUOR LICENSES

Petitions from citizens of Pennsylvania advocating and protesting legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

COAL MINING

A telegram from Local No. 854, Roscoe, addressed to the House of Representatives asking support of bills introduced by Mr. Williams with regard to safety of coal miners.

Referred to the Committee on Mines and Mining.

UNIONS

A communication and resolution of the Allegheny Valley Industrial Council addressed to Mr. Petrosky condemning recommendations of Secretary of Labor and Industry, Lewis G. Hines and the Joint State Government Commission, relative to the forming of unions by state employes.

Referred to the Committee on State Government.

SEWING PROJECTS

A telegram from Mr. George Caldwell, addressed to the Speaker, requesting support for jobs on Sewing Projects.

Referred to the Committee on Welfare.

RESOUTION NO. 15—COMMITTEE APPOINTED

The SPEAKER. In accordance with the provision of House Resolution No. 15, Printer's No. 20, adopted Tuesday, February 18, the Chair appoints the following select committee, Messrs. Moul, Chairman, Haberlen and Snyder.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 24, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday afternoon, March 3, 1941, at 4:30 o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March 3, 1941, at 9:00 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 263.

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

With the information that the Senate has passed the same without amendment.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Reuben E. Cohen for Mr. ALLMOND for the week on account of death in the family.

Mr. Falkenstein for Mr. FINNERTY for the week on account of illness.

Mr. Wagner for Mr. HARE for tonight's session.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 262.

Making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by inserting after the word "Assistance" the words "and providing for certain allocations therefrom;" also in line 5, by inserting after "forty-one" the words "and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine."

Amend Section 1, page 1, line 4, by striking out after "Assistance" the words "to provide assistance and for local and certain state administrations expenses in the manner provided in the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred forty-one" and inserting in lieu thereof the following: "for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-one."

Amend Section 2, page 2, line 16, by striking out after

the word "allocate" the following: "from time to time among the several county boards of assistance funds with which to provide assistance and administrative expenses Allocations so made to a county board of assistance shall be available for expenditure in that county for assistance and for administration expenses in the manner provided by the Public Assistance Law" and inserting in lieu thereof the following: "funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department."

Amend bill by striking out all of Section 3.

Amend Section 4, page 3, line 10, by striking out "4" and inserting in lieu thereof "3".

On the question,

Will the House concur in the amendments made by the Senate?

BILL LAID ON TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that the bill together with the communication be laid upon the table.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 103, entitled:

An Act to repeal the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance with certain exceptions, to perform certain work or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on certain State and local officers and employes, and on charitable institutions, persons, copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 349, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 366, entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 202, entitled:

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 51, entitled:

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

RESOLUTIONS

SYMPATHY EXTENDED

Messrs. EDWIN F. THOMPSON and YOUNG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 24, 1941.

Whereas, We have learned with a profound sense of sorrow of the passing on February 19, 1941, of Robert J. Allmond, son of the Honorable William A. Allmond, a member of this House; and

Whereas, A true appreciation of the values of democracy was fostered in the said Robert J. Allmond, who was born on October 23, 1913 and educated at the South Philadelphia High School and the Princess Anne Academy of Maryland; and

Whereas, By perseverance and ability he was a success among his people having formerly been employed by the Department of Property and Supplies of the Commonwealth of Pennsylvania; and

Whereas, His passing leaves a profound sorrow in the hearts of those close to him including his young sons, Robert Jr. and William Jr., to whom he was a splendid and sympathic father and true friend; and

Whereas, Since we who knew him can now only offer inadequate words as our last tribute; therefore be it

Resolved, That with this resolution we commend Robert J. Allmond to the memory of his fellow-men; and be it further

Resolved, That the Chief Clerk of the House be directed to send a copy of this resolution to the bereaved members of his family as a token of its sincere sympathy for its great loss.

SYMPATHY EXTENDED

Mr. FLEMING offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 24, 1941.

Honorable James H. McClure, prominent Pittsburgh attorney and a former member of this House for six terms, died Monday evening February 17, 1941 in the Allegheny General Hospital.

James H. McClure was born in McKeesport, Allegheny County on June 27, 1886, and received his early education in the public schools of that city. He graduated from Gettysburg College in 1908 and from the Law School of the University of Pennsylvania in 1911.

In 1912 Mr. McClure was admitted to the Bar of Allegheny County and continued in the practice of law in that county until the time of his death.

His ability and energy as an attorney early brought him into prominence in Allegheny County. He served as solicitor for the Borough of Glassport and also for the Glassport School District. Mr. McClure also served for a time as Assistant County Solicitor of Allegheny County.

In 1912 Mr. McClure was elected to the House of Representatives of the General Assembly of the Commonwealth where he conducted himself so ably and represented his constituents so conscientiously that he was returned for five subsequent terms.

After his retirement from the Legislature Mr. McClure engaged in the practice of law in Pittsburgh, being a member of the firm of McCrady, Nicklas and Hirshfield. For the past six months he had been acting as special consultant to the District Attorney of Allegheny County.

Mr. McClure was a Mason and a member of the Alpha Tau Omega fraternity, therefore be it

Resolved, By the House of Representatives of the General Assembly of the Commonwealth, that the Commonwealth and the County of Allegheny have lost an outstanding citizen and a resident who served them well, both in public and private life, and be it further

Resolved, That the House extends its most sincere sympathy to the family who so deeply mourn his loss, and that a copy of this resolution be transmitted by the Chief Clerk of this House to his widow Mrs. Mary Walton McClure.

THANKS EXTENDED

Messrs. GATES and HELM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 24, 1941.

Almost the first action taken by the House of Representatives at its present sitting was the adoption of a resolution for the appointment of a committee to incestigate all the circumstances surrounding the indicated failure of the Commonwealth to make its proper contribution to the W. P. A. sewing projects and to report its findings and recommendations promptly to the House, pursuant to which resolution, the Speaker appointed Mr. Shaw as Chairman and Messrs. Scanlon, Readinger, Bretherick and Stockham as members of the investigating committee.

The committee immediately entered upon its duties with vigor and efficiency, filing its preliminary report on February 17th, which shows that, through the efforts of the committee, demonstrations scheduled in Philadelphia and Harrisburg were averted; that the committee has very effectively inquired into all of the facts of the controversy, and has made findings and conclusions of inestimable importance; and that it has succeeded in having the sewing projects continue during further negotiations looking towards a permanent adjustment of the matter, thereby preventing untold suffering to the 12,000 women and their dependents who look to these projects for their means of sustenance, therefore be it

Resolved, That the House of Representatives hereby thanks its committee for its prompt action and the thoroughness and effectiveness with which it has performed its services, and congratulates it on the magnificent results which it has already attained. It is the earnest conviction of this body that the work of this committee sets a new standard of promptness, efficiency and impartiality that other committees may do well to follow as an example, and that if every commission and agency of the State performed its functions in accordance therewith, the affairs of the Commonwealth would be better administered, and be it further

Resolved, That copies of this resolution be delivered to the chairman and to each of the members of the Committee Named to Investigate the Sewing Projects Dispute.

RESOLUTION NO. 14

Mr. ROSENFELD. Mr. Speaker, I desire to call up Resolution No. 14, Printer's No. 34.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 4, 1941.

Whereas, The mayor and city council of the city of

Philadelphia have deliberately refused to cooperate with the United States Housing Authority to facilitate construction of low-rent housing projects, and

Whereas, Such refusal has been extremely detrimental to business, labor, and the welfare of many citizens of the City of Philadelphia; and

Whereas, Such refusal has been extremely detrimental to the national defense because of the great influx of workers in defense industries located in the City of Philadelphia, particularly in the section south of Market Street; therefore be it

Resolved, That the Speaker of the House appoint a committee of three members of the House of Representatives to make a thorough and impartial study of the housing situation in the City of Philadelphia particularly as it affects workers in defense industries and be it further

Resolved, That the said legislative committee shall hold public hearings in the City of Philadelphia, so that the citizens of Philadelphia may be enlightened on all matters pertaining to the said housing situation; and be it further

Resolved, That said committee shall make a report of its findings and recommendations to the General Assembly as speedily as possible.

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION NO. 14—COMMITTEE APPOINTED

The SPEAKER. In accordance with the provision of House Resolution No. 14, Printer's No. 34, adopted February 24, the Chair appoints the following select committee: Messrs. Rosenfeld, Chairman, O'Brien and Voorhees.

QUESTION OF PERSONAL PRIVILEGE

Mr. MOUL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from York will state his question of personal privilege.

Mr. MOUL. Mr. Speaker, last week the gentleman from Indiana asked that the leter which we received from the Supervisors of the Soil Conservation District in Indiana County be read. At this time I want to fulfill that request. There was some insinuation last week that there possibly was no letter. I want to assure the gentlemen of the House that there is, and I want to read the letter at this time.

This letter is written on the letter head of "The District Supervisors of the Black Lick, Pa. No. 1 Soil Conservation District, Community Center Bldg. "Y. M. C. A." Indiana, Pa." The letter is dated February 10, 1941, and is addressed to Clayton E. Moul, State Agricultural Committee, House of Representatives, Harrisburg, Pa., and reads as follows:

"Dear Mr. Moul:

"With regard to the Supervisors of the Black Lick Soil Conservation District receiving pay for their duties, expense money for travel, and mileage for their cars, etc. I should like to state the following:

"The Supervisors did receive mileage for their cars for two meetings held near the beginning of the District's formation. They were then notified to submit no more bills until the required funds would be available, at which time the Supervisors would be so informed.

"The above notification was received by the Supervisors over two years ago, and they have received no further information nor compensation for their time or mileage expended since that time.

"It is apparent that the Supervisors should at least receive expense money for the cars, trips, meetings, etc. as this would be considerable encouragement to them in their attempts to advance the soil conservation work of the District which is bady needed in this area.

Very truly yours,

JAMES S. CORNELL,
Chairman, Board of Supervisors
Black Lick District"

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

INTERROGATION

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from York whether the letter which he has just read is in reply to a communication to him?

Mr. MOUL. No sir, Mr. Speaker.

Mr. TURNER. Mr. Speaker, was it in reply to a communication from someone else?

Mr. MOUL. No sir, Mr. Speaker. I will say this, however, that the gentleman from Indiana, after he saw what happened last week, was afraid there was no letter, and I have a second letter here, and if the gentleman wants to hear what the gentleman from Indiana said the second time, I will be glad to read the one he wrote under date of February 21, 1941. In other words, he feared apparently that it was lost and then he wrote a second one. The one I read was the first one, dated February 10, 1941, and was the original. I did not have any correspondence with the gentleman whatsoever.

Would the gentleman from Delaware wish to have the second letter read?

Mr. TURNER. Mr. Speaker, I never ask questions of people who volunteer information. I would like further to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. The gentleman will proceed.

Mr. TURNER. Mr. Speaker, does the gentleman from York, know how it came that this letter was addressed to him?

Mr. MOUL. I do not, Mr. Speaker.

PERMISSION TO ADDRESS THE HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have in my hand a newspaper account under today's date line, and I wish to read to the House the following remarks made by the Hon. Eugene Alessandroni of the Common Pleas Court in Philadelphia, in sentencing a gentleman who had committed certain acts contrary to public policy.

"The imposition of sentence brings to a close, one of the most sordid and shocking cases in the annals of our courts," Judge Alessandroni said.

"The imagination falters as it contemplates the ease with which one man was able to draw, as if by a magnet, nearly $2,000,000 of other people's money to do with virtually as he pleased."

That, gentlemen, was the opening remark in imposing sentence upon Robert J. Boltz of Philadelphia in connection with various investment practices.

Mr. Speaker, many of you who have served in the Legislature before know that up until the advent of the Earle administration in Pennsylvania the Pennsylvania

Securities Commission was nothing more or less than a tool of the investment bankers of Pennsylvania, and it is of the greatest importance to both the members of this Assembly and the people of Pennsylvania that on the eve and after the occurrence of this sordid crime in Philadelphia, and one incidentally which is about to be disclosed, that the securities law of Pennsylvania be discussed, and also in view of the fact that Pennsylvania stands as the number two state in the United States in the retail sales and distribution of investment securities.

May I give you, gentlemen, a little of the history involved. In 1935 George H. Earle appointed a Commission which started a fearless fight for the protection of the public's rights in connection with the manipulation and sale of investment securities. But, Mr. Speaker, the commission very early realized that the tools extended to it by the securities act of 1937 were wholly inadequate for the protection of the investing public. The Earle administration in 1937, not desiring to proceed with a legislative program without proper study, had introduced into this Legislature a resolution, and I refer specifically to resolution No. 71, Printer's No. 807, which was introduced by the gentleman from Philadelphia, Mr. Cohen, on April 26, 1937.

For the purpose of the record, gentlemen, it might be well to read to the House Resolution No. 71, dated April 26, 1937. The resolution reads as follows:

"Whereas, during recent years there has been not only a marked and substantial change in the method of dealing generally in securities, but also an offering to the public of many novel types of investments and the furnishing of services in connection with securities; and

"Whereas, the jurisdiction of the Pennsylvania Securities Commission under existing law may not be sufficiently comprehensive to deal with such problems and to afford to the investing public adequate protection and safeguards in connection with such transactions. Now, Therefore, be it

"Resolved, That the Department of Banking and the Pennsylvania Securities Commission, of the Commonwealth of Pennsylvania, be and they are hereby directed to make a survey of such dealings, and activities, and a study of the existing law under which the Pennsylvania Securities Commission presently has jurisdiction over transactions in securities within this Commonwealth, and to report thereon to the next regular session of the House of Representatives, together with such conclusions, and such recommendations and suggestions for legislation, as are deemed necessary and expedient in the premises; and be it further

"Resolved, That a copy of this resolution be transmitted to the Secretary of Banking and the Pennsylvania Securities Commission, by the Chief Clerk of this House."

Mr. Speaker, this resolution was adopted on the 12th day of May, 1937, and transmitted to the State Department of Banking and to the Securities Commission on the 13th day of May, 1937. It is my understanding that a thorough and complete study of various investment practices in the Commonwealth of Pennsylvania was made by this Commission, and that some time in the early part of 1939, in January, I think a detailed report, representing the findings of the Commission, was submitted to this House; I believe to the then Speaker of the House. I do not know what became of the report as submitted and I doubt whether many of the Members of the House know what became of the report of the Committee, because very surprisingly the report was never printed in the Appendix of the Journal. But, Mr. Speaker and Members of the House, knowing about the rendition of this report I was fortunate in securing a copy, and to the Membership of the House I think it is now very important that we read the report to the House so that it might enlighten the members of the 1941 session as to the findings of the Committee which were apparently ignored by the 1939 session. Mind you, gentlemen, that is two years prior to the scandal that hit Philadelphia only five weeks ago.

In Chapter No. 12 of the report on page 42 the Committee found it necessary at that time to delve into the question of investment counsel such as Mr. Boltz of Philadelphia called himself.

This is what the committee had to say:

"In addition to the offering of securities of novel types, there has grown up in this State, as elsewhere, a great variety of so-called investment services. The most important rapidly growing of these services is that of investment counsel, a genuine profession with many reputable firms and individuals and a notorious racket with others."

"A great many of the individuals and firms employed as investment counsel are honest and conscientious; many are exceptionally competent, and possess wide knowledge of market conditions and wise judgment in making purchases and sales for their clients.

"On the other hand, there are many others—and this number is rapidly growing—who are nothing more or less than swindlers who gain the confidence of investors for the purpose of defrauding them. In the interest of public welfare, it is important at this time to take cognizance of these conditions.

"Investigation has shown that a great many persons who have not been successful as salesmen or dealers in securities set themselves up as investment counsel. In some instances, discharged statisticans employed by stock exchange houses, with meager qualifications, have opened offices and solicited clients for the purpose of giving investment advice for a fee.

"The Code of Professional Practice of the Investment Counsel Association of America defines the 'profession' as follows:

" 'It is the function of the profession of investment counsel to render to client on a personal basis, competent, unbiased and continuous service regarding the sound management of their investments. An investment counsel firm should devote its time exclusively to the performance of this function and services incidental thereto; it should not engage in the business of security merchandising, brokerage, banking, the publication of financial services, or acting as custodian of the securities or funds of clients; and neither the firm nor any partner, executive or employe thereof should directly or indirectly engage in any activity which may jeopardize the firm's ability to render unbiased investment advice.'

"The Commission recommends the enactment of a law for the professional licensing of investment counsel by a state board in the Department of Public Instruction, similar in general form to the boards for licensing engineers, physicians and public accountants, and the setting up of qualifications, educational standards and the conduct of examinations for investment counsel. This law should provide for the payment of a moderate license fee each year, prescribe methods of recording the transactions of investment counsel and provide for examination of the records of investment counsel by the Pennsylvania Securities commission."

Gentlemen, I read the report for the express purpose of showing the Members of this House that back in 1939 we had an Earle appointed Securities Commission who had at that time enough foresight and vision to look into the situation that now confronts us in Pennsylvania. But, gentlemen, that is not as important to me as the answer

which we received from the Republican administration to the study of investment practices in Pennsylvania.

What was the answer of the Republican administration to this study of investment practices? What steps did the James administration take in order to quiet the concern of the legislature as stipulated in the resolution adopted by this House?

What steps, if any, did the Chief Executive of this Commonwealth take as a result of the urgent demand of the 1937 legislature as recommended in its report by the State Securities Commission in the early part of 1939? What recommendations did the Governor make to the incoming legislature of 1939, relative to this dangerous condition that was felt two years before by this General Assembly?

The answer to these questions is written in the political record of the Republican party, under the leadership of Arthur James, because in the Ninth Biennial Budget transmitted to this House in 1939, the Governor seemed very cool towards the continuance of a State Securities Commission. In fact, after an appropriation had been made of $150,000 for the supervision and audit of conditions such as confront us today, the Governor of the Commonwealth in 1940, in the special session, recommended to this House the transfer of Thirty Thousand Dollars out of that meagre fund, and contrary to what the Governor has said, the suggestion that the Securities Commission be abolished in Pennsylvania was not because of economy reasons, because the Securities Commission has always turned into the general fund moneys in excess of what it costs to run the department. Gentlemen, I can go further with the Republican party's attitude in regard to the Securities Commission, because I remember on the 27th day of May, 1939, in the dying days of the regular session the Republican party through its majority leader caused to have introduced into this chamber an amendment to the Administrative Code which would have abolished the Securities Commission and transferring the licensing power to the State Department of Banking.

Many of you men who were members at that time recall the heated debate on the subject, in fact there were a few Republican members of the House who resented the action of the administration, and I recall quite vividly a few members on the other side of the House who voted along with a solid Democratic block and helped defeat the very purpose which the James administration attempted to carry out in May of 1939. I remember quite distinctly that the question of unconstitutionality was raised at that time. It was clearly pointed out that in the case of Wallace v. Denver Stock Yards decided by the Supreme Court of the United States, that such a procedure as advocated by the amendment offered at that time to wipe out the Securities Commission was declared unconstitutional, but the Republican leadership in its desire to continue its effort to abolish the Securities Commission insisted upon the passage of this amendment even when its unconstitutionality was clearly advanced by the minority Democratic leader at the time.

I say to you, members of the House, that tonight we face a very serious problem. Are we to permit the same occurrences as were committed by Robert J. Boltz of Philadelphia, and this Dredger scandal which is about to be made public? Are we going to permit them to continue without a real Securities Commission in Pennsylvania to supervise and audit the actions of these investment counsel in Pennsylvania? I feel that tonight, although it may be a trifle late, nevertheless it is mighty opportune tonight that we should introduce into this Assembly legislation covering this very urgent demand of the people of the Commonwealth of Pennsylvania to protect once and for all the innocent investing public.

I say, Mr. speaker, tonight as a step forward in that direction I am going to file with the Clerk of the House a House bill which will tend to remedy this Boltz situation and every situation similar to it that might exist in Pennsylvania.

BILLS RE-REFERRED

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 95, entitled:

An Act requiring all public officers, tax collectors, and other persons charged with the collection of taxes for any County, City, Borough, Poor District, School District, Township, and other municipal subdivision, to furnish upon demand to any person applying therefor a certified itemized statement of the kind and amount of all taxes recorded in his office or in his hands for collection; fixing the fee therefor and providing that payment thereof shall be a full and complete discharge; and repealing inconsistent legislation.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations House Bill No. 140, entitled:

An act to add section eleven and one-tenth to the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing further procedure after claims are filed.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be re-referred to the Committee on Municipal Corporations, House Bill No. 215, entitled:

An Act to further amend sections one and four of this act, approved the sixteenth day of May, one thousand nine hundred and nineteen (P. L. 180), entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims," extending the provisions of said act to include land acquired at city treasurer's sales for unpaid taxes.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

Mr. REUBEN E. COHEN returned from the Committee on Judiciary Special with the recommendation that it be

re-referred to the Committee on Municipal Corporations, House Bill No. 244, entitled:

An Act to further amend section sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof, requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," authorizing counties during period of redemption to collect rents, issues and profits of lands purchased by it, and to apply the same on accumulated taxes.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, February 25, at 11 a. m. in Room 329.

Cities, 2nd class, Tuesday, February 25, at 11:30 a. m. in Room 521.

Dairy Industries, Tuesday, February 25, at 12 noon in Room 329.

Judiciary General, Tuesday, February 25, at 10 a. m. in Room 246.

Judiciary Special, Tuesday, February 25, at 11:30 a. m. in Room 246.

Law and Order, Tuesday, February 25, at 12:30 p. m. in Room 331.

Municipal Corporations, Tuesday, February 25, at 12:30 p. m. in Room 323.

Special Committee on Sewing Projects, immediately after tonight's session in Room 246.

ADJOURNMENT

Mr. LEONARD. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 25, 1941, at 1 p. m.

The motion was agreed to, and (at 10:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, FEBRUARY 25, 1941. No. 14.

SENATE

TUESDAY, February 25, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Our Gracious Father, the members of this Senate rise to their places and humbly present the following petitions unto Thee: that this day be one of divine purpose under Thy direction; that clarity of thought and singleness of purpose may characterize their every act; that honesty in debate and the sequence of deduction may be right and true; that what we write in legislation here today may serve the highest purpose for our people and that our action be guided aright in and through momentous issues of legislation now pending in the national Congress. And all at all in favor of granting these petitions at Thy throne give their assent by adding in their hearts a silent—Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WATKINS and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. WALKER. Mr. President, in order to keep the record straight I would like to make a couple of observations on the very interesting discussion given to us yesterday by the distinguished Senator from Philadelphia, Mr. Shapiro. Appreciating the fact that the gentleman from Philadelphia and I always want to keep the record straight, I want to give the Senate the benefit of my observations on the Municipal Authorities Act which cause so much discussion in the Senate and which precipitated so many bills.

Mr. President, it is true these municipal authorities existed long before I became a member of this Senate, and in discussing the act I want to assure my colleagues I am not attempting to defend directly or indirectly or criticize what happened in Delaware County.

Mr. President, I merely want to point out that in my opinion, and if I am wrong I hope the gentleman from Philadelphia will correct me—in my opinion, Mr. President, the gentleman from Philadelphia, Mr. Shapiro, was attempting to unload that water scandal on the doorstep of the Republican Party. In the hope I can defend the philosophy of government as well as the philosophy of politics I subscribe to, I do not think what happened in Delaware County, or what might happen in these municipal authorities is by any means the fault or the negligence, or a sin of omission or commission of the Republican party, and I, for one being only one member of that party, am proud of the fact that I am a Republican and I will not permit that to be unloaded on my doorstep.

Mr. President, in 1939 when we were fledgings in the Senate, the gentleman from Philadelphia discussed the amendment to the Municipal Authorities Act, and I am going to read from page 2764 of the Legislative Journal, the statement of the gentleman from Philadelphia, when this 1939 amendment was on the floor of the Senate. I quote:

"Mr. SHAPIRO. Mr. President, this bill originally gave the right to state authorities—to local authorities, rather, to engage in water projects and sewer projects. It was then amended so as to make the bonds of those authorities subjects of investment for trust funds. It was then amended to make these bonds negotiable instruments. And then it was amended to take out the trust fund portion, so that these bonds are no longer investments for trust funds. Now it is amended so as to include not only the purchase of water works from municipalities but also from private owners.

"Ordinarily this bill might not mean anything but if you read the rest of the bills that are coming through the Senate, there was one bill that came from the House last week which makes these bonds, municipal authority bonds, proper for deposit to secure bank deposits.

"In other words there is a bill—I think it is 1114 or 1144—coming from the House which provides that the deposits of State money in banks in Philadelphia and Pittsburgh may be secured by authority bonds or even by tax anticipation notes.—"

May I interject at this time, I have been unable to find either under the numbers 1114 or 1144 or any other number suggested to me, anything which would indicate what bill the gentleman was discussing.

I continue to quote:

"If we pass these bills and we continue to allow these State authorities to issue these bonds we will find ourselves in a position where we just as well might have permitted the amendment in the bill; and I think this bill is a bad bill because it does not stand alone but is aligned with other bills that are coming over to the Senate for passage, which will make the bonds acceptable as security—give the State a great deal of security which may turn out to be of no

value, and for that reason I am voting against this bill."

And, Mr. President, the gentleman did.

Mr. President, in 1935 when this original act was passed, it provided, (P. L. 463), for the incorporation of municipal authorities and in that act they did give certain authorities powers and purposes to incorporate. "Every authority incorporated under this act," and I am reading from page 465 of the act of 1935, "shall be a body corporate and politic, and shall be for the purpose of constructing, improving, maintaining, and operating bridges, tunnels, streets, highways, parkways, traffic distribution centers, traffic circles, parking spaces, airports, hangars, low cost housing projects, parks, recreation grounds and facilities, sewers, sewer systems, sewage treatment works, swimming pools, playgrounds, lakes, low head dams, hospitals, and subways.

Mr. President, I read that list to you because there is a very interesting hiatus between the Act of 1935 and the Act of 1937 that I want to comment on in a couple of minutes.

Mr. President, according to the record, in 1935 when that bill was passed the Senate—and I read from the Legislative Journal at page 6614—the gentleman from Philadelphia, Mr. Shapiro, voted for this act, that incorporated it, the municipal authorities.

Mr. President, in 1937 the act was amended and in this amendment there were, somewhere between the passage of the bill and the amendment of the act, the passage of the bill and the printing of the act, there were changes which crept into the act which are not shown in the Act of 1935 nor in the Act of 1937 which was passed by the Legislature because we find in the Act of 1937 that the words "water supply works" have crept into the act of 1937 and they do not appear as an amendment in the act, and nowhere in the Act of 1935 do the words "water supply works" appear, but they suddenly appear in the Act of 1937, and in 1937 I note by the Legislative Journal of 1937 at page 2185 the Senator from Philadelphia, and all of his colleagues, and most of the gentlemen of the Republican party, voted for the 1937 amendment, and much to my amazement I find the only negative vote was cast by the gentleman from Somerset, Mr. Ealy, whose crystal gazing seems to be a lot better than the crystal gazing of the gentleman from Philadelphia, Mr. Shapiro.

Mr. President, in the Act of 1939 there were some amendments, and those amendments the gentleman from Philadelphia attempts to lay at the doorstep of the Republican party.

Mr. President, I say I am not attempting to defend what has occurred under the Act of 1939 or the Act of 1937. I want to say, Mr. President, a long time ago certain distinguished gentlemen, members of this General Assembly, passed certain acts that permitted banks to be re-organized in Pennsylvania, and every now and then we read wherein the head of a bank runs away with the bank's funds but that does not mean necessarily, Mr. President, that banks are bad institutions and we should do away with them altogether. Neither are municipal authorities, Mr. President, bad institutions and neither should we do away with them.

We sometimes read where the minister of a church runs away with the soprano in the choir but we should not be against sopranos because of that.

Mr. President, in the act of 1939 under the purpose clause that the words "water supply works" were left there, the phrase that so mysteriously appeared in the act of 1937 was not in the act of 1935 and was not incorporated in the act of 1937 as an amendment but the appear in the act of 1939, the words "water distributi system" added as an amendment.

I submit, Mr. President, there was not a thing accomplished by the act of 1939 or there was not anything th occurred in the act of 1937 that made it any easier f what occurred in Delaware County than the amendme of 1937 would have provided for.

Mr. President, what we did in 1939, and I say "we" the Lindbergh sense because it has been charged t Republican party alone has been guilty of this nefario conduct. What we did in 1939, Mr. President, was mere to redefine some of the definitions under the purpo clause in the act and no where did we enlarge the powe of the purposes for which this act was created in 19 and which had been amended in 1937.

Mr. President, there was a discussion as to whether not these bonds should be sold at private or public sa and there was a question as to whether or not they shou be made legal investments.

Mr. President, without attempting to defend the po tion taken by the gentleman from Philadelphia, nor criticize him, may I suggest that with those bonds t only security behind them is a particular authority li a water supply works or a distribution system that incorporated into the authority, and that is the only curity the bondholder or the bond buyer would have the bond, and in order to give bonding houses the portunity to find a market for them, so that the autho ties created could have a chance to sell their bonds, th were made legal investments. That in itself, Mr. Pre dent, is not a crime; that was a good measure.

Mr. President, what has occurred under that act unfortunate, but bank presidents run away with a bar money and precipitate unfortunate occurrances, too, as I say, Mr. President, that still does not condemn ba and neither does this condemn the Republican party what happened in 1935, 1937 or 1939.

Mr. President, I want to say, in answer to the challe made to the Republican party by the gentleman fr Philadelphia, we are going to do something about it, we are not going to rush in primarily and just rep the act of 1935 as amended in 1937 and 1939, beca these authorities can accomplish the good for which t were originated. They can be a benefit to the people Pennsylvania and in many instances they are a ben to the people of Pennsylvania. Right now, Mr. Pr dent, many small municipalities are having a chance work their way out from under privately owned wa work plants and electric light plants and many ot community projects, for which the authorities were o inated. I say, Mr. President, the evil that occurred this thing cannot be laid at the doorstep of the Republi party. If the system were bad, then I would apolo for the legislation of 1935, but I see no cause to do so cause the system was good, the act in its origination good.

Mr. President, the gentleman from Philadelphia n not feel ashamed of the vote he cast for the act of 1 nor the amendment of 1937, and I am not ashamed, President, of the amendment we put in the act of 1

Mr. SHAPIRO. Mr. President, I am sorry but that calls for an answer, first of commendation, because I am glad to see the work I did to prepare this information for the benefit of the Senate has taken root and will bear some fruit. It has already borne fruit in that the gentleman from Allegheny has made it his business to inquire into the picture and has begun to think about what I have spoken of.

Mr. President, I want to say I feel much more comfortable at all times in discussing matters when I do not have a paper in front of me, but I purposely had a paper in front of me yesterday because it was the kind of a subject when I might inadvertently use a word here and there which would convey an intention which was not in the mind of the speaker and so I had very carefully reduced to writing the facts, which I knew and could have recited, having gone over them carefully, for the very purpose of avoiding of what has just occurred.

Mr. President, I call attention to the fact that nowhere in this statement yesterday did I lay this matter at the doorstep of the Republican Party. All of us in life find that certain ideals are great ideals and we would like to fight for them, yet we find that the leaders who have promulgated or fostered or encouraged those ideals do things with which we do not agree.

Mr. President, that is true of parties, it is true of unionism. I do not believe I am using my imagination when I say I believe all of us have come to the definite conclusion labor unions have a real place in our form of government and in our social welfare but many of us, however, complain about the fact that leaders who became leaders for their own selfish purposes lead astray or carry or convey wrong impressions of the principles and ideals of the party or the union.

Mr. President, my distinct statement was that I laid this situation, and responsibility for it, on the doorstep of the Republican Party leaders, because there are so many men in this Senate who voted for this bill, for whom I have such a high regard, that I would be careful in any phrase that I used so that I would not by any word or impression convey the thought that I charged the Republican party as such, because many of them are members of that party.

I once was a member of the Republican party myself. My quarrel with the Republican party is not with the party but with its leaders; my charge is not against the Republican party but against the leaders; my quarrel is not with the act of 1935, for which I voted, or the amendments of 1937, for which I voted, because you must remember basically the authorities were formed for a specific purpose.

Mr. President, many localities, most localities, particularly in the larger cities like Philadelphia, had borrowed money up to the limit of their borrowing capacity. There were many improvements which were necessary which could have been made if the municipalities were permitted to borrow the money. If those ventures were chargeable against the borrowing capacity it would have far exceeded their ability to lawfully create them and so authorities were created for the purpose of having a new person or a new interest responsible for the obligation which was said to be self-liquidating.

Mr. President, the Supreme Court has said that an authority acting by itself, although engaged in a municipal purpose, when it issued bonds, that would not affect the bonded indebtedness of the particular community in which it was working, so we created authorities for that purpose, plus the additional purpose and for the additional reason the Federal Government was lending money and helping to advance these projects. It was therefore a timely and proper piece of legislation.

If you look at the original act you will find that originally it was so written that there was a great deal of difficulty to accomplish a scheme such as was planned in this instance.

Mr. President, my friend has read part of the record but he has missed what in my opinion is the most important part, and that is section nine. Under section nine there could have been no such scheme as was carried out here. Section nine of the act deals with existing projects. In other words, there were many projects which a municipality owned which it could not enlarge or which it could not improve because it did not have the money, and section nine provided for the transfer by the municipality to the authority of the existing project?

Now, Mr. President, as long as section nine stayed as it was the scheme that was perpetrated and carried out here could never have been consummated. The vice in the whole situation was the dealing with section nine and what I point out is this, if you picture in your own mind what has happened you come to this conclusion—if you take a jig-saw puzzle you get the picture of it, you have a finished picture, you have the small pieces and all the small pieces are eventually gathered together to form the picture, and what have you in this, Mr. President?

Somebody had a picture in mind. Did he proceed in one place, at one time, to put into effect the picture? Oh no, because that might have directed attention. What does he do? He proceeds backwards, Mr. President. He has in mind the establishment of a water works system, a water project. He has in mind not the establishment, but he has in mind the purchase of a privately owned water system. That is what he has in mind. Does he prepare amendments to the bill so that any privately owned water system might be purchased by a municipality? Oh no. He proceeds to get a Philadelphian, who has no interest in the plan, to introduce a bill authorizing, as an additional project, gas and gas manufacturing—nothing to do with water—Does he proceed to provide that it may be purchased by private owners from a private owner? Oh no. He does not pay any attention to that.

First he deals, Mr. President, with the gas works. He then makes the bonds municipal authority bonds a subjects of legal investment so that administrators, banks and others may buy them. He prepares the whole scheme step by step and when he has all the provisions ready he then makes it a water works bill and takes out the gas works.

Mr. President, I am sure no Senator in this room, I am sure the Republican party as such did not plan that, but I have not any doubt that certain Republican leaders must have been in on it, or it would not have been accomplished. I do not charge anybody in particular with having planned it, I do not know who did it, but certainly we do not close our eyes to what we see in the newspapers, and so I said this: this is a situation which if presented to the Senators on a non-political basis, may have some value.

Mr. President, I am glad to see that the gentleman from Allegheny has made a study of it, a partial study and I hope he will finish it, and if he does, I hope he will carry out what he says will be carried out, that something will

be done about it; but what will be done about it? It does not make any difference whether a man or two men go to jail, for the purpose of my argument.

What I am interested in is that when a legislative body has before it sixteen hundred or seventeen hundred bills in a session, it is physically impossible for the Senators, for every Senator to follow the machinations of the people behind the legislation, but it certainly is not impossible to treat legislation, where it is a non-party matter, non-political, to treat it as such, and to find out just what is back of each piece of legislation.

Mr. President, I have read every bill that ever came into this Senate, and many others probably have done the same thing, but I do not claim because I have done that, that I can ferret out and follow the scheme of every individual who has some personal axe to grind or some personal accomplishment to get through by means of the Legislature, but I do feel and I do repeat that we have the ability, all of us collectively, and many of us individually, to see to it that when we vote on legislation that our vote is not used for the benefit of a personality, for persons who have a personal desire. Now, Mr. President, let me suggest this to the gentleman from Allegheny, I may not, human frailty being such as it is, have given the exact accurate picture of the situation. I know I have not told all I know about it. If I told all I know about it, it would become political and it would become personal. Mr. President, I read yesterday the very excerpt which he read and if you will listen to that excerpt you will see what I was trying to say was there is no control over the price that is being paid for these bonds, and since there is no control over it, we are liable to get a lot of worthless security, which worthless security will be used to guarantee bank deposits of state funds, and which worthless security will be used to invest fiduciaries' money. Now Mr. President, that is what I said.

I did not know this and if I had known this was a scheme of somebody out in Delaware County to do this, I would have said so when I made the statement but when I saw a bill start out as a gas works bill and turn over into a water works system, then I became suspicious and I had many conversations, which I have not discussed for the very reason I did not want to get personal, but which indicated to me that somebody was back of this, and that is why we find twenty votes on the Democratic side—every Democratic Senator who would be called a Democratic Senator—voting against it, because we felt in our Caucus when we discussed it there was something wrong about that bill, and that is why you find on the other side there was a unanimous vote on the Republican side, because the Republican floor leader on the other side felt that bill ought to be passed. As I said yesterday and repeat today I do not charge him with participating in this thing. It was not necessary; he got his ideas the same as I used to get mine—he went into a Republican Caucus and somebody read a bill and you raised an objection and somebody said Organization was for it, and when you went to see who this fellow Organization was; who is this man Organization?—he never came around—that man organization zation?—he never came around,—that man organization is the leader or those leaders I am talking about who take an organization and use it for their own purpose—If anything comes out of this, as I now hope and feel sure it will, it can only be and should only be because of more careful and less political discussion and treatment on a non-political basis than we have ever had before.

Mr. WALKER. Mr. President, I should like to make a few comments in connection with the statement made by the gentleman from Philadelphia, Mr. Shapiro. I do want to say I appreciate that the gentleman from Philadelphia has aroused in me the incentive to think and I also want to point out I believe we might still settle this thing before we adjourn sine die, because the ideas I have gathered from the Senator's remarks on the floor yesterday, and as he read them from a prepared paper—I want to say I am not a member of the press and I did not receive a copy of the statement. but some of the representatives of Philadelphia papers did get a copy and the Philadelphia Record, in the issue of February 25th, had a headline, "Shapiro Places Chester Scandal in the Lap of the G. O. P."

Mr. President, I appreciate the fact that the gentleman from Philadelphia is not responsible for what the newspapers print and I am glad to say I know my colleagues on the right will rest easier since we have been assured by the Senator from Philadelphia that it is not the fault of the Republican party—we appreciate the clarification of the issue raised yesterday.

On the question of legal investment, Mr. President, there was nothing in the amendment of 1939 which made these bonds legal investments that was not contained in the acts of 1937 and 1935. However, Mr. President, there was a very subtle amendment in 1937 and perhaps some of the gentlemen who were here—and I get a kick out of discussing legislation which was passed when we were children in the Senate in 1935, when the act was passed containing a two year limitation. In 1937 that was stricken from the act. Perhaps gentlemen in Delaware were responsible for Democratic controlled legislation—and in 1937 the Democrats controlled both the House and the Senate, and they struck from the act that two year limitation. I can see the nefarious hand of some schemer in that—years ago someone prepared for this.

Mr. President, I want to warn my colleagues they will have to be very careful hereafter in voting on legislation, as we will have to go back at least twenty years to make certain we are not fooled by something which was passed long before we became members of this Senate.

Mr. President, my purpose in rising to discuss this issue is to say merely I am sorry when I voted for the act in 1935 I was not a crystal gazer and could not see all of the objections that might accrue by reason of the fact that we clarified an act that had been in operation for years. There had not been any public scandal up until that time, Mr. President, and I appreciate the fact that my colleagues, after all, were only ordinary citizens and we have not had the opportunity, and I want to point out to the gentleman from Philadelphia that my association with him at that time had only been a matter of a few months and so he had not aroused in me at that time this important desire to think or I might have seen what he says he saw in 1935 and in 1937 when they struck out the limitation.

However, Mr. President I am glad the gentleman from Philadelphia cleared the Republican party of the charge he made yesterday and I hope the newspapers which misinterpreted the statements which the gentleman made yesterday have now been aroused to the fact and they will see to it the Republican party is cleared from those charges.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Warren, Mr. Chapman, will state his question of personal privilege.

Mr. CHAPMAN. Mr. President, we take the following from the current issue of the United States News:

> "Defense picture for the United States now looks like this . . .
>
> "Industry in this country is making giant strides; is breaking all records in preparation for huge output of war materials. January production of 1,000 military planes is above expectations; is a sign that aircraft industry is getting into stride. Same is true all along the line. But: period just ahead represents an in-between stage, a stage in which industry is completing preparation for large-scale production of most military weapons, without actually turning out weapons in large quantities.
>
> Over-all government direction of this defense effort, over-all planning and co ordination, still falters, still suffers from divided authority at the top. Business-as-usual psychology continues to dominate in most lines; continues to delay decisions on basic labor policy, on basic price policy, on basic priority policy, on other basic policies. The result: Industry is carrying the load. Government is on the sideline giving some advice, but not a great deal of help.
>
> The meaning? Simply that it's difficult to work up a wartime attitude in peacetime; it's difficult to streamline the nation's effort into a war pattern when there is no war."

It may be difficult to work up a wartime attitude, but to our way of thinking the chief difficulty is to make the government in Washington realize that this country cannot build up her needed defenses and be the arsenal of Britain, China and Greece, and continue to do business as usual.

Much as we hate to admit it, this country cannot live on its present exalted plane and compete in the manufacture of armament with the slave labor of Europe and Asia.

This does not mean to say that we have to get down to their level, but it does imply that we must cultivate a willingness to accept unpleasant facts and a readiness to make whatever social and economic sacrifices are necessary to speed up production and reap something like a full result from our efforts.

If we are to get closer to this war—and this is the evident intention of our government—we had better learn what war means. A new generation has come along since the last war. It has not as yet begun to realize what it means to break the home ties, to sail thousands of miles from home, to march 30 miles a day with heavy kits and rifles, to live in the mud and vermin of the trenches, to obey the order to go over the top and to face machine guns and shrapnel.

In the face of these imminent possibilities citizenship acquires a new value and importance. If we are going to let our government do the thinking for us let us be sure that it is intelligent and efficient thinking. In the face of a common danger it is not the individual or the group or the class that counts. It is what is going to happen to one hundred and thirty millions of people and their homes, their families, their savings and their properties.

This is a problem in management, and the politicians, the mediocrities and the self-seekers should be told to take a walk.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Montgomery will state his question of personal privilege.

Mr. EDMONDS. Mr. President, not to detract from the very patriotic utterance of the gentleman from Warren, I would like to say a few words with reference to the discussion which was going on when I came into the room, being a little late, the discussion between the gentleman from Philadelphia, Mr. Shapiro, and the gentleman from Allegheny, Mr. Walker.

Mr. President, I am not so particularly interested in the antecedents of the bills, and more particularly the history of them, but I am quite certain it was the original authority act which was vicious because it was not carefully prepared. I may say, Mr. President, that the proposition for amendment which is now pending before the Senate involves these points:

First: When an authority buys a utility, whether from public or private sources, the transaction ought to be subject to the regulation of the Public Utility Commission, because that Commission has the facilities for estimating prices, for considering all of the elements that enter into the transaction, and the entire transaction ought to be subjugated to that Commission.

Secondly, Mr. President, the proposition has been made that the rates ought to be also subject to the Public Utility Commission. I have one thought about that in my own mind although the bill the Senator from Allegheny, Mr. Walker and myself introduced the other day, provided for the supervision of rates, which must be enough to support the bond issue, if a rate of one dollar was needed to support the bond issue and a rate of fifty cents appealed to the Public Utility Commission as wise there would follow a suspension of credit on the bonds, which would inure harmfully towards Pennsylvania, so I am reserving my judgment at the present time on that question.

Certainly, Mr. President, there ought to be provision for the public sale of the bonds and for some provision for advertisement so that everybody may know the terms the bonds contain.

Fourth, Mr. President, there ought to be a provision, which we should be easily able to determine, to find out how many authorities there are and what they have done, and we cannot find that out today because there is no organization in our State that has supervision over them and therefore that supervision must be provided for.

Further, Mr. President, I would like to see them file annual reports, which I think might be well kept in the Department of Internal Affairs and the Department of Internal Affairs report to the General Assembly each year.

In those reports, Mr. President, I would like to see every salary or commission that is paid for personal services set forth in full and also have a copy of the report filed with the municipalities, so that the municipality might know how the money the authority is getting in is being used.

I am inclined to think, Mr. President, that legislation along this line would appeal to the members of the Senate, the gentlemen to the left as well as those on this side, and I believe it will come before us in not a very long time, so that we may record what is our opinion on the subject.

Mr. President, a new experiment was tried in Pennsylvania and that experiment has done good in a great many places and I do not think it would be fair to say it can be universally condemned or commended.

However, I might say, Mr. President, if I had been a member of the General Assembly in 1933 or 1935 I probably would have cast my vote against this legislation be-

cause it seemed to me then and it seems to me now to be an indirect method of allowing the local government to borrow money when they have exceeded their borrowing power, through improvident management, and it seems to me that kind of thing does not commend itself, but they have come into existence—there are ninety-three of them on the table the Secretary of the Commonwealth has given us and they have been working with water companies, sewage and sewage disposal plants; there are many needs for the good of the community.

Mr. President, it seems to me it is our clear function to see that there are established such regulations as will enable those who have the right to administer this to document it in a clear-cut way, without there being any charge of bad faith.

Mr. President, if legislation along that line can be produced, and I think it can be produced, I hope very much it will appeal to my friends over there as I am sure it will appeal to my friends here on this side.

Mr. DENT. Mr. President, I rise to address the Senate.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Montgomery, Mr. Edmonds.

The PRESIDENT. Will the gentleman from Westmoreland yield.

Mr. DENT. I will, Mr. President.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated by the gentleman from Philadelphia, Mr. Shapiro.

Mr. EDMONDS. I will, Mr. President.

Mr. SHAPIRO. Mr. President, speaking of control of rates by the Public Utility Commission, does the gentleman from Montgomery know that the Public Utility Commission in Executive Session postponed on several occasions a rate fixing hearing in Chester County at the request of the municipal authority, on their statement that the municipality was going to buy the water works in question.

Mr. EDMONDS. I did not know that, Mr. President, no.

Mr. SHAPIRO. Mr. President, when I said Chester County, I had reference to Delaware County.

Mr. EDMONDS. Mr. President, I am not familiar with what occured in Chester County.

Mr. SHAPIRO. Mr. President, I point out to the gentleman from Montgomery, that on the question of fixing rates the Public Utility Commission on several occasions, at the request of the municipal authorities of Delaware County postponed a hearing which the Utility Commission itself had fixed to determine the rates on this water works, and postponed it upon the premise that the municipality was going to buy this water works, and the same is true in the situation in Beaver County, and I therefore suggest to the gentleman from Montgomery, when he is dealing with the question of the fixing of rates by the Public Utility Commission, that he bear that in mind.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will state his question of personal privilege.

Mr. DENT. Mr. President, I do not want to inject myself into this argument, but last night we went witch-hunting for about three hours, but today we are snipe hunting. In the statement made by the gentleman from Montgomery he said if he had been a member of the Legislature in 1933 or 1935 he would not have voted for the legislation, but the gentleman forgot to mention if he were a member in 1939 he would have voted for it.

Mr. President, the Committee on Judiciary General is meeting this afternoon and if you are interested at all in some of the affairs bothering the people of Pennsylvania today and the problems which are besetting the poor taxpayers I hope you will take that into consideration as well as the argument as to who is to blame for what happened in Delaware County or Chester.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATIONS OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 25, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

J. Mateer Pollock, Wilmerding.

BERKS COUNTY

Miss Missouri M. C. Musser, Reading.

DAUPHIN COUNTY

Miss Mary E. Ickes, Harrisburg.

PHILADELPHIA COUNTY

Francis X. Daly, Phila., 1051 South 50th St.
Samuel Fisher, Phila., 1129 Mifflin St.
Chas. R. Hegh, Phila., 4017 Higbee St.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Miss Katharine Healy, Wilkes-Barre, March 2, 1941.
Mrs. Mary Jacques Wachs, Pittston, March 2, 1941.

PHILADELPHIA COUNTY

Mrs. Lucy A. Bennett, Phila., 5400 North 5th St., March 2, 1941.
Miss A. V. Holmes, Phila., 1917 Packard Bldg., 15th and Chestnut Sts., March 2, 1941.

BUCKS COUNTY

Titus Franklin, Doylestown Twp., Furlong, March 5, 1941.

LEHIGH COUNTY

Harry P. Grammes, Whitehall Twp., Egypt, March 5, 1941.

MONTGOMERY COUNTY

Nicholas B. Tufillaro, Norristown, March 5, 1941.

PHILADELPHIA COUNTY

Miss Mary Huffington, Phila., 16th Floor Widener Building, March 5, 1941.

George W. Rue, Phila., 7305 North 21st St., March 5, 1941.

Miss Helen M. Wilcox, Phila., 5037 Walton Ave., March

Mrs. Edna F. Dimmerling Donsen, York March 5, 1941.

ALLEGHENY COUNTY

Wm. H. Eichenberg, Pittsburgh, 3818 East St., March 6, 1941.

Miss Adella Sterba, Pittsburgh, 2108 Law and Finance Bldg., March 6, 1941.

BERKS COUNTY

Charles Gison, Reading, March 6, 1941.

LEBANON COUNTY

George W. Snyder, Annville Twp., Annville, March 6, 1941.

ALLEGHENY COUNTY

Harry H. Fowler, Pittsburgh, 800 Union Trust Building, March 7, 1941.

Jacob M. Utzig, West Deer Twp., Russellton, March 7, 1941.

MONTGOMERY COUNTY

A. Archer Cross, Norristown, March 7, 1941.

5, 1941.

YORK COUNTY

Miss Z. A. Robinett, Lower Merion Twp., 207 Conshohocken State Rd., Bala-Cynwyd, March 8, 1941.

CRAWFORD COUNTY

Miss Bernice B. Thompson, Meadville, March 8, 1941.

ALLEGHENY COUNTY

George E. Morcroft, Pittsburgh, 212 Fruit Exchange Bldg., Cor. 21st St. and Penn Ave., March 9, 1941.

DAUPHIN COUNTY

George W. Core, Harrisburg, March 9, 1941.

PHILADELPHIA COUNTY

William A. Hammeke, Phila., 3164 North 6th St., March 9, 1941.

SCHUYLKILL COUNTY

Gordon D. Reed, Schuylkill Haven, March 9, 1941.

Peter Stec, Gilberton, March 9, 1941.

LUZERNE COUNTY

Miss Lorraine E. Meiss, Wilkes-Barre, March 10, 1941.

PHILADELPHIA COUNTY

Rubin L. Comer, Phila., 811 West Moyamensing Avenue, March 10, 1941.

Charles H. Moore, Phila., 683 Drexel Bldg., March 10, 1941.

ALLEGHENY COUNTY

D. P. Kennedy, East Deer Twp., Creighton, March 11, 1941.

Miss Lulu B. McNary, Pittsburgh, 1100 Keenan Building, March 11, 1941.

George Vetter, Pittsburgh, 5141 Butler St., March 14, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 47

Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Cavalcante,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Tyler,
Coleman,	Heyburn,	Mundy,	Wade,
Cox,	Homsher,	Reed,	Walker,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,
Ealy,	Letzler,	Stevenson,	

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 24, 1941.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, March 3, 1941 at 4:30 o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March 3, 1941, at 9 o'clock, p. m.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege for the purpose of making a statement and interrogating the Gentleman from Montgomery in a matter that I think is of interest to all of us.

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, there is now pending in the House, lying on the table, a bill appropriating $14,500,000.00 for relief. That bill is lying on the table because, as I understand it, when I made inquiries, as the result of a difference which exists between the Treasurer's office and the Governor. I want to state the difference, and then get the gentleman from Montgomery's information.

Mr. President, there was allocated in the 1939-1941 appropriation bill the sum of one million dollars to the Treasurer and the Auditor General, or the Treasurer above I think for the purpose of mailing these checks, and as I understand it, there has been spent of that sum all of the money except $153,955.

Mr. President, there was appropriated in 6-A of the 1940 session or allocated to the treasurer, $550,000, of which $490,000 has been spent.

Mr. President, I understood yesterday the gentleman from Montgomery to say, and I would like him to answer that question, if it is correct there is therefore available to the treasurer the sum of $213,000 for the purpose of carrying into effect his function of the relief program for the balance of the term. Is that the statement of the gentleman from Montgomery made yesterday.

Mr. EDMONDS. Mr. President, that is substantially correct. I have the statement made by the Department of Public Assistance showing the allocations made to the Treasury Department for administrative expenses in disbursement expenses in the Department of Public Assistance. It shows that in 1939 session, Act 28-A, one million dollars was appropriated for this purpose, and of that amount, up to August 22, 1940, $846,045 has been allocated, leaving a balance of $154,000.

Mr. SHAPIRO. That is correct, Mr. President.

Mr. EDMONDS. Now, Mr. President, at the same time, under 6-A of the session of 1940, $550,000 was set aside to the treasurer, and of that amount $490,000 was consumed up to the last part of January 31, 1941. That means that there is a balance of $154,000 on the first item, and a balance of $60,000 in the second item, and that makes a total of $213,955.

Mr. SHAPIRO. Will the gentleman from Montgomery state in a general way, whether it is not true that under 28-A and under 6-A of 1940, there was not allocated one million dollars and five hundred and fifty thousand dollars respectively, but there was allocated a sum not to exceed one million dollars and five hundred and fiffty thousand dollars.

Mr. EDMONDS. Mr. President, I think that is correct, in the legislation of 1940. I do not remember it in the legislation of 1939.

Mr. SHAPIRO. Mr. President, I have looked it up and find it to be so, and I therefore raise the next question which is the cause of the difficulty, which is whether or not the total sum issue of one million dollars has not been consumed under 28-A, whether that money would be available under the $14,500,000—in view of the fact that the allocation is in a sum not to exceed one million dollars.

Mr. President, I want to say that if this can be clarified, I do not think there is any objection to the bill in the House, but the difficulty arises from the fact that there is a legal question as to whether or not, under the wording of 28-A and under the wording of 6-A, these monies can be now used, if they have not been used during the term and for the purposes of the particular appropriation.

Mr. EDMONDS. Mr. President, speaking for myself, and I am glad to speak on this subject, the State Treasurer has had in the last six months, roughly $50,000 a month. It was $55,000 in September, $55,000 in October, $50,000 in November, $50,000 in December, and $50,000 in January, on the first of January, 1939.

Mr. President, if the state treasurer is satisfied with fifty thousand dollars a month, I would have no objection to having it specifically inserted in the transfer bill, but I do object and I object very strenuously to making the Governor one of the three, the other two being fiscal officers of the State, who could take the whole appropriation, if they decide to add to these expenses. I feel these expenses that are taken out of Assistance money ought to be scrutinized by the Legislature. We should be very careful, we want to make certain that the money goes for the poor and not for somebody who might be in a position to submit a bill for services, and I would say to the gentleman over in the House, if they amend this bill by putting in fifty thousand dollars a month during the three months that remain in this biennium, I personally would be satisfied to go along.

Mr. SHAPIRO. Mr. President, I want to say further that I have conferred with the treasurer and several of his deputies in order to find out the facts and I find that while the treasurer has accepted fifty thousand dollars a month, it is not what the treasurer was satisfied with and the fact is that they got to the point, between the treasurer's office and the Governor's office, at one stage in the proceeding, where the treasurer had all of the checks written up and ready to disperse, but he did not have money, because he had requested sixty thousand dollars out of that fund and the Governor had refused to give him the sixty thousand dollars, and it required something like sixteen thousand to eighteen thousand dollars a month for postage alone, and therefore, Mr. President, I made it my business to find out what the real picture was and it is that the treasurer will require approximately one hundred and eighty thousand to one hundred and eighty-five thousand dollars for stamps, salaries and expenses in distributing the balance of the money for the balance of the term, and to pay a bill of fourteen thousand dollars which has been left unpaid because the Governor would not give the sixty thousand dollars, so they used the money for stamps instead of using the money for paying bills.

Mr. President, the situation got to a point where the treasurer was threatening to call in photographers and have them take pictures of the checks and advise the public that there were the checks but there were no stamps.

Therefore, Mr. President, we find ourselves on the relief proposition in this situation; there is $185,000, approximately, needed to carry out the function of the treasurer's office for the balance of the term.

Mr. President, there is the legal question as to whether or not the money which the gentleman from Montgomery assumes is available, and which arithmetically is still unspent, whether that can be used legally under the provisions of the $14,500,000 appropriation act, which is Bill No. 262 of the House.

Mr. President, it seems to me that we as Legislators rather than to allow this matter to get into a snarl should proceed to find out what are the facts, and if the gentleman from Montgomery agrees that there shall be a definite allocation, we should definitely allocate that, if it is necessary to accept that kind of an arrangement, to prevent that kind of a situation, we should put into that bill that there should be made available that much money, because in my opinion, as I have ascertained the facts now the whole difficulty is just what I have stated. There is no intention on the part of anybody to hold the bill up and I am now suggesting that the Senate take a recess for ten minutes and that a committee of three be appointed by the floor leader, and that we proceed to find out what the difficulty is and to clear it up.

Mr. EDMONDS. Mr. President, before we take a recess I would like to say a word or two.

Mr. President, what I have been interested in for the last two sessions, the thing that has impressed me, was that the State Treasurer was lacking in willingness to cooperate with the Act of Assembly of 1939 directing that the Department of Assistance should send out the checks.

Mr. President, in January of 1939 he had 269 employes charged to assistance and in December of 1940 he had 279 employees charged to assistance, and yet in the mean-

time, as we all know, the assistance bills have gone down, the expenditures have gone down about four millions a month.

Mr. President, I think the State Treasurer has not looked upon assistance in the same light that I think we have done over here, namely, we have regarded that as a sort of a trust to be administered for the people of the Commonwealth. Mr. President, it looks to me as though 269 and 279 employees are entirely too many for the State Treasurer's part in the matter.

Mr. SHAPIRO. Mr. President, the gentleman from Montgomery may be right and I may be wrong bu there has been so much discussion about this matter I think we ought to see both the Governor and the Treasurer to find out what are the facts and therefore while I previously made the suggestion that we should take a recess now, it has been suggested to me we can clear up the work now before us in a very short time and we can take this matter up immediately after a recess.

For myself, Mr. President, I say that I am ready to stay here and give the matter such attention as it requires because I know it deserves all the attention we can give it and I should be very glad to join in on this proposition, on a purely non-political basis, because I do not think as yet there are any politics in it as far as the members of the House and the Senate are concerned.

However, Mr. President, I am afraid there may be as far as the Treasurer or the Governor or anybody else is concerned—I do not know—but if there is we should know and take a statesmanlike attitude about the matter and before this bill goes into conference try to find out the facts and try to prevent it going into a conference if we can do so.

BILLS INTRODUCED

Mr. WADE read in his place and presented to the Chair Senate Bill No. 237, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

Which was committed to the Committee on Public Utilities.

Mr. HENRY I. WILSON read in his place and presented to the Chair Senate Bill No. 238, entitled:

An Act making an appropriation to the Adrian Hospital Association, Punxsutawney, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 239, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 240, entitled:

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HEYBURN, by request read in his place and presented to the Chair Senate Bill No. 241, entitled:

An Act to further amend section two thousand six hundred and four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the audit of accounts of fourth class school districts by the borough or township controller or auditors.

Which was committed to the Committee on Education

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 242, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

Which was committed to the Committee on Education

He also read in his place and presented to the Chair Senate Bill No. 243, entitled:

An Act to amend section two thousand two hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," by providing that the school controller may appoint his necessary clerks.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks," by providing for the appointment of additional probate clerks.

Which was committed to the Committee on Municipal Government.

Mr. RUTH by request read in his place and presented to the Chair Senate Bill No. 245, entitled:

An Act relating to assessment for taxation in counties, of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; abolishing the existing office of county assessor in wards, boroughs and townships, and the office of township assessor, assistant township assessor and assistant township triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of, and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment.

Which was committed to the Committee on County Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 246, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employees and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 247, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

Which was committed to the Committee on Municipal Government.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 248, entitled:

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred and twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by extending the provisions of the act to the Society of the Twenty-eighth Division A.E.F.

Which was committed to the Committee on Military Affairs.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

Mr. GELTZ. Mr. President, as amember of the Joint State Government Commission, it is my privilege to submit to the Senate for its study and consideration the completed report on the tax and financial problems of Pennsylvania.

In pursuance of House Resolution No. 133 of the regular session of 1939, the commission was authorized to conduct a comprehensive study of the tax structure and financial problems of the Commonwealth.

As you will note, this work is the product of extensive research, surveys, conferences and technical studies. It has been compiled in book form and it is the sincere belief of the commission that this document represents one of the finest contributions ever made to guarantee a practical, provident course of action in determining Pennsylvania's future tax and financial destiny.

The first report on the tax and financial problems of this state has reason to deplore the decline of income levels as contrasted to the rise of public expenditures.

The report is supported by tables which show exactly how Pennsylvania's economic trend, since 1930, has been consistently downward and how this trend only recently has been checked.

The report consists of seven chapters, each backed by solid fact, and among the subjects covered are economic and population characteristics of the Commonwealth; basic productive activities of Pennsylvania; importance of manufacturing, decline of state mining, place of the farmer in economy, state government expenditures and the income of Pennsylvania, general fund expenditures, financing of general assistance and public education, state and local tax bases and yields, principal revenue sources, Pennsylvania taxes as compared to those of competitive states, motives and mechanics of industrial migration from the state, taxes desirable from the standpoint of attracting industry, taxes paid by individuals in different income brackets, summary of revenue bills and a list of tax law sitations dating back to 1840.

We all know, or should know, that future levels of social and economic welfare depend largely upon the expansion of manufacturing enterprise. Any effort, however, interpreted, to hobble the work of restoration so far as industry is concerned will strike a demoralizing blow at the entire foundation of trade and commerce.

Whatever our political beliefs, none of us can challenge Pennsylvania's rightful place in the national realm of industrial mineral and agricultural progress.

One thing is certain, and that is that any state fiscal policies which place Pennsylvania's factories, mines and farms at a competitive disadvantage with other states seriously jeopardize the level of living of all Pennsylvanians.

While Pennsylvania has seen its economic resources badly shaken during the last decade, developments of late have supplied a note of optimism that was not discernible before.

You will note, upon study of the commission report, that emphasis has been placed on public assistance as one of the major problems which have complicated the financial picture of state government. We all are solemnly aware of the gravity of relief and its place in combating the hardships of emergency years.

We are also acutely interested in the status of education for here is the molding or testing ground of future generations who will someday assume the reins of government.

The commission believes that the problems of distressed school districts are dangerously close to affecting the educational opportunities which tend to sound, progressive

and practical nourishment of young ideals and hopes and that improvement is needed.

Likewise, you will note that the commission, in probing the question of tax problems, urges the legislature to consider the creation of an independent tax appeal body to provide an equitable method for determining tax liability.

The commission's research experts have carefully scrutinized the history of tax imposts and excises to show, in easily comprehended tables, precisely how the burden of state government is distributed.

Thus, through this research, the whole system of tax allocations and disbursements as balanced against the sources of revenue in all brackets, paints a very careful and indiscriminate picture of Pennsylvania's financial assets and liabilities.

It is a picture which the commission commends to your study and attention because we realize that the entire perspective of Pennsylvania's future course, must be determined by your voice in creating laws which will meet the requirements of the times.

We believe that this work, in its many and unusual features, will throw an enlightening beam in the darkened corners of Pennsylvania's tax and financial reservoirs and help to build a constructive program of economic policies as a pattern for legislative action today and in the years to come.

As a member of the Joint State Government Commission, I believe I am justified in saying that the tax and financial report as prepared here meets a definite need and that it will establish a precedent in legislative practice to attain far-reaching significance in the years to come.

In behalf of the chairman of the commission, I wish to thank my colleagues who were a part of this work and whose conscientious efforts should help to promote a new and brighter era of social and economic progress in line with the findings and recommendations of this all-inclusive report.

It is also especially fitting that a special commendation be given the director of the commission, Mr. A. Alfred Wasserman for his extensive contributions to this work. Around him evolved the entire responsibility for compiling the wealth of facts placed at your disposal.

The story of Pennsylvania's economic decline is one which belongs in the past and if the gains which lately have been recorded by industry are an indication of restored income levels of the future, the efforts of the commission will have served their original purpose.

Mr. President, I should like to ask that these reports be distributed to the Senators at this time.

The PRESIDENT. The report of the Joint State Government Commission will be noted in the journal and printed copies will be distributed to the members of the Senate.

RESOLUTION URGING PROPER SHELTER ALLOWANCES

Mr. KEPHART offered the following resolution which was twice read:

In the Senate, February 18, 1941.

Whereas, The present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is $5.85 for families of one person, increasing to $9.75 maximum for families of three persons or more, and

Whereas, Recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, The report of the survey of the Pennsylvania Department of Public Assistance published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania" shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, The Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, The present inadequate shelter allowances make it impossible to carry out the provisions of law, therefore be it

Resolved, That the Senate of Pennsylvania hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowance to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, That a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the Secretary of Property and Supplies, and to the members of the Pennsylvania Board of Public Assistance.

The PRESIDENT. The resolution will be referred to the Committee on Welfare, Public Assistance and Pensions.

Mr. KEPHART. Mr. President, I have at hand a resolution relating to relief. I might say, Mr. President, the meaning of the word "assistance" in the relief law is assistance in money, milk, goods, shelter, service and so on. so as to enable persons on relief to maintain for themselves and dependents a decent and healthful standard of life.

Mr. President, at the present time the shelter allowance for families on relief varies from $5.85 a month for a single person to a maximum $9.75 a month for families of over three persons. Mr. President, that sum is inadequate to shelter these families which are on relief and as a result they use their food allowance to pay for shelter and have insufficient money to buy food or to engage in the food stamp plan which is in force in Philadelphia.

As a result they become undernourished and they live in houses and under conditions which are not healthy and not sanitary; there are as many as fifteen persons living on a floor of a house consisting of two or three rooms and as many as forty-five persons living in a single building that has only one washroom or toilet.

Mr. President, that kind of condition leads to vice and moral degradation and is very detrimental to the individual and to the community.

Mr. President, I offer the resolution in an attempt to correct this situation.

Referred to the Committee on Welfare, Public Assistance and Pensions.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, I have listened with keen interest to the resolution just read. It has a great deal of merit and deserves a great deal of consideration. Likewise, Mr. President, I might say the same for the resolution, I offered in the early part of this session.

I offered a resolution with reference to the relief bond that must be signed by a relief recipient before relief might be granted and I also offered a resolution asking for immediate action to discontinue the practice with reference

to making a relief recipient assign his life insurance policy before relief might be granted.

Mr. President, at the time I offered my resolution the gentleman from Pittsburgh, Mr. Geltz, stated on the floor of this chamber that he thought it deserved some consideration but that it should go to committee, in order that the resolution might be further studied.

Mr. President, I thought I had the assurance at that time that would take place. I have waited several weeks and up until the present time there has been no action whatsoever either from the gentleman from Pittsburgh, Mr. Geltz, or from the chairman of that committee.

I was not hasty, Mr. President, I realized the importance of this resolution, and I think every man in this chamber has been contacted either by mail or in person by his constituents with reference to that resolution and every man in this chamber knows that thousands upon thousands of properties are being confiscated by the Department of Public Assistance.

I might say, Mr. President, I asked for a comprehensive report and it was given by Mr. Russell. Every member of the Senate has a copy of that report and in that report I find to my surprise and amazement that Secretary Russell states that out of fourteen persons in this great Commonwealth who applied for relief but one is the owner of real estate but he makes up his mind that one man will pay for the other thirteen—and we speak of class legislation.

For the last six weeks, Mr. President, almost everything that has been said on this floor has been in favor of the classes and very little has been said in favor of the masses.

Mr. President, I dislike to think of the thought I must rise on my feet and ask that a committee might be discharged, but, Mr. President, that might be the action in a very few days. That is the last thing I wish to do but I thought when the Senator from Pittsburgh, Mr. Geltz, told me my resolution would be studied at that time I thought he would have a report long before this.

Do you realize what has taken place. I hope I can touch you somewhat with my appeal here. Today, Mr. President, we have thousands upon thousands of aged persons who have carried life insurance for ten, twenty, thirty and forty years and now they are old, indigent, crippled, sick—never again will industry hire them. They must apply for relief and before they can get relief they must assign that life insurance policy down to five hundred dollars, and ninety-eight per cent of the life insurance policies that are carried in this country are not carried under one thousand dollars, which means when they are compelled to cancel the policy they cancel the entire amount.

Mr. President, as I stated about two weeks ago I knew a man who carried a life insurance policy for thirty-seven years. He saved, he sacrificed, he had one crippled daughter and he said to me, "John, I am sixty-seven years old, I am too old to start life anew; I have no job; I must eat and before they will give me relief I am compelled to assign my life insurance policy to the Department of Public Assistance."

Mr. President, the cash value of that policy was $138 after paying premiums for thirty-seven years and his only thought, his only hope, was to leave this policy to his crippled daughter. And now he is going on relief, at that age, and we sit here idly and say it is all right.

Mr. President, I am sincere and I hope that that committee meets today and reports out my resolution, at least with reference to life insurance, give us an opportunity to vote "yes" or vote "no"—I do not care how you vote, that is up to each and every individual—but I personally believe that a matter of such great importance should be brought out on the floor of this body and leave each and every man be placed on record so his people back home might know just how he feels about this most important issue.

So, Mr. President, I am trusting, once again before I rise on my feet the next time, the next time I rise will be with great sorrow because I will be compelled to ask that the committee holding this resolution shall be discharged.

Mr. BARTLETT. Mr. President, I desire to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. BARTLETT. Mr. President, will the gentleman from Cambria state to the Senate whether or not the scheduled meeting of the Committee of Welfare. Public Assistance and Pensions was postponed for one week at his request on February 11.

Mr. HALUSKA. Mr. President, I asked for a committee meeting for a week ago but at that time I was told that the Senator from Philadelphia, Mr. Shapiro, had asked that Mr. Russell appear before the committee on the following Tuesday for a committee hearing and so, Mr. President, in order to expedite matters and to be courteous I then walked up to the Senator from Northampton and I admit I said rather than have two meetings we would consolidate the two meetings into one. That happened last Tuesday afternoon. I attended that meeting and I spoke with Mr. Russell, as the gentleman from Northampton knows.

Mr. President, again much to my amazement Secretary Russell knew very little of this practice and I was surprised he knew so little that he could not believe that the act was being carried out.

However, Mr. President, I spoke to the Senator Monday morning of this week and he informed me that they had a meeting scheduled for yesterday afternoon, so I waited today to hear the reports of committee members hoping that my resolution would be reported out. Mr. President, it was not reported out. That is why, for the information of the Senator from Northampton, I rose to the floor.

Mr. BARTLETT. Mr. President, for the information of the gentleman from Cambria a meeting of the Committee on Welfare, Public Assistance and Pensions was scheduled not for yesterday but for today. Also, Mr. President, I should like to state that the resolution introduced by the gentleman from Philadelphia, Mr. Shapiro, calling on the Secretary of Public Assistance and Welfare for information specifically stated that they were to be called on two separate days.

BILL INTRODUCED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in place and presented to the Chair Senate Bill No. 249, entitled:

A Supplement to the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," providing for the assessment and collection of the county tax, in counties of the first class by the Department of Revenue, and the lien of the same, and the payment over of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, and prothonotaries, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; and imposing penalties.

Which was committed to the Committee on County Government.

Mr. STIEFEL. Mr. President and gentlemen of the Senate, Cato in the Roman Senate used to get up and repeatedly say Carthage must be destroyed.

Mr. President, when I came to the Senate of Pennsylvania I selected the fertile field of education and repeatedly, paraphrasing the statement of Cato I say that taxes in Pennsylvania must be revised. Mr. President, one of the most pestilent defects in our system is the abundance of tax collectors and, Mr. President, the bill which I am introducing now tends to eliminate some of those tax collectors.

REPORTS FROM COMMITTEES

Mr. COLEMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN from the Committee on Municipal Government reported as committed, Senate Bill No. 5, entitled:

An Act providing for the payment by the State Treasurer of the tax on certain Premiuns paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into their police pension funds, and, in certain cases, into the State Employes' Retirement Fund for the benefit of the Pennsylvania Motor Police.

With the understanding that it be re-committed to the Committee on Municipal Government after two readings.

Mr. CAVALCANTE. Mr. President, I wish to object to the report of that committee, that the bill be recommitted, which means that the bill shall still remain in the control of the committee. I think, Mr. President, that is contrary to the rules of this Senate. When a bill is reported from committee it comes into the hands of the Senate and it has no right to go back to committee without proper action by the Senate.

Mr. COLEMAN. Mr. President, I do not want to get into any acrimonious controversy with my colleague from Fayette but I am fearful he is confusing my motion with the discussions of last evening which in effect would deny the committee freedom of action.

Mr. President, while there is no legal basis, as I understand it, for a committee to report out a bill for two readings with the understanding that it be recommitted, it has been the traditional courtesy over a long period of years that when a committee reports out a bill with the distinct understanding that it be recommitted, that action has always taken place, and I am inclined to think my good friend from Fayette is confusing my action which cannot be in any way construed as tieing the hands of any particular committee.

The PRESIDENT. Has the gentleman from Lackawanna moved to recommit the bill.

Mr. COLEMAN. Mr. President, I am directed by the committee to report out the bill with the understanding that after two readings it will be re-referred to the Committee on Municipal Government.

He also, from the Committee on Municipal Government reported as amended, Senate Bill No. 34, entitled:

An Act to amend section twelve of the act approved the eighth day of June, one thousand nine hundred and eleven (P. L. 705), entitled "An act creating the office of Fire Marshal, to be attached to the Department of Public Safety in cities of the first class; prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," by imposing additional duties on the Fire Marshal.

Mr. ZIESENHEIM. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ZIESENHEIM from the Committee on Municipal Government reported as committed, Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 159, as follows:

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting constructing and equipping an auditorium at Indiantown Gap Military Reservation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and twenty-five thousand ($125,000) dollars is hereby appropriated to the Department of Military Affairs to be used in the constructing erecting and equipping of a suitable auditorium or assembly hall situate on the grounds of the Indiantown Gap Military Reservation The Department of Military Affairs and the Department of Property and Supplies are hereby empowered and authorized to enter into all contracts they deem necessary to carry out the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I desire to explain my vote. I am voting "aye" on this bill because it seems to be the general desire of those who know more about this proposition than I do to pass this bill, but, Mr. President, I want to place myself on record as saying I think there are more important subjects that may have to take precedence over this bill and I reserve the right to myself to have this bill given precedence over those more important subjects.

Mr. CAVALCANTE. Mr. President, I think this is an appropriation for one of the most important subjects before the United States of America—National Defense—and therefore I wish to record my vote as "aye" on the bill. Mr. President, I was absent when the roll was called.

The PRESIDENT. The vote of the gentleman from Fayette will be so recorded.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McCreesh,	Stiefel,
Carr,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Tyler,
Cox,	Homsher,	Reed,	Wade,
Crider,	James,	Ruth,	Watkins,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lantus,	Snowden,	Ziesenheim,
Ealy,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present same bill to the House for concurrence.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to make a statement for the information of all present. The room on the extreme right of the Senate Chamber is for the sole benefit of the Senators, in order that they may dictate letters, and it is not a meeting room for lobbyists or any other persons. employees included. It seems that the room has been a place to congregate for every person, many of whom have no right to be in there. Letters the Senators dictate are confidential and it is not fair for outsiders to be in there when Senators are dictating letters and for that reason all others will please refrain from going into that room. That means employees.

MEMORALIZING CONGRESS TO TAKE COGNIZANCE OF THE PLAN OF PHILIP MURRAY, PRESIDENT OF THE CIO

Mr. DENT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT and Mr. McQUIDDY, offered the following resolution which was twice read:

In the Senate, February 25, 1941.

Whereas, The most important problem before the American nation today is the matter of defense and defense production, and

Whereas, The subject of defense production has been extensively studied by various groups and organizations, and

Whereas, Philip Murray, president of the CIO, has submitted to the President on behalf of Congress, of Industrial Organizations. a defense plan worthy of the consideration of the Congress of the United States, and the President of the United States, and

Therefore Be It Resolved, If the House concur, that the General Assembly memorialize Congress to take cognizance of the merits of this plan and to promote the adoption thereof, and

Further Resolved, That a copy of this resolution be sent to the President of the United States, the Senate of the United States, the House of Representatives of the United States, to the members of the Defense Commission, and to Philip Murray, president of the CIO.

The PRESIDENT. The Resolution is referred to the Committee on Federal Relations.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE, CHARLES H. EALY. The time of recess having elapsed the Senate will be in order.

RECALLING HOUSE BILL No. 262, SENATE BILL No. 202, FROM THE HOUSE OF REPRESENTATIVES

Mr. EDMONDS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS, offered the following resolution which was twice read, considered and agreed to:

In the Senate, Fabruary 25, 1941.

Resolved, (if the House of Representatives concur) That House Bill No. 262, Senate Bill No. 202, Printer's No. 35, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine"

be recalled from the House of Representatives for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. EDMONDS. Mr. President, this resolution having carried and the procedure is started, I would like to say to the members of the Senate during the luncheon period there were a series of conferences along the line of the suggestion made by the gentleman from Philadelphia, Mr Shapiro, conferences between representatives of the Senate and of the House, and representatives of both parties of the Senate.

Mr. President, we all reached the conclusion it would be most unfortunate if there should be any deadlock on this legislation which would leave the State Treasurer and the general fund without funds for payment of relief checks which are due this week.

Mr. President, the point in issue is this question as to

whether or not the Governor should be governed in his allocation of money to the State Treasurer and the Auditor General by a committee of three, of which he would be one. Mr. President, on that point I am very glad to report that the members of the House who attended the conference felt the House could graciously recede from its previous stand and we felt it was worth while to put into the bill a specific statement as to the amount of money which should be given to the State Treasurer.

Mr. President, if this bill is returned I am prepared to offer to the Committee on Appropriations when it considers the bill again an amendment which will read as follows: Out of money appropriated by section one of this act there is hereby allocated to the treasury department the sum of $180,000.00 to pay administrative expenses of said department in disbursing the appropriation made by this act," and any unexpended balance of this allocation shall lapse into the general fund.

Mr. President, it seems to me that is a fair and statesmanlike way of approaching the subject. The State Treasurer has been receiving fifty thousand dollars a month for the past four or five months, but I understand that in addition to that he has certain unpaid bills that have been contracted during that period. This will provide a sufficient fund not only for taking care of his work but also for wiping out that unpaid balance and therefore I hope the action which I have briefly outlined here might meet with the approval of my colleagues in the Senate.

The PRESIDENT. The resolution will be sent to the House for concurrence.

Messrs. STIEFEL and COX offered the following resolution which was twice read, and referred to the Committee on Welfare, Public Assistance and Pensions:

Whereas, It is one of the postulates of a living and growing democracy that the health of its citizenry is both a national asset and a stimulating safeguard of spiritual buoyancy; and

Whereas, In the wake of recent depressions and resultant unemployment, there came a lowering of standards that sapped the health of an alarmingly substantial part of our population; and

Whereas, The Department of Public Assistance of the Commonwealth of Pennsylvania is charged, inter alia, with the duty of extending medical help to the needy and unemployed; and

Whereas, The formula heretofore adopted by the Department of Public Assistance for the compensation of physicians attending recipients of public assistance is based upon prorating of an amount computed on the basis of an allowance by the Department of Public Assistance of twenty cents (20¢) per month for each person receiving assistance; and

Whereas, Said monthly amounts are tangibly reduced by priority payments to pharmacists who are exempt from prorating; and

Whereas, With the decrease of the number of recipients of public assistance, the monthly amount available for prorating will shrink, while the number of persons who are mostly in need of medical assistance and belong to the irreducible stratum of assistance-recipients, to wit, old-age pensioners, blind and assisted mothers, will remain stationary; and

Whereas, In addition to the paucity of their fees, the physicians rendering medical assistance to the needy and unemployed encounter needless delays in receiving said fees from the Department of Public Assistance; and

Whereas, An equitable revision of the formula for computation of the pro rata fees now paid by the Department of Public Assistance to physicians attending needy and unemployed would ensue in higher standards of medical assistance; now be it therefore

Resolved, That the Senate of the General Assembly of Pennsylvania request the Secretary of Public Assistance to equitably revise the determinants guiding the prorating of fees payable to physicians attending recipients of assistance, as well as expedite the payments of amounts now due to such physicians.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 51, (Senate Bill No. 250), entitled:

An Act to amend section one of the act approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," changing the pay of jurors and witnesses and the mileage of witnesses.

Which was committed to the Committee on Judiciary General.

House Bill No. 202, (Senate Bill No. 251), entitled:

An Act to amend the act approved the second day of June, one thousand nine hundred and thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War and providing for the use, upkeep, and management and control of such halls," including Disabled American Veterans of the World War among the organizations named in the act.

Which was committed to the Committee on Military Affairs.

House Bill No. 320, (Senate Bill No. 252), entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendant not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

Which was committed to the Committee on Judiciary General.

BILL SIGNED

The PRESIDENT Pro Tempore, Charles H. Ealy, announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 203, entitled:

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money

Whereupon,

The PRESIDENT Pro Tempore, Charles H. Ealy, in the presence of the Senate signed the same.

CO-SPONSOR INCLUDED ON RESOLUTION

Mr. STIEFEL. Mr. President, while the resolution introduced a few moments ago is still in transit and before it has reached the hands of the clerk of the Committee may I move that as co-sponsor of this resolution there be included the name of the gentleman from Allegheny, Mr. Cox.

REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Public Health, re-reported as amended, Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics,

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 40, entitled:

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Mr. FARRELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 39, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof; including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth; the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officers of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice, and provided for notice of appeals to the Attorney General.

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED from the Committee on Judiciary General reported as amended, Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

PETITION

Mr. WATKINS. Mr. President, I am in receipt of a petition from the boroughs of Ashland, Gilbertson, Frackville, Girardville, Gordon, Mahanoy City and Shenandoah, petitioning this body to determine the feasability of maintaining and constructing factories, airports or other things in connection with the defense program.

The PRESIDENT. The petition will be noted in the journal.

HOUSE MESSAGE

RECALLING SENATE BILL No. 202, (HOUSE BILL No. 262) FROM THE HOUSE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, February 25, 1941.

Resolved, (if the House of Representatives concur) That House Bill No. 262, Senate Bill No. 202, Printer's No. 35, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine"

be recalled from the House of Representatives for the purpose of further consideration.

HOUSE RETURNS TO THE SENATE, HOUSE BILL No. 262, (SENATE BILL No. 202,) FOR FURTHER CONSIDERATION

He also being introduced, returned to the Senate, (House Bill No. 262,) Senate Bill No. 202, entitled:

An Act making a deficiency appropriation to the Department of public assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-

one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

Which was recalled from the House for further consideration.

RECONSIDERATION OF SENATE BILL NO. 202, (HOUSE BILL No. 262) RECALLED FROM THE HOUSE

Mr. EDMONDS. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 202, (House Bill No. 262), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

was passed finally,

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. EDMONDS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

Mr. GELTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GELTZ. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. EDMONDS. Mr. President, I move that Senate Bill No. 202 (House Bill No. 262) on third reading, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

be recommitteed to the Committee on Appropriations for the purpose of further amendment.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. EDMONDS. Mr. President, I move that the Senate do now take a recess for fifteen minutes.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT Pro Tempore, Charles H. Ealy. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 202, (House Bill No. 262), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. EDMONDS. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state the question.

Mr. EDMONDS? Mr. President, I desire to inquire whether this bill will appear on the third reading Calendar tomorrow; whether it will be up for final passage by the Senate.

The PRESIDENT. Senate Bill No. 202 (H. B. No. 262) will appear on tomorrow's Calendar for third reading and final passage.

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

BILLS INTRODUCED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, by request, read in place and presented to the Chair Senate Bill No. 253, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Which was committed to the Committee on Municipal Government.

Mr. WALKER. Mr. President, in presenting this bill I would like to state that this bill relates to the members of the Bureau of Fire and the Fire Department in cities of the second class and provides for approval by the electors of a three platoon system for such members. Mr. President, this bill of course refers only to the city of Pittsburgh and requires a vote by the citizens of the city of Pittsburgh

to determine whether or not there can be a three platoon system in the Fire Department. Mr. President, this matter is for the electors of the city of Pittsburgh to decide and the City Council of the city of Pittsburgh, although they believe in home rule, cannot submit the matter under the election code to the voters of the city of Pittsburgh.

Mr. President, this bill is to give City Council of the City of Pittsburgh the opportunity of offering to the electors of the city of Pittsburgh a decision this question and I think the firemen as well as the City Council have a right to have this opportunity for this expression of our firm and fundamental belief in the principles of home rule.

Mr. MALLERY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, read in place and presented to the Chair Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

Which was committed to the Committee on Municipal Government.

Mr. HALUSKA. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA, read in place and presented to the Chair Senate Bill No. 255, entitled:

An Act prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas and tear gas guns; providing certain exemptions and providing penalties.

Which was committed to the Committee on Judiciary General.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 5, entitled:

An Act providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into their police pension funds, and, in certain cases, into the State Employes' Retirement Fund for the benefit of the Pennsylvania Motor Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 34, entitled:

An Act to amend section twelve of the act approved the eighth day of June, one thousand nine hundred and eleven (P. L. 705), entitled "An act creating the office of Fire Marshal, to be attached to the Department of Public Safety in cities of the first class; prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," by imposing additional duties on the Fire Marshal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinance of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate d now adjourn until Wednesday, February 25, 1941 at 11:0 o'clock, a. m.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:24 o'clock, p. m. until Wednesday, February 25, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 25, 1941.

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the followin prayer:

We thank Thee, Our God, that we can call upon The and that Thou dost hear our humble petitions. Teach u this day, how to open our natures unto Thee. Help u ever to be obedient to Thy will, joyous in our allegiance and cooperative in all Thy plans. Disturb us, Our Heavenl Father, when we go astray; cause us to be disciplined when we are willful; encourage us when we are discouraged; and strengthen us when we are perplexed. I all the experiences of our lives may we ever be mindfu to walk as the lowly Galilean. This, O God, we ask, nc that we are worthy, but in Thy Precious Name. Amer

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of Yesterday, when, on motion of Mr. McDERMOTT unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. GATES AND HELM. HOUSE BILL No. 513.

An Act to further amend section twelve of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes; defining the uses and purposes thereof, and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," granting certain retirement rights to persons who have withdrawn from and returned to school service.

Referred to the Committee on Education.

By Mr. READINGER. HOUSE BILL No. 514.

An Act to amend section one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," by further extending the circumstances under which volunteer firemen and their dependents are entitled to compensation.

Referred to the Committee on Workmen's Compensation.

By Mr. EDWIN A. LEE. HOUSE BILL No. 515.

An Act making an appropriation for the maintenance repair, and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. HIRSCH. HOUSE BILL No. 516.

An Act to provide the assessment of certain lands in boroughs and townships by lots, and imposing certain duties on the owners thereof.

Referred to the Committee on Municipal Corporations.

By Mr. BURRIS. HOUSE BILL No. 517.

To amend section seven hundred and two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties;; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," limiting fees in certain cases.

Referred to the Committee on Motor Vehicles.

By Mr. ECKELS. HOUSE BILL No. 518.

Giving courts of record the power to order a condensed and partial description of real property to be published in certain actions and proceedings where the law relative thereto requires the publication of a description of such real property.

Referred to the Committee on Judiciary General.

By Mr. WEINGARTNER. HOUSE BILL No. 519.

To further amend section one of the act, approved the third day of May, one thousand nine hundred nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisement and notices required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of the court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," extending the provisions of said act to counties of the sixth class.

Referred to the Committee on Counties.

By Mr. WEINGARTNER. HOUSE BILL No. 520.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation to hold such real estate.

Referred to the Committee on Municipal Corporations.

By Mr. WEINGARTNER. HOUSE BILL No. 521.

An Act authorizing the return of certain taxes to the county commissioners after the time limit fixed by law for making such returns has expired; validating, ratifying and confirming the lien of such taxes; and authorizing the sale of real property for the nonpayment thereof.

Referred to the Committee on Municipal Corporations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 522.

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

Referred to the Committee on Agriculture.

By Messrs. HEATHERINGTON and HELM. HOUSE BILL No. 523.

An Act to protect the public against fraud and deception to prevent unfair competition and unfair trade practices; regulating the business of selling gasoline by requiring persons engaged therein to post the price thereof to public view and requiring sale at the price posted; and prescribing certain penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. CULLEN and BRETH. HOUSE BILL No. 524.

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

Referred to the Committee on Fisheries.

By Messrs. O'CONNOR and BRETHERICK.
HOUSE BILL No. 525.

An Act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds, as herein defined, of bonds imposing no general obligation of debt, and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties; and repealing existing laws.

Referred to the Committee on Municipal Corporations.

By Messrs. BAUGHER and HARE. HOUSE BILL No. 526.

An Act to amend section one hundred thirty-six as amended, and section one hundred thirty-seven, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for the establishment of the office of controller in certain counties and for the abolition of the office of county auditor; and for the audit of accounts of the county and its officers for the preceding year in certain cases.

Referred to the Committee on Municipal Corporations.

By Messrs. BAUGHER and HARE. HOUSE BILL No. 527.

An Act fixing the salary of the controller in counties of the seventh and eighth classes; and providing for a salary board to fix the number and salary or compensation of any deputies and clerks to assist the controller.

Referred to the Committee on Municipal Corporations.

By Messrs. BAUGHER and GATES.
HOUSE BILL No 528.

An Act to amend section 1081 of the act approved May fourth, one thousand nine hundred twenty-seven (P. L. 519), entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs, "as amended, by changing the conditions of the tax collectors bond and fixing the time when the same shall be entered into.

Referred to the Committee on Municipal Corporations.

By Messrs. BAUGHER and GATES.
HOUSE BILL No. 529.

An Act to further amend section 571 of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by providing that the tax collector shall give but one bond for the collection of township, county, school district, poor district and institution district taxes.

Referred to the Committee on Municipal Corporations.

By Messrs. READINGER and LLOYD H. WOOD.
HOUSE BILL No. 530.

To amend section three hundred and five, of the act approved the third day of June, one thousand nine hun- and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years.

Referred to the Committee on Municipal Corporations.

By Messrs. READINGER and LLOYD H. WOOD.
HOUSE BILL No. 531

To amend sections five hundred one, five hundred two, five hundred three, and five hundred four, of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" providing for and limiting the creation of election districts in this Commonwealth; providing for a complete redistricting of election districts in the Commonwealth in the year one thousand nine hundred and forty-one and the procedure therefor; and conferring powers and imposing duties on county boards of elections, registration commissions and courts of quarter sessions.

Referred to the Committee on Municipal Corporations.

By Messrs. BAUGHER and HARE.
HOUSE BILL No. 532.

To amend section one thousand and forty-seven of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," as amended; limiting the number of days for the completion of borough audits

Referred to the Committee on Municipal Corporations.

By Messrs. McINTOSH and BRETHERICK.
HOUSE BILL No. 533.

An Act providing for the reimbursement by the Commonwealth of counties for costs and the maintenance of prisoners incurred as the result of prosecutions under laws providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties; and repealing inconsistent acts.

Referred to the Committee on Municipal Corporations.

By Messrs. HOLLAND and SOLLENBERGER.

HOUSE BILL No. 534.

An Act proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Municipal Corporations.

By Messrs. BENTZEL and CORDIER.

HOUSE BILL No. 535.

Creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and providing for the administration of the same by board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to existing retirement and pension systems and upon officers and employes of such political subdivisions; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation.

Referred to the Committee on Municipal Corporations.

By Messrs. McINTOSH and JAMES.

HOUSE BILL No. 536.

An Act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt return to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled "An act creating the Department of Health and defining its powers and duties'; approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act" as amended, by providing for the payment of all fees to local registrars of vital statistics by the Commonwealth.

Referred to the Committee on Municipal Corporations.

By Mr. POWERS. HOUSE BILL No. 537.

An Act authorizing state and state aided medical and surgical hospitals to issue and sell stamps, and to redeem the same by hospitalization service.

Referred to the Committee on Public Health and Sanitation.

By Mr. POWERS. HOUSE BILL No. 538.

An Act to provide for military and nursing instruction in the public high schools of this Commonwealth; conferring powers and imposing duties upon the Superintendent of Public Instruction, the Department of Military Affairs and the Secretary of Health.

Referred to the Committee on Education.

By Mr. BONEY. HOUSE BILL No. 539.

An Act to further amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for as assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by exempting certain property from execution in certain cases.

Referred to the Committee on Welfare.

By Mr. MORAN. HOUSE BILL No. 540.

To further amend clause A of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by providing for the termination and dissolution of inactive municipal authorities.

Referred to the Committee on Municipal Corporations.

By Messrs. TARR and BURNS. HOUSE BILL No. 541.

To further amend section fourteen of article four of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," authorizing shot firers to use approved electric lamps in the performance of certain of their duties.

Referred to the Committee on Mines and Mining.

By Mr. McLANE. HOUSE BILL No. 542.

Requiring election boards in counties where voting machines are used to make such machines available to labor unions and similar organizations for use in the election of officials.

Referred to the Committee on Elections.

By Mr. McLANE. HOUSE BILL No. 543.

Authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Mr. GERARD. HOUSE BILL No. 544.

An Act to further amend section twenty-one of the act, approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and in order to secure prompt and faithful registration of births, marriages, deaths, and

diseases, of practioners of medicine and surgery, of midwives, nurses and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five, and providing penalties for violations of this act," authorizing the Department of Health to issue short form birth certificates in lieu of certified copies of the original records.

Referred to the Committee on State Government.

By Mr. READINGER. HOUSE BILL No. 545.

An Act establishing a division in the Bureau of Animal Industry of the Department of Agriculture; conferring powers and duties upon such division in regard to dogs; and making an appropriation to the Department of Agriculture.

Referred to the Committee on Agriculture.

By Mr. STINE. HOUSE BILL No. 546.

An Act making an appropriation to the Department of Agriculture to advance the potato interests in this Commonwealth.

Referred to the Committee on Appropriations.

By Mr. FLEMING. HOUSE BILL No. 547.

An Act to amend sections one and two of the act, approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trade-mark owner, distributers, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," by providing that the provisions of said sections shall be inapplicable when the makeup in price of the commodity involved is more than forty per centum.

Referred to the Committee on Judiciary Special.

By Mr. NAGEL. HOUSE BILL No. 548.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for expenditure in the various townships of the second class of the Commonwealth for the maintenance of certain streets and the roads during the calendar years one thousand nine hundred and forty-two and one thousand nine hundred and forty-three, and requiring townships of the second class to reduce their tax rates for road and street purposes for said years; providing for certifications of mileage of public roads and streets by such townships to the Department of Highways; and providing for the use and maintenance of road building machinery and equipment belonging to such townships by the Department of Highways in carrying out the purposes of this act.

Referred to the Committee on Appropriations.

By Mr. PETROSKY. HOUSE BILL No. 549.

An Act to amend section four thousand four hundred and two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing such cities to establish a civil service system to be applicable to all city officers and employes to which civil service does not now apply.

Referred to the Committee on Cities-Third Class.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 550.

An Act to repeal the act, approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

Referred to the Committee on Liquor Control.

By Mr. ACHTERMAN. HOUSE BILL No. 551.

To the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

Referred to the Committee on Appropriations.

By Mr. BOWER. HOUSE BILL No. 552.

Making an appropriation to the Department of Military Affairs, for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War; and conferring certain duties upon the State Veterans' Commission.

Referred to the Committee on Appropriations.

By Mr. BROWN. HOUSE BILL No. 553.

To amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

Referred to the Committee on Judiciary General.

By Mr. BROWN. HOUSE BILL No. 554.

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

Referred to the Committee on Judiciary General.

By Mr. FALKENSTEIN. HOUSE BILL No. 555.

An Act to reimburse all hospitals not now recieving State-aid for the expenses of the care of indigent persons injured in motor vehicle accidents.

Referred to the Committee on Appropriations.

By Mr. RONALD L. THOMPSON.

HOUSE BILL No. 556.

An Act to further amend section nine of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates, for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," making additional provision for, and fixing, the compensation for the filing and collecting of tax claims.

Referred to the Committee on Municipal Corporations.

By Mr. RONALD L. THOMPSON.

HOUSE BILL No. 557.

An Act to further amend section five hundred and sixty-one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309). entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," changing the penalty to be added to delinquent school taxes in third and fourth class districts.

Referred to the Committee on Education.

By Mr. SKALE. HOUSE BILL No. 558.

An Act to amend section five hundred eight of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by making further provision concerning the voting of shares held by corporations.

Referred to the Committee on Corporations and Industry.

By Mr. SKALE. HOUSE BILL No. 559.

An Act creating the Pennsylvania State Institute for Cancer and Tuberculosis Research; providing for the erection of a building in the City of Philadelphia to house said institute; providing for a board of trustees to supervise said institute and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. SKALE. HOUSE BILL No. 560.

An Act to further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverage into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by extending club licenses to picnic and outing grounds and banquet halls.

Referred to the Committee on Liquor Control.

By Mr. SKALE. HOUSE BILL No. 561.

To amend section six hundred and eight of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the voting of shares held by incorporated institutions.

Referred to the Committee on Banking.

By Mr. SKALE. HOUSE BILL No. 562.

To protect the obligors or guarantors of bonds and mortgages created after the passage of this act, and owners of property affected thereby, and others indirectly liable for the payments thereof, by prohibiting for certain periods the foreclosure sale of mortgaged property at less than its fair market value, and prescribing the method of fixing the fair market value of said property.

Referred to the Committee on Municipal Corporations.

By Mr. FLEMING. HOUSE BILL No. 563.

Making an appropriation to the Department of Welfare for the payment of the cost of equipment, repairs and improvements at the Dixmont Hospital, Dixmont, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. NORMAN WOOD. HOUSE BILL No. 564.

Making an appropriation to the Department of Welfare, for the maintenance of certain homes.

Referred to the Committee on Appropriations.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 565.

Making an appropriation to the Department of Welfare, for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Messrs. SARRAF and BAKER.
HOUSE BILL No. 566.

To provide revenue by imposing a license tax on the owners of all lawful coin or token operated vending machines, devices or equipment, as herein defined, kept, possessed, used, exhibited or operated for profit; providing for the collection of said tax; imposing certain duties upon the Department of Revenue; prescribing penalties and dedicating the proceeds from such tax to the payment of appropriations for general relief.

Referred to the Committee on Ways and Means.

By Mr. LEVY. HOUSE BILL No. 567.

To reenact and amend the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 748), entitled "An act for the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect, the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties," by providing for the registration and regulation of investment advisers and their solicitors; further defining "dealers" and further regulating dealers and salesmen; providing for service on registrants under provisions of this act; and imposing penalties.

Referred to the Committee on Banking.

By Messrs. WILLIAMS and PETROSKY.
HOUSE BILL No. 568.

An Act to further amend the act approved the first day of June, one thousand nine hundred and thirty-seven, P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representative of all the employes; authorizing the board to conduct hearings and elections, and certify as to representative of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," redefining the powers and duties of the Pennsylvania Labor Relations Board; redefining "labor dispute" the rights of employers and certain unfair labor practices by employers and employes; further changing the provision for designation and selection of representatives for the purpose of labor bargaining; changing the practice and procedure before the board; further prescribing the qualifications for, and increasing the salaries of, members of the board; eliminating the provision making the rules and regulations of the board subject to the approval of the Secretary of Labor and Industry; and eliminating certain forfeiture of rights.

Referred to the Committee on Labor.

By Mr. STAMBAUGH. HOUSE BILL NO. 569.

To the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," providing for the assessment and collection of the county tax in counties of the seventh and eighth class by the Department of Revenue, and the lien of the same, and the payment over of the proceeds thereof; imposing duties on executors; administrators, registers; of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. BOIES. HOUSE BILL No. 570.

To add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605 and 606, to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623, to 638, both inclusive, to article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for re-

funds," providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees; and imposing additional penalties.

Referred to the Committee on Motor Vehicles.

By Mr. WOODSIDE. HOUSE BILL No. 571.

An Act making an appropriation to the Department of Public Assistance, and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-one, and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred forty-one.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 572.

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page sixty), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 573.

An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 38. (HOUSE BILL No. 574).

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth; or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

Referred to the Committee on State Government.

SENATE BILL No. 201. (HOUSE BILL No. 575).

An Act to amend a certain appropriation item contained in section two of Act 69-A, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, 1939, P. L. 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," by deferring for a short period of time certain payments required to meet the Sinking Fund requirements of Veterans' Compensation Bonds.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. REUBEN E. COHEN and ROONEY.
RESOLUTION No. 36.

In the House of Representatives, February 24, 1941.

Whereas, A period of four years has elapsed since the General Assembly enacted legislation regulating the hours and wages of women and minors employed in industry, and

Whereas, The Secretary of the Department of Labor and Industry in that period of four years has only recently set a minimum wage rate in the laundry industry and

Whereas, This apparently is the only action taken by the Department of Labor and Industry in four years relative to the enforcement of the provisions of said act, be it therefore

Resolved, That the Speaker of the House appoint a committee to investigate the causes and reasons for the Secretary of Department of Labor and Industry's failure to enforce the provisions of the law aforesaid and to report back to the House of Representative as speedily as possible with appropriate recommendations.

Referred to the Committee on Rules.

By Mr. O'CONNOR. (Concurrent) RESOLUTION No. 37.

In the House of Representatves, February 24, 1941.

Whereas, the secretary of the Pennsylvania Department of Highways has made known his intention to inaugurate at an early date a greatly enlarged highways construction program, and

Whereas, State Highway Department construction specifications have recently been changed to provide for more extensive use of blast furnace slag, and

Whereas, many highway construction experts and technicians have steadfastly opposed the extensive use of such blast furnace slag in highway construction, and

Whereas, the Pennsylvania State Highway Department has purchased slag when crushed stone could have been secured at an equal or lesser cost, and

Whereas, there is reason to believe that the specifications authorized by the Pennsylvania Highway Department are designed to create a market for blast furnace slag which is a waste product, and

Whereas, there is reason to believe that the extensive continued use of slag in highway construction will result in serious loss to the Commonwealth, therefore be it

Resolved (if the Senate concur), That a Committee be appointed which shall consist of three members of the House of Representatives to be designated by the Speaker of the House and three members of the Senate designated by the President Pro Tempore of the Senate whose duty it shall be to make a thorough and impartial investigation of the use of blast furnace slag in the construction of highways by the Commonwealth, the cost of such blast furnace slag as compared with other materials, and the durability of highways in whose construction blast furnace slag has been used,

Resolved, that the said Committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer to such questions touching matters properly being inquired into by the Committee and to produce such books, papers, records, documents as the Committee may deem necessary. Such subpoenas may be served upon any person and shall have the full force and effect of subpoenas issued out of the courts of the Commonwealth. Each member of said Committee shall have the power to administer oaths and affirmations to witnesses appearing before the Committee. Any person who shall willfully neglect or refuse to testify before said Committee or to produce any books, papers, records, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases,

Resolved, that the Committee created by this resolution be authorized to employ, at its discretion, subject to the terms of this resolution, such legal technical clerical assistance as it may deem necessary to the successful performance of its duties,

Resolved, that the sum of Ten Thousand Dollars ($10,000.00) or so much thereof as may be necessary is hereby appropriated from the General Fund for the use of the Committee,

Resolved, that said Committee shall make a report of its findings and recommendations to the General Assembly at this session.

Referred to the Committee on Rules.

By Mr. HOLLAND. RESOLUTION No. 38.

In the House of Representatives, February 24, 1941.

Whereas, during the interim between legislative sessions, the Governor appointed a committee, which has been generally known as the "Job Mobilization Committee," for the purpose of studying conditions of unemployment and the opportunities for occupational readjustment, which commission has recently made its report to the Governor, recommending, among other things, the conversion of State teachers' colleges into advanced technical and trade schools; and

Whereas, there has already been introduced in the House of Representatives, House Bill No. 460 seeking to accomplish this same purpose, which bill was referred to the Committee on Education and is now being considered by that committee, whose deliberations would be considerably facilitated and expedited if the studies of the Governor's Commission were made available to it; therefore, be it

Resolved, that the Governor is hereby respectfully requested to transmit a copy of the report of the Job Mobilization Committee to the Chairman of the Committee on Education of the House of Representatives for study in connection with its consideration of House Bill No. 460, entitled "An act converting the State teachers' colleges and the Cheyney Training School for Teachers into advanced technical and trade schools to be known as "Pennsylvania State Trade School Defense Training Centers," to train men for defense work, providing for admission to, and regulation of such schools, and alteration and equipment of buildings therefor, and conferring powers and imposing duties on certain State departments and agencies"; and be it further

Resolved, that the Chief Clerk of this House immediately transmit a certified copy of this resolution to His Excellency Arthur H. James, Governor of Pennsylvania.

Referred to the Committee on Rules.

By Mr. SARRAF. RESOLUTION No. 39.

In the House of Representatives, February 25, 1941.

Whereas, Thousands of our young men are now being inducted into the armed forces of the United States; and

Whereas, All selectees are examined by physicians before entering the armed forces; and

Whereas, It now would be feasible to have the blood of all these young men typed and appropriate records thereof made; and

Whereas, Such a procedure would be of inestimable value to the health and future welfare of all these selectees; therefore be it

Resolved, That the House of Representatives request all the Federal agencies and State agencies involved, including the United States Public Health Service and the Department of Health of this Commanwealth to adopt this procedure of blood typing and recording immediately; and be it further

Resolved, That the Chief Clerk of the House transmit a copy of this resolution to all such agencies.

Referred to the Committee on Public Health and Sanitation.

REPORTS FROM COMMITTEES

Mr. FALKENSTEIN, from the Committee on Law and Order, reported as committed, House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys, and participation in the sport of bowling on Sunday.

Mr. MARSHALL M. COHEN, from the Committee on Judiciary Special, reported as committed, House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

Mr. WOODRING, from the Committee on Dairy Industries, reported as committed, House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulations of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

Mr. GOODWIN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 512, entitled:

An Act requiring all authorities of political subdivisions of the Commonwealth, who contract for policies of insurance on behalf of such political subdivisions, to so contract with stock insurance companies only.

Mr. MONKS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 392, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Food Stamp plans therein.

Mr. PROSEN, from the Committee on Judiciary General, reported as committed, House Bill No. 466, (Senate Bill No. 79), entitled:

An Act to amend subsection (a) of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedent and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Mr. BAUGHER, from the Committee on Agriculture, reported as amended, House Bill No. 208, entitled:

To further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports, changing the necessary favorable vote in referenda on the creation, addition of territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making appropriations.

BILL RE-REFERRED

Mr. LOVETT returned from the Committee on Labor with the recommendation that it be re-referred to the Committee on Counties, House Bill No. 392, entitled:

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

The SPEAKER. The bill is re-referred to the Committee on Counties.

Mr. WEISS returned from the Committee on Municipal Corporations with the recommendation that it be re-referred to the Committee on Townships, House Bill No. 482, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities and boroughs, and regulating the proceedings pertaining thereto.

The SPEAKER. The bill is re-referred to the Committee on Townships.

FIRST REPORT ON TAX AND FINANCIAL PROBLEMS

Mr. TURNER. Mr. Speaker, as Chairman of the Joint State Government Commission, it is my privilege to submit to the House for its study and consideration the completed report on the tax and financial problems of Pennsylvania.

In pursuance to a House Resolution No. 133 of the regular session of 1939, the commission was authorized to conduct a comprehensive study of the tax structure and financial problems of the Commonwealth.

As you will note, the product of extensive research, surveys, conferences and technical studies has been submitted in book form and it is the sincere belief of the commission that this work represents one of the most historical contributions ever made to guarantee a practical, provident course of action in determining Pennsylvania's future tax and financial destiny.

This report on the tax and financial problems has reason to deplore the decline of income levels of Pennsylvania as contrasted to the rise of public expenditures. This, in league with the staggering load that has been imposed on trade and commerce through increased business taxes, paints a picture of Pennsylvania's economic structure which should be of vital concern to every Legislator, whatever his political convictions.

The report is elaborately supported by tables to show exactly how the trend, since 1930, has been consistently downward insofar as Pennsylvania's living standards and economic opportunities are concerned with a slight change for better recently.

It consists of seven chapters, backed by solid fact. Among the subjects covered are economic and population characteristics of the Commonwealth; basic productive

activities of Pennsylvania; importance of manufacturing, decline of state mining, place of the farmer in economy, state government expenditures and the income of Pennsylvania, general fund expenditures, financing of general assistance and public education, state and local tax bases and tax yield principal revenue sources, Pennsylvania taxes as compared to those of competitive states, motives and mechanics of industrial migration from the state, taxes desirable from the standpoint of attracting industry, taxes paid by individuals in different income brackets, summary of revenue bills and a list of tax law citations dating back to 1840.

In addition to the comments on the contents of the several chapters, your attention is directed to a summarization of the contents of the chapters and recommendations on special-colored pages in the forepart of the Report and in the Appendix, a legislative history of all major taxes in Pennsylvania going back as far as 100 years or more, and their origin, their development and principal legislative changes, rates and yields over the last two decades with logical citations interpreting the construction placed by the courts on these taxes, histories of the major taxes, and a summary precedes each one of the legislative histories of the major taxes.

Also in the Appendix is contained a study on the Constitutional limitations of the taxing power in Pennsylvania.

A further excellent contribution contained in the report as the last table is a summarization of all Pennsylvania taxes and revenue sources, rates, exemptions and yield for the past decade which includes not only the taxes but numerous acts levying or charging licenses and other fees, approximating some 150 such citations.

I believe that this is the first time that such data and information has ever been made readily available.

These show, in effect, precisely how the Commonwealth's economic destiny has been hitched to a fractious legislative kite.

We all know, or should know, that future levels of social and economic welfare depend largely upon the expansion of manufacturing enterprises. Any effort, however interpreted, to hobble the work of restoration so far as industry is concerned, will strike a demoralizing blow at the entire foundation of trade and commerce.

One thing is certain, and that is that any State fiscal policies which place Pennsylvania factories, mines and farms at a competitive disadvantage with other states seriously jeopardizes the levels of living of all Pennsylvanians, including those business men whose prosperity depends upon high levels of productivity of the primary producers.

In other words, Mr. Speaker, you cannot help finding from this report and the studies made by the Committee that the question of the welfare of industry is tied up with, and is very intimately related to the whole question of productivity of our industries in Pennsylvania and their prosperity, and therefore as they have declined, there has been a decline in the standard of living, that is, in the amount of return which our people have received, and therefore the living levels in the Commonwealth of Pennsylvania.

While Pennsylvania's economic stature has come through a troublous period, the repercussions of which have shaken the confidence and hope of its citizens, developments of late have interjected a note of optimism that was not discernible before.

There are two schools of thought on the reasons for this change in our economic outlook. One is that the economic pendulum, following the inevitable cycle of social and economic changes, began to widen its arc as business and agriculture joined hands in an assault on the binding chains of financial insolvency.

The other is that national defense lately has given industry a shot in the arm; taken the staggers out of business in general and dissipated the fear and gloom which has been hopelessly bound up in the lives of all Pennsylvanians. Statistics show, however, that the improvement trend preceded to some degree the issue of defense.

Whatever the actual reasons, we see now before us a definite course. If we can profit from the heartaches of darkened years, then ours will be a salvation of accomplishment and faith in better tomorrows.

You will note, in leisurely study of the commission report, that emphasis has been placed on public assistance as one of the major problems which have complicated the financial picture of the state government. We all are solemnly aware of the gravity of relief and its place in combating the hardships of emergency years.

We are also acutely interested in the status of education for here is the molding or testing ground of future generations who will some day assume the reins of government. The commission believes that the financial problems of many of our school districts, including the deplorable fiscal conditions of what are known as the distressed school districts, are dangerously close to disrupting the educational opportunities of our youth and that improvement is needed.

We believe that there must be a revision of the method of determining state-aid allocations so that there can be no breakdown of public education, and that teachers shall not go unpaid.

Likewise, you will note that the commission, in probing the question of tax problems, urges the legislature to consider the creation of an independent tax appeal body to provide an equitable method for determining one's tax liability.

The commission's research experts have carefully scrutinized the history of tax imposts and excises to show, in easily comprehended tables, precisely how the burden of state government is distributed.

Thus, under this research, the whole system of tax allocations and disbursements as balanced against the sources of revenue in all brackets, paints a very careful and indiscriminate picture of Pennsylvania's financial assets and liabilities.

It is a picture which the commission commends to your study and attention because we realize that the entire perspective of Pennsylvania's future course, must be determined by your voice in creating laws which will meet the requirements of the times.

We believe this work, in its many and unusual features, will throw an enlightening beam on the darkened and remote corners of Pennsylvania's tax and financial reservoirs and help to build a constructive program of economic policies as a pattern for legislative action today and in the years to come.

As chairman of the Joint State Government Commission, I believe I am justified in saying that the tax and financial report as prepared here will establish a precedent in legis-

lative practice and that its merits and benefits will attain far-reaching significance in the future.

I wish to thank my colleagues and fellow members of the commission for their loyal, conscientious and persevering attention to detail and their unshakable determination to give Pennsylvania a factual document which will outlive them in service to the Commonwealth.

It is also especially fitting that a special commendation be given the Director of the Commission, Mr. A. Alfred Wasserman, for his extensive and tireless contributions to this work. Around him evolved the entire responsibility for compiling the facts so ellucidatingly that normally complex statistical shadings are brought within easy understanding.

Mr. Speaker, I shall offer the report and ask that it be printed in the appendix. There are copies of this report here for distribution. We have had the copies placed in envelopes with each member's name. When we distributed the other reports, we found out that there were some vacancies and some of the members complained they never received their copy. These reports are now in envelopes with the members names on them.

May I say this in conclusion, Mr. Speaker, I think the Legislature can feel proud of this report. I believe that it is going to supply a tremendous amount of information for the members, not only during this session, but during the sessions to come. The work has been well done. I am not saying that because I am a member of the Commission because the active work upon this was entirely done by others, and the work was well done. I think it has factual data and information which will interest you and work for you not only during this session, but in the future.

The report was read by the Clerk.

The SPEAKER. The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

COMMUNICATIONS AND PETITION

The SPEAKER laid before the House the following petition which was read by the Clerk:

LIQUOR LICENSES

Petition from citizens of Allegheny County favoring passage of legislation permitting volunteer fire departments, reputable and responsible fraternal and church organizations to sell beer and liquor, or at least beer, at picnics sponsored by such organizations.

Communications from citizens of Philadelphia protesting passage of legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

COMMUNIST PARTY

Postcards from citizens of Philadelphia addressed to the Speaker, urging open hearings on bills affecting Communist Party.

Referred to the Committee on Labor.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL NO. 263.

An Act transferring money from the Motor License Fund to the General Fund; and providing for the subsequent return from the General Fund of the transferred money.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 103 entitled:

An Act to repeal the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1184), entitled "An act requiring all employable persons receiving public assistance, with certain exceptions, to perform certain work, or be refused further assistance; conferring powers and imposing duties on county boards of assistance, and on certain State and local officers and employees, and on charitable institutions, persons, copartnerships, associations, corporations, and State and Federal employment officers; and requiring payments to the Commonwealth on account of certain work performed."

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SHAW. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 349, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 320, as follows:

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants no

resident or found therein" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any court of this commonwealth having equity jurisdiction upon the special motion of the plaintiff or plaintiffs in any suit in equity which has been or shall be instituted therein concerning goods chattels lands tenements or hereditaments or for the perpetuating of testimony concerning trusts which have within the jurisdiction of such court one or more trustees and a substantial portion of their securities real estate or other assets or for the perpetuating of testimony concerning any lands tenements and so forth situate or being within the jurisdiction of such court or concerning any charge lien judgment mortgage or encumbrance thereon or where the court have acquired jurisdiction of the subject matter in controversy by the service of its process on one or more of the principal defendants to order and direct that any subpoena subpoenas or other process to be had in such suit be served upon any defendant or defendants therein then residing or being out of the jurisdiction of such court wherever he she or they may reside or be found and upon affidavit of such service had to proceed as fully and effectually as if the same had been made within the jurisdiction of such court Provided That it shall appear to such court by affidavit affidavits or other documents applicable for the purpose before making such order in what place or county such defendant or defendants reside or are or probably may be found and if such place be without the United States whether there are any officers of the United States residing thereat or near thereto and by what means such service may be authenticated And provided That such order limit a time depending on the place where such process is to be served after the service thereof within which compliance with the requirements thereof must be made by such defendant or defendants such process to be returnable at such time after the service thereof as such court shall by special order direct And further provided That when such process shall be served such defendant or defendants shall also be served with a copy of the order authorizing the service thereof and a copy of the bill or petition if such process be a subpoena thereon but if not a statement of the substance and object of the proceeding whereon the same is founded And provided also That the affidavit of such service of process and copies or statements aforesaid if such service be had within the United States may be made and taken before any officer of the United States or of any of the states or territories thereof authorized to administer an oath and if such service be had without the United States the same shall be authenticated as such court shall by special order direct

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—169

Achterman,	Fleming,	Leydic,	Rose, W. E.,
Baker,	Fletcher,	Lichtenwalter,	Rosenfeld,
Balthaser,	Flynn,	Longo,	Royer,
Baugher,	Foor,	Lovett,	Sarge,
Bentzel,	French,	Lyons,	Sarraf,
Boles,	Gallagher,	Malloy,	Scanlon,
Boney,	Gates,	Marks,	Schwab,
Boorse,	Gerard,	Maxwell,	Serrill,
Bower,	Goodwin,	McDermott,	Shaffer,
Bradley,	Greenwood,	McClanaghan,	Shaw,
Breth,	Gryskewicz,	McFall,	Shepard,
Bretherick,	Gyger,	McGrath,	Simons,
Brown,	Habbyshaw,	McIntosh,	Skale,
Brunner, C. H.,	Haines,	McKinney,	Snyder,
Brunner, P. A.,	Hall,	McLanahan,	Stambaugh,
Burns,	Hamilton,	McLane,	Stank,
Burris,	Harkins,	McMillen,	Stine,
Cadwalader,	Harmuth,	McSurdy,	Stockham,
Chervenak,	Harris,	Melchiorre,	Tarr,
Chudoff,	Heatherington,	Mihm,	Tate,
Cochran,	Helm,	Modell,	Taylor,
Cohen, M. M.,	Hering,	Monks,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Mooney,	Thompson, R. L.,
Cook,	Hersch,	Moran,	Trout,
Cooper,	Hewitt,	Moul,	Turner,
Cordier,	Hirsch,	Muir,	Van Allsburg,
Corrigan,	Holland,	Munley,	Verona,
Croop,	Huntley,	Nagel,	Vincent,
Cullen,	Imbrie,	Nunemacher,	Vogt,
Dalrymple,	James,	O'Brien,	Voldow,
Dennison,	Jefferson,	O'Connor,	Voorhees,
DiGenova,	Jones, G. E.,	O'Mullen,	Welsh, E. B.,
Dix,	Jones, P. N.,	O'Neill,	Welsh, M. J.,
Dolon,	Keenan,	Owens,	Williams,
D'Ortona,	Kenehan,	Petrosky,	Wolf,
Duffy,	Kline,	Pettit,	Wood, L. H.,
Early,	Knoble,	Polen,	Woodring,
Eckels,	Kolankiewicz,	Powers,	Woodside,
Elder,	Komorofski,	Prosen,	Wright,
Elliott,	Krise,	Rausch,	Yeakel,
Ely,	Lee, T. H.,	Readinger,	Yester,
Falkenstein,	Leisey,	Reese, R. E.,	Young,
Finestone,	Leonard,	Regan,	Kilroy,
Fiss,	Lesko,	Reynolds,	Speaker.
	Levy,	Rooney,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 202, as follows:

An Act to amend the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" including Disabled American Veterans of the World War among the organizations named in the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two three four and five of the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" are hereby amended to read as follows

Section 2 The board of managers shall consist of

(a) Ex-officio members (five) the president judge of the court of common pleas of such county the judge of said court next oldest in commission the county commissioners of the county

(b) Elective members [(twelve)] (fifteen) the present elective members representing the Veterans of the Civil War shall be and continue as members of such board until removed by death resignation or otherwise The remaining members of the elective [(twelve)] (fifteen) shall be filled by the following organization out of their membership (three) by the county organization of the United Spanish War Veterans (three) by the county organization of the American Legion (three) by the county organization of the Veterans of Foreign Wars and (three) by the Disabled American Veterans of the World War within thirty days from the date when this act becomes effective and they shall certify such election to the secretary of the existing

board whereupon the persons so elected shall be members of the board

Section 3 Vacancies occurring among the elective members of the board shall be filled by the organization which chose the members whose place it is desired to fill Provided however That whenever it may appear that it is impossible to fill any vacancy in the board caused by the death or resignation of a member thereof who represented the Veterans of the Civil War because no organization survives to choose such members or no person survives who can qualify for such membership vacancies so created and existing shall upon notice from the secretary be filled by the county organizations of the United Spanish War Veterans and the American Legion [and] the Veterans of Foreign Wars and the Disabled American Veterans of the World War That is to say the first vacancy so caused shall be filled by the county organization of the United Spanish War Veterans the second by the county organization of the American Legion [and] the third by the county organization of the Veterans of Foreign Wars the fourth by the Disabled American Veterans of the World War and so on in rotation That is to say that when no member representing the Veterans of the Civil War shall remain on said board the elective personnel of the board shall be as follows Elective members [(twelve)] (fifteen) United Spanish War Veterans (four) the American Legion (four) Veterans of Foreign Wars (four) and Disabled American Veterans of the World War (three)

Section 4 The organization of the board [and] its powers and duties [and] the powers and duties of the county commissioners and the various courts of such county with respect to such memorial hall and the provisions for the maintenance and repair of such hall shall be and continue as provided under existing law

Section 5 Said memorial hall shall be in memory of the soldiers sailors and marines from such county who served in the Civil War It shall also contain one large assembly hall or auditorium for public meetings of the soldiers sailors and marines of such county but which may be used for other public meetings It shall also contain rooms for meetings of the posts of the Grand Army of the Republic encampments of the Union Veterans Legion commanderies of the Loyal Legion posts of United Spanish War Veterans posts of the American Legion posts of the Veterans of Foreign Wars posts of the Disabled American Veterans of the World War and kindred patriotic organizations It shall also contain rooms and places for the proper display and preservation of relics and trophies of all such wars insurrections and expedition flags histories rosters and records of all such patriotic organizations regimental and company histories photographs paintings and portraits busts and statues of soldiers sailors and marines of such county and mural tablets upon which may be inscribed the names of the soldiers sailors and marines of such county who served in any such wars insurrections and expeditions

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been real at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—177

Achterman,	Habbyshaw,	McIntosh,	Rush,
Baker,	Haberlen,	McKinney,	Sarge,
Balthaser,	Haines,	McLanahan,	Sarraf,
Baugher,	Hall,	McLane,	Scanlon,
Bentley,	Hamilton,	McMillen,	Schwab,
Bentzel,	Harkins,	McSurdy,	Serrill,
Boies,	Harmuth,	Melchiorre,	Shaffer,
Boney,	Harris,	Mihm,	Shaw,
Breth,	Heatherington,	Modell,	Shepard,
Bretherick,	Helm,	Monks,	Simons,
Brown,	Hering,	Mooney,	Skale,
Brunner, C. H.,	Herman,	Moran,	Snyder,
Brunner, P. A.,	Hersch,	Moul,	Sollenberger,
Burns,	Hewitt,	Muir,	Sprg,
Burris,	Hirsch,	Munley,	Stambaugh,
Cadwalader,	Holland,	Nagel,	Stank,
Chudoff,	Huntley,	Nunemacher,	Stine,
Cochran,	Imbrie,	O'Brien,	Stockham,
Cohen, M. M.,	James,	O'Connor,	Tarr,
Cohen, R. E.,	Jones, G. E.,	O'Dare,	Tate,
Cook,	Jones, P. N.,	O'Mullen,	Taylor,
Cooper,	Keenan,	O'Neill,	Thompson, E. F.,
Cordier,	Kenehan,	Owens,	Thompson, R. L.,
Corrigan,	Kline,	Petrosky,	Trout,
Croop,	Knoble,	Pettit,	Turner,
Dalrymple,	Kolankiewicz,	Polaski,	Van Allsburg,
Dennison,	Komorofski,	Polen,	Vincent,
DiGenova,	Leisey,	Powers,	Vogt,
Dolon,	Leonard,	Prosen,	Voldow,
D'Ortona,	Lesko,	Rank,	Weiss,
Early,	Levy,	Rausch,	Welsh, E. B.,
Eckels,	Leydic,	Readinger,	Welsh, M. J.,
Elder,	Lichtenwalter,	Reagan,	Williams,
Falkenstein,	Longo,	Reese, D. R.,	Wolf,
French,	Lovett,	Reese, R. E.,	Wood, L. H.,
Gallagher,	Lyons,	Regan,	Wood, N.,
Gates,	Marks,	Reynolds,	Woodring,
Gerard,	Maxwell,	Rhea,	Woodside,
Gillette,	McClanaghan,	Riley,	Wright,
Goodwin,	McClester,	Rooney,	Yeakel,
Gross,	McDermott,	Rose, S.,	Yester,
Gryskewicz,	McDowell,	Rose, W. E.,	Young,
Gyger,	McFall,	Rosenfeld,	Kilroy,
	McGrath,	Royer,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreably to order,

The House proceeded to the third reading and consideration of House Bill No. 51, entitled as follows:

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors and witnesses and the mileage of witnesses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty second day of May one thousand nine hundred and thirty three (Pamphlet Laws 851) entitled "An act fixing the pay and mileage of jurors and witnesses" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the time this act takes effect the pay of jurors in this Commonwealth shall be four dollars ($4) per day together with mileage at the rate of six cents (6c) for each mile going to and returning from the county seat and the pay of witness shall be three dollars ($3) der day together with the mileage at the rate of six cents (6c) for each mile going to and returning from the county seat.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DIX. Mr. Speaker, as a rural legislator and one interested in keeping the administration of public affairs at the lowest possible point, I oppose this bill.

Mr. Speaker, I would like to interrogate the author or sponsor of this bill, the gentleman from Cambria, Mr O'Connor.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. O'CONNOR. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, in the opinion of the gentleman from Cambria, would jurors render any better service if they were paid another dollar a day?

Mr. O'CONNOR. Mr. Speaker, in reply to the gentleman from Wayne, I will say it is not the intention of the sponsor of this bill to pay jurors for their work. The services of jurors in this Commonwealth have always been looked upon as a patriotic duty, and the purpose of this bill is to increase their fee from three to four dollars a day, merely to cover their hotel expenses while attending court.

Mr. DIX. Mr. Speaker, I will answer these questions as I go along, but I would like to further interrogate the gentleman from Cambria, Mr. O'Connor.

The SPEAKER. The gentleman will proceed.

Mr. DIX. Mr. Speaker, has the gentleman from Cambria observed any great public or private demand for an increase in the fees to jurors.

Mr. O'CONNOR. Mr. Speaker, I have.

Mr. DIX. Mr. Speaker, could the gentleman from Cambria cite some instance in his home county?

Mr. O'CONNOR. Mr. Speaker, I will cite an instance in connection with our Grand Jury in my county of Cambria, where on one occasion at least it is reported that there was a suggestion that a member of the Legislature from Cambria county should sponsor a bill to restore to the jurors and witnesses the fees which they received before 1933.

Mr. DIX. Mr. Speaker, then the gentleman from Cambria is sponsoring this bill at the suggestion of the Court?

Mr. O'CONNOR. Not exactly, Mr. Speaker.

Mr. DIX. Mr. Speaker, does the gentleman from Cambria know what it will cost his county in increased administration?

Mr. O'CONNOR. I do not, Mr. Speaker.

Mr. DIX. Mr. Speaker, is it not a fact that the average jurors spend a very short time in the courthouse, some of them only 20 minutes and some of them only an hour, and that they consider it more or less of an honor to serve on the jury, especially in the rural districts? Is it not a fact that jurors regard this as a sort of an honorary vacation at public expense?

Mr. O'CONNOR. I cannot answer that, Mr. Speaker; I do not know. My experience as an attorney, however, leads me to believe that it is not a fact.

Mr. DIX. Mr. Speaker, I think the gentleman from Cambria has given us some very good reasons why the rural legislators should not support this bill. In the first place the gentleman from Cambria does not even know what it would cost his county and perhaps he does not care what it would cost. I for one am interested in keeping the cost of administration, especially in the rural counties, down to the lowest possible point. It would cost the county of Wayne at least one thousand dollars or perhaps fifteen hundred dollars for these services. The jurors in my county are not demanding it, they are not asking it. They are flocking into the office of the Sheriff and the office of the Jury Commissioners and asking for permission to have their names enrolled so that they would be called, and the Sheriff and the Jury Commissioners have told me that never once have they been asked for an increase in pay. They do not mention the amount of the fee and they do not regard it as a dollar service. I for one will not come in here under the present situation, when many of our counties are bankrupt or nearly bankrupt and ask for this additional spending for jurors who are not asking for it themselves.

Mr. Speaker, I have been around the Court house for twenty-five years off and on, I have never received a dollar for my services. I have been there as a newspaper man to call on the various officials, and in my twenty-five years experience I have never heard one juror say that he did not think he was getting sufficient pay for his services. As I said before, the average jurors in the rural district come down twenty-five or thirty miles and spend four or five days at Honesdale, and they regard it as an honorary vacation at public expense. They are mighty glad to render this public service, they are mighty glad to do it for three dollars a day and they would do it for two dollars a day if that was the price.

Therefore, I oppose this unnecessary expense.

Mr. O'CONNOR. Mr. Speaker, in 1933 when I first came to this House we reduced the fees of our assessors, our jurors and witnesses and also our own salaries as members of the Legislature. Since that time we have restored to the assessors the fees they received before 1933; we have restored to ourselves as Members of the Legislature the salaries which we received during 1933 and before, and I have heard no objection from Mr. Dix as to that. I feel, Mr. Speaker, that we are doing only what is right and something which has been too long delayed, in restoring to the jurors and to the witnesses in this Commonwealth the fees which we took from them in the session of 1933 and I, therefore, ask the membership of the House to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—160

Achterman,	Gryskewicz,	McFall,	Rose, S.,
Auker,	Gyger,	McIntosh,	Rosenfeld,
Baker,	Habbyshaw,	McKinney,	Royer,
Balthaser,	Haberlen,	McLanahan,	Rush,
Bentzel,	Haines,	McLane,	Sarraf,
Boies,	Hall,	McSurdy,	Scanlon,
Boney,	Hamilton,	Melchiorre,	Serrill,
Boorse,	Harkins,	Mihm,	Shaffer,
Breth,	Harmuth,	Modell,	Shaw,
Bretherick,	Heatherington,	Monks,	Shepard,
Brown,	Helm,	Mooney,	Skale,
Brunner, C. H.,	Hering,	Moran,	Sorg,
Brunner, P. A.,	Herman,	Moul,	Stank,
Burns,	Hersch,	Muir,	Stine,
Cadwalader,	Hirsch,	Munley,	Stockham,
Chudoff,	Holland,	Nagel,	Tarr,
Cochran,	Huntley,	Nunemacher,	Tate,
Cohen, R. E.,	Imbrie,	O'Brien,	Taylor,
Cook,	James,	O'Connor,	Thompson, E. F.,
Cooper,	Jefferson,	O'Dare,	Thompson, R. L.,
Corrigan,	Jones, G. E.,	O'Mullen,	Trout,
Croop,	Keenan,	O'Neill,	Turner,
Cullen,	Kenehan,	Owens,	Van Allsburg,
Dalrymple,	Kline,	Petrosky,	Vincent,
DiGenova,	Knoble,	Pettit,	Vogt,
Dolon,	Kolankiewicz,	Polaski,	Voldow,
D'Ortona,	Komorofski,	Polen,	Welsh, E. B.,
Early,	Lee, T. H.,	Powers,	Welsh, M. J.,
Eckels,	Leisey,	Prosen,	Williams,
Falkenstein,	Leonard,	Rank,	Winner,
Finestone,	Lesko,	Rausch,	Wolf,
Fisher,	Levy,	Readinger,	Wood, L. H.,
Fiss,	Lichtenwalter,	Reagan,	Wood, N.,
Fleming,	Longo,	Reese, David P.,	Woodring,

Fletcher,	Lovett,	Reese, R. E.,	Wright,
Gallagher,	Lyons,	Regan,	Yeakel,
Gates,	Malloy,	Reynolds,	Yester,
Gerard,	Marks,	Rhea,	Young,
Gillan,	McClanaghan,	Riley,	Kilroy,
Gillette,	McDermott,	Rooney,	Speaker.
Goodwin,			

NAYS—25

Bentley,	Dix,	Gross,	McMillen,
Bower,	Elder,	Harris,	Sarge,
Burris,	Ely,	Hewitt,	Snyder,
Cohen, M. M.,	Foor,	Jones, P. N.,	Stambaugh,
Cordier,	French,	Maxwell,	Voorhees,
Dennison,	Greenwood,	McClester,	Weiss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. CORDIER asked and obtained unanimous consent to address the House.

Mr. Speaker there are several committees of the House and Senate that have measures dealing with the question of tax abatement, delinquent taxes and tax sales. These pieces of legislation have not proceeeded to move, due to the organization of these committees and numerous other pieces of legislation which they have to consider. I, myself, have presented a bill which provides for the abatement of tax sales until the first of November of this year. It provides for the abatement of delinquent taxes over a five year spread. It is barely possible that we may not be able to enact a piece of Legislation which will provide for the abatement of taxes and penalties within the short space of time before these sales will be advertised. Accordingly I am presenting a resolution which will provide for the adjournment of tax sales in the Commonwealth, predicated upon the acceptance of the provisions of this resolution by the County Commissioners in the various counties and by the courts. This will stop these sales and will denote the intention of the legislature to enact suitable enabling tax legislation.

Mr. Speaker, I offer the following resolution to be filed with the clerk and to be referred to the proper committee. I respectfully urge the members of the Committee to which this resolution will be sent to expedite it in the name of thousands of distressed taxpayers and home owners in this Commonwealth.

In my particular county this sale is about to be advertised for March tenth. We will not have time to enact suitable legislation.

The SPEAKER. The resolution will be filed with the Clerk under the rules.

CONDOLENCE RESOLUTIONS

Messrs. WOODRING and McFALL offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read , considered and adopted:

In the House of Representatives,
February 25, 1941

Whereas, the residents of Northampton County have learned with profound sorrow of the death of one of its citizens, John Luke Staples, who died Wednesday, February 19th at the age of sixty-three; and

Whereas, Mr. Staples led an exemplary and industrious life, devoted to the advancement of his family and the community he called his home; and

Whereas, he was a member of the Jacksonian Democratic Association of Easton, Pennsylvania, and did throughout his lifetime strive for the application of democratic principles of government; and

Whereas, he was at the time of his decease and many years prior thereto a duly elected county assessor in the City of Easton, Pennsylvania; and

Whereas, Mr. Staples was at the time of his death a sworn employe of the House of Representatives, having been inducted into service on the 13th day of January, 1941; and

Whereas, we are profoundly affected by his passing; be it therefor

Resolved, that the House of Representatives take this opportunity to pay their tribute to a departed citizen and employe; and be it further

Resolved, that the Chief Clerk transmit a copy of this resolution to the decedent's family.

Mr. LEISEY offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, February 25, 1941.

Whereas, Almighty God in his infinite wisdom has removed from our midst by death, our esteemed and honored fellow citizen, William W. Long, who for six years, from 1920 to 1925 inclusive, was a Member of the House of Representatives of the Commonwealth of Pennsylvania for the First District of the County of Chester, who throughout his term of office and throughout his connections and services with this House of Representatives and the County of Chester and the Commonwealth of Pennsylvania, manifested ability and judgment of the highest order and who, during all his career and under all circumstances has maintained a most honorable reputation and a true record of patriotic and public spirited service; therefore be it

Resolved, That in the passing of our esteemed former fellow member of the House of Representatives of the Commonwealth of Pennsylvania, this House of Representatives of the Commonwealth of Pennsylvania has sustained the loss of a citizen whose service it is a satisfaction to contemplate; that this House of Representatives hereby bears testimony to his exceptional ability, his faithful service, his rare judgment, his deep interest in the Commonwealth and its welfare, his charming personality, his untiring energy, his progressive accomplishments, and his splendid patriotic and public service as a citizen and as a Member of this House of Representatives, and that this House of Representatives offers to his widow and his family in their bereavement its most sincere sympathy and heartfelt condolence; and be it further

Resolved, That a copy of this resolution be presented to the widow of our deceased fellow member, and that it be entered upon the Legislative Journal of this House of Representatives.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Cities—Third Class, Wednesday, February 26 at 11 a. m. in Room 325.

Education, Wednesday, February 26 at 10 a. m. in Room 329.

Railroads and Railways, Wednesday, February 26, at 11 a. m. in Room 522.

State Government, Wednesday, February 26, at 11 a. m. in Room 326.

Townships, Wednesday, February 26, at 11 a. m. in Room 329.

Welfare, Wednesday, February 26 at 10:30 a. m. in Room 246.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 4:30 p. m.

The Chair hears none and declares a recess until 4:30 p. m.

AFTER RECESS

The House reconvened at 4:30 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. HARMUTH. HOUSE BILL No. 576.

To further amend subsection (f) of section one thousand two hundred five of the act, approved the fifteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating determination of charges against professional employes.

Referred to the Committee on Education.

By Mr. HARMUTH. HOUSE BILL No. 577.

To further amend subsection (j) of and to add subsection (k) to, section one thousand two hundred five of the act, approved the fifteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," creating a tenure appeal board in each county to hear appeals from rulings on complaints against professional employes; prescribing their powers and duties; and requiring counties to furnish an office for such boards.

Referred to the Committee on Education.

By Messrs. DAVID P. REESE, JR. and McINTOSH. HOUSE BILL No. 578.

Providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Referred to the Committee on Judiciary General.

By Messrs. DAVID P. REESE, JR. and McINTOSH. HOUSE BILL No. 579.

Relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

Referred to the Committee on Judiciary General.

By Mr. MARKS. HOUSE BILL No. 580.

An Act to amend section twenty-four of the act, approved the sixteenth day of June, one thousand eight hundred thirty-six (P. L. 784), entitled "An act relating to the jurisdictions and powers of courts," by further defining the power of courts to punish summarily for contempt, and setting up a period of limitations.

Referred to the Committee on Judiciary General.

By Mr. BAUGHER. HOUSE BILL No. 581.

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

Referred to the Committee on Appropriations.

By Mr. O'CONNOR. HOUSE BILL No. 582.

An Act to further amend section one thousand one hundred twenty-five and to amend section one thousand one hundred twenty-seven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs, specifying the reasons for making deductions from salary of, and suspending and dismissing policemen, and the procedure in connection therewith, including limitations on the powers of the borough council and burgess; creating a board of review to be appointed by the borough council, and defining the powers and duties of said board.

Referred to the Committee on Boroughs.

By Mr. BRETH. HOUSE BILL No. 583.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Referred to the Committee on State Government.

By Mr. McLANE. HOUSE BILL No. 584.

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Municipal Corporations.

By Mr. FALKENSTEIN. HOUSE BILL No. 585.

An Act to amend section two of the act, approved the fifteenth day of July, one thousand eight hundred and ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation," by reducing from ten mills to five mills the rate of tax upon the capital stock of companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale.

Referred to the Committee on Ways and Means.

By Mr. O'NEILL. HOUSE BILL No. 586.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania State Oral School for the Deaf at Scranton.

Referred to the Committee on Appropriations.

By Mr. FLEMING. HOUSE BILL No. 587.

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in the Dixmont Hospital at Dixmont, Allegheny County.

Referred to the Committee on Appropriations.

By Mr. POLASKI. HOUSE BILL No. 588.

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

Referred to the Committee on State Government.

By Mr. McINTOSH. HOUSE BILL No. 589.

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

Referred to the Committee on Municipal Corporations.

By Mr. HIRSCH. HOUSE BILL No. 590.

An Act relating to wages, regulating the time and manner of payment of wages, providing for the enforcement of wage claims, imposing certain new liabilities upon contractors, and certain duties and liabilities upon employers, and waiving certain exemptions in certain cases, and conferring certain powers and imposing certain duties on the Department of Labor and Industry, and providing penalties, and repealing existing laws.

Referred to the Committee on Labor.

By Messrs. WEISS and MAXWELL. HOUSE BILL No. 591.

Providing for the appointment by the court of common pleas in counties of the third, fourth, fifth, sixth, seventh, and eighth class of a public defender at the cost of the county, to represent litigents who are unable to hire counsel.

Referred to the Committee on Judiciary, General.

By Mr. KRISE. HOUSE BILL No. 592.

An Act providing for the levy and collection of a temporary Sunday sales tax for State public assistance purposes; defining sales; requiring vendors to be licensed and imposing duties on vendors; prescribing penalties, and appropriating the proceeds of said tax.

Referred to the Committee on Ways and Means.

By Mr. BENTZEL. HOUSE BILL No. 593.

To amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

Referred to the Committee on State Government.

By Mr. SKALE. HOUSE BILL No. 594.

To further amend sections five hundred one, five hundred two and five hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by prohibiting local option contests until the municipal elections of one thousand nine hundred and forty-three; eliminating clubs from the restrictions of local option; and further prescribing the form in which the local option question shall be presented to the electors.

Referred to the Committee on Liquor Control.

By Messrs. PETTIT and POLEN. HOUSE BILL No. 595.

To amend section one thousand eight hundred forty-six of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by revising the provision relating to anonymous publications and libel.

Referred to the Committee on Elections.

By Mr. CORRIGAN. HOUSE BILL No. 596.

Authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

Referred to the Committee on Cities—First Class.

By Mr. CORRIGAN. HOUSE BILL No. 597.

To amend section two or article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at-least such minimum salaries to all persons within the said classifications.

Referred to the Committee on Cities—First Class.

By Mr. REAGAN. HOUSE BILL No. 598.

Requiring the council of cities of the Second class A to fix the salaries of the officers and members of the police department; and establishing minimum salaries.

Referred to the Committee on Cities—Second Class.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 159. (HOUSE BILL No. 599.)

An Act making an appropriation to the Department of Military Affairs for the purpose of erecting, constructing and equipping an auditorium at Indiantown Gap Military Reservation.

Referred to the Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

By Mr. O'BRIEN. HOUSE BILL No. 600.

An Act making it unlawful to appropriate or use public funds for the support of certain educational institutions which do not dismiss officers or teachers, or expel students guilty of advocating or disseminating communistic principles or propaganda.

Referred to the Committee on Education.

By Mr. O'BRIEN. HOUSE BILL No. 601.

An Act requiring teachers and administrative officers, or employes of educational systems of the Commonwealth, or any political subdivision thereof, to subscribe to a specified oath or affirmation.

Referred to the Committee on Education.

By Mr. O'BRIEN. HOUSE BILL No. 602.

An Act denying recognition as a political party for all purposes to any group of persons advocating the overthrow of the government.

Referred to the Committee on Elections.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. KOMOROFSKI. RESOLUTION No. 40.

In the House of Representatives, February 25, 1941.

Whereas, It appears that the present Congress of the United States will be called upon to pass upon the construction of the St. Lawrence Seaway; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania is opposed to the proposed St. Lawrence Seaway because of its economical impracticability, its entire lack of advantage as a defense measure and its detriment to business in the Commonwealth of Pennsylvania; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence Seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of the United States Senate, the Speaker of the House of Representatives and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 41.

In the House of Representatives, February 25, 1941.

Whereas, The act, approved the first day of July, 1937, P. L. 483, provides that after July 1st, 1939, the Commonwealth shall reimburse, to the extent provided therefor, certain school districts providing free transportation to children to and from school; and

Whereas, The operation of said act was temporarily suspended, in part, until July 1st, 1941, by the act, approved the twenty-sixth day of June, 1939, P. L. 1097; and

Whereas, The suspension of said act has caused extreme financial hardship on the school districts affected thereby; therefore be it

Resolved, That it is the sense of this House, that there shall be no further suspension in the operation of the provisions of the said act of 1937, P. L. 483, and that the Governor and the Superintendent of Public Instruction, in considering the budget for the next biennium, be directed to consider the cost of the reimbursement to school districts providing such free transportation; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of this House to the Governor and to the Superintendent of Public Instruction of the Commonwealth.

Referred to the Committee on Education.

By Messrs. WEISS and MAXWELL

(Concurrent) RESOLUTION No. 42.

In the House of Representatives, February 25, 1941.

Whereas, Industrial insurance policies as presently sold do not equitably establish the rights of insured workers who in many instances accquire little benefit commensurate with premiums paid therefor; and

Whereas, Many bills have been introduced in past legislative sessions dealing with such industrial insurance; and

Whereas, There has not yet been established any uniformity in the forms of the policies or any substantial equity in the rights granted by such policies issued for such insurance; and

Whereas, By reason thereof, inequities may result and fraud may be established by insurance companies upon its policy holders; therefore be it

Resolved, By the House of Representatives of the General Assembly, that the Speaker of the House shall appoint a legislative committee consisting of three members of this House, whose duty it shall be to confer with the Insurance Department and determine upon a uniform form of policy or policies, providing for adequate and equitable rights and benefits, to be used in writing such insurance within the Commonwealth, so that appropriate legislation can be enacted at this session of the Legislature.

Referred to the Committee on Rules.

By Mr. CORDIER. (Concurrent) RESOLUTION No. 43.

In the House of Representatives, February 25, 1941.

Whereas, Under existing law, the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May, 1941; and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales, to authorize adjournment or further adjournment; therefore be it

Resolved (If the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth, if the county commissioners and the court of common pleas of such counties consent therto, to adjourn or further adjourn any tax sale which, under existing law is required to be held prior to the first Monday of May, 1941; and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale, and to provide by law for the holding of such adjourned tax sales at a future date, saving the lien of all taxes assessed against real estate which was to be sold at such sales.

Referred to the Committee on Counties.

SENATE MESSAGE

RECALLING HOUSE BILL NO. 262

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which read as follows:

In the Senate, February 25, 1941.

Resolved, (if the House of Representatives concur) That House Bill No. 262, Senate No. 202, Printer's No. 35, entitled "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carring out the Public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one, and for the payment of assistance and expenses accrued or incurred prior to and remaining on May thirty-first, one thousand nine hundred thirty-nine" be recalled from the House of Representatives for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordlingly?

BILL TAKEN FROM TABLE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 262, Printer's No. 35, together with the message from the Senate be taken from the table.

The clerk read the Senate message and the title of House Bill No. 262, Printer's No. 35, for the information of the House.

The motion was agreed to.

HOUSE BILL NO. 262 RETURNED TO SENATE

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 262, Printer's No. 35, be returned to the Senate in accordance with the provisions of a Concurrent Resolution adopted this day, recalling said bill.

The motion was agreed to.

BILL RE-REFERRED

Mr. SARRAF returned from the Committee on Public Health and Sanitation with recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 405, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training, not exceeding one year.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, the Director of the Joint State Government Commission advises me that several Members of the House have come to him asking whether he has basic information which will enable them to form opinions upon bills and also help them in deciding whether they should introduce bills. I thought we had made it clear that there is a great mass of information, not only as contained in the reports, but data which has been gathered by the Commission in its work and a large number of reports and other material, and I, therefore, again would like to call this matter to the attention of the Members of the House because one of the purposes of the Commission is to supply such information. The Joint State Government Commission is in the old Treasury office on the first floor, across from the Speaker's office. If you have any problem; if you want to know whether there is certain data on a problem which you have, a legislative problem, go in there and seee the Director and you will more than likely find that he either has it or can tell you where it can be found. That service is open to the Members of the House just as is the office of the Legislative Reference Bureau, and we hope the Members of the House will avail themselves of it because I am of the belief that if you do your views a lot of times will be changed on some of the legislation that you have before you or some which you contemplate.

COMMITTEE MEETING

The following Committee meeting was announced:

Appropriations, Wednesday, February 26, at 11 a. m. in Room 328.

ADJOURNMENT

Mr. LLOYD H. WOOD. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 26, 1941, at 12 p. m.

The motion was agreed to, and (at 4:52 p.m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, FEBRUARY 26, 1941. No. 15.

SENATE

WEDNESDAY, February 26, 1941

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

With the dawn of each day, Our Heavenly Father, our hearts turn to Thee in praise and thanksgiving for Thy protection over us while we were unconscious in sleep. By Thy sustaining power we have been brought into this new day. Not one of us is sure of the way for today nor Thy plans for it but in faith in Thee we carry on asking Thy guidance.

All of our thoughts, words and actions will be written indelibly into our lives throughout this day. Do Thou grant us right thoughts, kind words and purposeful actions that this day's history be one of utmost service for Thee.

But how can we know Thy will for us except we pray? How can we follow Thy plans except we have faith in Thee? Or how can we have faith in Thee except we be in communion with Thee.

May Thy infinite wisdom, then, be fused with our finite knowledge that we may have understanding commensurate with our duties and responsibilities for this one day for we can have no just claim on any other. We pray in Jesus' name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. GELTZ the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, February 26, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Joseph A. Fromm, Mt. Oliver.
Walter L. Schnupp, Jr., Pittsburgh, 4112 Jenkins Arcade, Cor. 5th and Liberty Aves.
Miss Vera M. Thomas, Pittsburgh, 2709 Preble Ave.

CENTRE COUNTY

John F. Keller, Benner Twp., Western State Penitentiary, R. D. 3, Bellefonte.

DAUPHIN COUNTY

Raymond S. Greevy, Harrisburg.
Lester C. Lerew, Harrisburg.

DELAWARE COUNTY

Miss Carolyne E. Wilson, Swarthmore.

MERCER COUNTY

Donald A. Dixon, Sharon.

PERRY COUNTY

Geo. M. Deckard, Liverpool.

PHILADELPHIA COUNTY

James J. Collins, Phila., 1315 Walnut St.
Miss Eleanor M. Ivers, Phila., 601 Inquirer Bldg.
Miss Teresa E. McCaffrey, Phila., 5908 Old York Road.
Morris Wolkof, Phila., 1752 Mohican St.
Miss Violet Zanley, Phila., 3425 North Broad St.

WARREN COUNTY

Miss Kathryn M. Stead, Warren.

WASHINGTON COUNTY

Charles W. Richey, Canonsburg.

WESTMORELAND COUNTY

Mrs. Jeanne H. Free, South Greensburg.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

B. Ranky, Homestead, March 1, 1941.

LUZERNE COUNTY

Mrs. Martha J. Zawoiski, Wilkes-Barre, March 2, 1941.

PHILADELPHIA COUNTY

Miss Beatrice Howson, Phila., 3144 Passyunk Ave., March 2, 1941.

MONTGOMERY COUNTY

Henry Friedman, Lower Merion Twp., 30 West Lancaster Ave., Ardmore, March 5, 1941.

PHILADELPHIA COUNTY

T. Curtis Lloyd, Phila., 1401 Arch St., March 5, 1941.

WESTMORELAND COUNTY

John H. Blair, Irwin, March 5, 1941.

PHILADELPHIA COUNTY

David J. Dean, Phila., 1116 City Centre Bldg., March 6, 1941.

DAUPHIN COUNTY

Robert O. Carpenter, Harrisburg, March 7, 1941.
J. J. Husic, Harrisburg, March 7, 1941.
Luther E. Krebs, Harrisburg, March 7, 1941.

LANCASTER COUNTY

Frank J. Blair, Columbia, March 7, 1941.

PHILADELPHIA COUNTY

George G. Blind, Phila., 2117 North Broad St., March 7, 1941.
David V. Feaster, Phila., 601 Inquirer Bldg., March 7, 1941.
Mrs. Edith W. Smeltzer, Phila., 1037 Real Estate Trust Bldg., March 7, 1941.

FAYETTE COUNTY

Miss Alice Gilmore, Uniontown, March 8, 1941.

PHILADELPHIA COUNTY

Howard E. Foulkrod, Phila., 2120 Packard Bldg., March 8, 1941.
Benjamin Moskowitz, Phila., 927 Commercial Trust Bldg., 15th and Market Sts., March 8, 1941.

ALLEGHENY COUNTY

Miss Mary Ann Rody, McKees Rocks, March 9, 1941.

BUTLER COUNTY

T. S. Peters, Slippery Rock, March 9, 1941.

PHILADELPHIA COUNTY

Harry J. Pressman, Phila., 250 South Broad St., March 9, 1941.

WESTMORELAND COUNTY

H. G. English, Vandergrift, March 9, 1941.

ALLEGHENY COUNTY

Walter K. Elder, Wilkinsburg, March 10, 1941.

DELAWARE COUNTY

Mrs. Anna S. Tobin, Chester, March 14, 1941.

PHILADELPHIA COUNTY

William A. Miller, Phila., 4270 Main St., Manayunk, March 15, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McGinnis,	Taylor,
Carr,	Farrell,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Shapiro,	Watkins,
Crowe,	Jaspan,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Wilson, T. B.,
Dent,	Lanius,	Stiefel,	Ziesenheim,
DiSilvestro,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE BILL No. 262 (SENATE BILL No. 202) CALLED UP

Mr. GELTZ. Mr. President, I ask unanimous consent that the Senate do now resume consideration of House Bill No. 262 (Senate Bill No. 202) on third reading, which is on Page 2 of today's Calendar.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 202 (House Bill No. 262), as follows:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fourteen million five hundred thousand dollars ($14,500,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund to the Department of Public Assistance for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June

first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses expenses of liquidatig the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine

Section 2 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of one hundred eighty thousand dollars ($180,000) to pay the administrative expenses of said department in disbursing the appropriation made by this act and any other appropriations that may be made for assistance during the biennium Any unexpended balance of this allocation shall lapse into the General Fund

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McGinnis,	Tallman,
Carr,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Coleman,	Heyburn,	Reed,	Tyler,
Cox,	Homsher,	Ruth,	Wade,
Crider,	James,	Scarlett,	Walker,
Crowe,	Kephart,	Shapiro,	Wilson, H. I.,
Deitrick,	Lanius,	Snowden,	Wilson, T. B.,
DiSilvestro,	Letzler,	Stevenson,	Ziesenheim,
Ealy,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING POSTPONED FOR THE PRESENT CALLED UP

Mr. SHAPIRO. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 58, on third reading postponed, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom," as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 349), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

Mr. COLEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that Senate Bill No. 58, the bill just read, be recommitted to the Committee on Judiciary General, for the purpose of amendment, with the consent of the sponsor.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, ordinarily if we were to read in the papers that Captain John C. Urbitus, stationed at Fort Monroe, was the happy father of a son, we would pay no attention to it, but when we realize that the gentleman in question happens to be also the son-in-law of our good colleague from Warren, Dr. Chapman, we should take some judicial notice of it, at least some legislative notice of it, and now that the good Doctor from Warren has added to his many distinctions the proud distinction of being a grandfather, I rise in my place to place upon the record the additional achievement of the gentleman from Warren.

Mr. President, I do so with great fear and trepidation, because I understand, in some devious way I have been given notice of the fact that I too some day soon am to become a grandfather. With that thought in mind, Mr. President, I hope that same feelings that prompted me to make this statement, the same feeling of awe with which I shall now gaze upon the gentleman from Warren, considering the fact that he has distinguished himself so well in the Senate, so ably that we all thought there were no further distinctions that could come to him because of the extensiveness of his activities, we now find that our good friend is a grandfather.

Mr. President, I congratulate him, I think it is an achievement, I think it is an honor, and I ask my colleagues to take note of it and to join with me in felicitations to the proud grandfather and to wish health and happiness to the parents.

Mr. CHAPMAN. Mr. President, I hope that soon we may have the same opportunity of extending to Senator Shapiro the same felicitations that he has extended to me.

SENATE BILL No. 58 RECOMMITTED

The PRESIDENT. In order that the record might be clear, when the Senator from Philadelphia, Mr. Shapiro made the motion which was seconded by the Senator from Allegheny, Mr. Geltz, the Chair did not take a vote on the motion for the reason he thought the senator from Philadelphia was going to speak on that bill. Of course, it so happened that it was on a question of personal privilege, and the Chair did not want to interrupt him.

The question before the Senate was whether the Senate would agree to the motion made by the Senator from Philadelphia seconded by the Senator from Allegheny, that Senate Bill 58 be recommitted.

It was agreed to.

POINT OF INFORMATION

Mr. STIEFEL. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Philadelphia will state his point of information.

Mr. STIEFEL. Mr. President, do I understand that this bill is sent back for amendment?

The CHAIR. That is correct.

REPORTS OF COMMITTEES

Mr. BECKER, from the Committee on Military Affairs reported as committed, Senate Bill No. 152, entitled:

An Act authorizing and directing the Department of Military Affairs to compile, edit, publish, and distribute books, listing the names of the veterans of the wars and expeditions, in which the United States has engaged; authorizing said department to procure and accept a Federal Works Progress Administration grant; and making an appropriation.

HOUSE RESOLUTION NO. 19 REPORTED FROM COMMITTEE

Mr. CRIDER, from the Committee on Military Affairs, to which was referred on February 19, 1941 the following resolution from the House of Representatives reported the same without amendments as follows, viz:

In the House of Representatives, February 10, 1941.

Whereas, December 15 1941 will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments, and

Whereas, This date, which is ordinarily significant, assumes unusual importance at this particular period in the history of our Nation and of the world, when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home, and

Whereas, The American Legion, Spanish American War Veterans, and Veterans of the World War and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary, therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to designate December 15. 1941 as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, each of the presiding officers of the two branches in Congress and to each United States senator and member from this Commonwealth.

Which was laid on the table.

Mr. COX, from the Committee on Military Affairs, rereported as committed, Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Commitee on Executive Nominations reported with a favorable recommendation the following nominations, made His Excellency, the Governer, of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg,

PUBLIC ASSISTANCE BOARDS

Also the following persons to be Members of the County Boards of Assistance, for the terms set opposite their names:

ALLEGHENY COUNTY

(Mrs.) Florence D. Camp, Natrona Heights, from October 15, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

ARMSTRONG COUNTY

Earl D. Artman, Ford City, from September 23, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

Harvey D. Shaffer, Kittanning, from September 23, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

George L. Ralston, Freeport, from September 23, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

Harvey H. Hanna, South Bend, from September 23, 1940, until December 31, 1942.

Ralph Bittinger, Ford City, from September 30, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

BEAVER COUNTY

Richard Holt West, Beaver, from June 10, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BEDFORD COUNTY

Ranson Beegle, Bedford, from May 17, 1940, until December 31, 1942.

J. A. S. Beegle, Bedford, from May 17, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

George S. Gorsuch, Yellow Creek, from May 17, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BERKS COUNTY

Matthew J. Boland, Reading, from October 10, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

BRADFORD COUNTY

H. M. Turner, Towanda, from August 23, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

BUTLER COUNTY

Albert H. Meeder, Zelienople, from October 14, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

John Thoma, Butler, from October 14, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

CAMERON COUNTY

(Mrs.) Kathryn Daley, Driftwood, from September 16, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

CENTRE COUNTY

William C. Thompson, Bellefonte, from June 10, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

CLEARFIELD COUNTY

T. R. McCracken, Mahaffey, from September 25, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

(Mrs.) Mary E. Boag, Clearfield, from November 8, 1940, until December 31, 1941, and until her successor is duly appointed and qualified.

J. L. Cornely, Morrisdale, from January 1, 1941, until December 31, 1943.

John Helman, Coalport, from January 1, 1941, until December 31, 1943.

(Mrs.) Della Neff Patchin, Burnside, from January 1, 1941, until December 31, 1943.

COLUMBIA COUNTY

J. W. Biddle, Millville, from September 25, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

DELAWARE COUNTY

(Miss) Theresa A. Kelley, Chester, from September 4, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

FOREST COUNTY

F. F. Spencer, Truemans, from May 20, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Albert S. Payne, Marienville, from September 23, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

(Mrs.) Louise E. Phillips, Endeavor, from September 23, 1940, until December 31, 1940, and until her successor is duly appointed and qualified.

FULTON COUNTY

Harvey E. Comerer, Thompson Township, P. O. Hancock, Md., from August 9, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

John W. Kelso, McConnellsburg, from September 26, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

GREENE COUNTY

W. Robert Thompson, Waynesburg, from August 13, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

HUNTINGDON COUNTY

M. M. Geissinger, Huntingdon, from September 27, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

(Mrs.) Elizabeth S. Phillips, Huntingdon, from September 27, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

Thomas O. Swivel, Huntingdon, from September 27, 1940, until December 31, 1942, and until his successor is duly appointed and qualified.

INDIANA COUNTY

Harold Nesbitt, Clymer, from September 20, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

LEBANON COUNTY

Lloyd W. Boyer, Lebanon, from September 4, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

McKEAN COUNTY

(Mrs.) Mildred E. Dieter, Bradford, from July 9, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

MERCER COUNTY

Myron Murstein, Sharon, from January 1, 1941, until December 31, 1943.

PHILADELPHIA COUNTY

D. Moreau Barringer, Jr., Philadelphia, from October 11, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

Gordon A. Hardwick, Philadelphia, from October 11, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

SCHUYLKILL COUNTY

Andrew H. Riddle, Vulcan, from November 22, 1940, until December 31; 1940, and until his successor is duly appointed and qualified.

SOMERSET COUNTY

William F. Hammer, Conemaugh Township, P. O. Johnstown, from September 4, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

TIOGA COUNTY

M. A. Welch, Mansfield, from August 8, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

(Miss) Frances Armstrong, Wellsboro, from August 8, 1940, until December 31, 1942, and until her successor is duly appointed and qualified.

(Mrs.) Hazel M. Parsells, Cowanesque, from August 27, 1940, until December 31, 1941, and until her successor is duly appointed and qualified.

UNION COUNTY

(Miss) Katherine Shriner, Lewisburg, from January 1, 1941, until December 31, 1943.

VENANGO COUNTY

W. Edward Walz, Oil City, from May 27, 1940, until December 31, 1941, and until his successor is duly appointed and qualified.

WYOMING COUNTY

Basil Nichols, Falls, from June 3, 1940, until December 31, 1940, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. WATKINS

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. WATKINS

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McGinnis,	Taylor,
Carr,	Farrell,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Shapiro,	Watkins,
Crowe,	James,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Wilson, T. B.,
Dent,	Lanius,	Stiefel,	Ziesenheim,
DiSilvestro,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr WALKER. read in his place and presented to the Chair Senate Bill No. 256, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WALKER. Mr. President, I suggest for the benfit of the Chairman of the Committee on Appropriations that I know of no more appropriate time to get an appropriation bill in than when he is so filled with joy and felicitations on becoming a grandfather. I do wish we could work on him to get the bills out today, while he is in that humor.

He also read in his place and presented to the Chair Senate Bill No. 257, entitled:

An Act making an appropriation to the Nursing School of the Univeristy of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 258, entitled:

An Act making an appropriation to the Medical School of the Univeristy of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 259, entitled:

An Act making an appropriation to the Falk Clinic of the Univeristy of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. REED read in his place and presented to the chair Senate Bill No. 260, entitled:

An Act making an appropriation to the Canonsburg General Hospital, Washington County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 261, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 262, entitled:

A Supplement to the act approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 335), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 263, entitled:

An Act to establish a system, uniform throughout the Commonwealth, for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation.

Which was committed to the Committee on Judiciary General.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 264, entitled:

An Act to promote the general welfare and to protect the health, safety, morals, and standards of living of the people of the State of Pennsylvania, by providing for the elimination of wage and hour standards detrimental to the health, safety, morals and standard of living of workers; to establish minimum wage and maximum hour standards; to prescribe the powers and duties of the Department of Labor and Industry under this act; and for other purposes.

Which was committed to the Committee on Labor and Industry.

REQUESTING PRINTED COPY OF ALL RULES AND REGULATIONS FROM THE VARIOUS DEPARTMENTS OF THE COMMONWEALTH

Mr. WALKER offered the following resolution which was twice read, considered, and agreed to:

In the Senate of Pennsylvania, February 26, 1941.

Whereas, From time to time, it has been alleged that the various departments, boards, commissions and agencies administering acts of assembly have made numerous rules, orders and regulations unnecessarily causing expense to the public and at times destroying the spirit and intent of said acts; therefore be it

Resolved, That the Senate call upon each department, board, commission and agency of the Commonwealth to present to the Judiciary General Committee of the Senate, a written or printed copy of all rules, orders and regulations heretofore adopted, prescribed or promulgated by the same, for study by said committee; and be it further

Resolved, That the departments, boards, commission and agencies be urged to make this data available at the earliest possible moment, preferably within the next week, so that the data will be of maximum value to the Senate; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to each department, board, commission and agency of the State Government.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 39, as follows:

An Act to amend section one thousand one hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice and provided for notice of appeals to the Attorney General

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section one thousand one hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1104. Appeal to Courts—Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and with sufficient security approved by one of the judges of said court to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be due by such party to the Commonwealth

The party appealing shall file with every such appeal an affidavit containing the specification of objections and stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

The appeal filed shall contain an endorsement that copy of the appeal has been transmitted by registered mail to the Attorney General or contain an acceptance of service by the Attorney General

Appeals taken hereunder shall be hearings de novo but no facts shall be admitted in evidence that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Bartlett,	DiSilvestro,	Letzler,	Tallman,
Becker,	Ealy,	Mallery,	Taylor,
Carr,	Edmonds,	McGinnis,	Thomas,
Cavalcante,	Farrell,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Homsher,	Shapiro,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,	Kephart,	Stevenson,	Ziesenheim,
Dent,	Lanius,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 40, as follows:

An Act to further amend paragraph (c), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (e) of section five hundred and three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of money erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency therof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

(e) The action of the board on all petitions filed under this section shall be final excepting (1) where the action of the board is based upon a question of law or (2) where the action of the board is so arbitrary unreasonable or discriminatory as to consitute a breach of administrative discretion or (3) where the petition is based upon the facts which were not known to the petitioner and by the exercise of reasonable diligence could not have been known to him in time for him to pursue the remedies now provided by appeal for the judicial determination of his liability or (4) where no procedure for such determination of his liability is provided by existing law.

In all such cases the petitioner within sixty days after the date of mailing notice of the decision of the board may appeal to the Court of Common Pleas of Dauphin County Such appeals shall be the same in form as in cases of appeals from decisions of the board of Finance and Revenue upon petitions for review but the appellant shall not have the right of trial by jury and the appellant shall not raise any questions in such appeal which were not contained in the petition for refund.

After the final determination of any such appeal the board shall grant or refuse a refund in accordance with the judgment of the court.

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases.

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Bartlett,	DiSilvestro,	Letzler,	Stiefel,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McGinnis,	Taylor,
Cavalcante,	Farrell,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Reed,	Wade,
Cox,	Heyburn,	Ruth,	Walker,
Crider,	Homsher,	Shapiro,	Watkins,
Crowe,	James,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Wilson, T. B.,
Dent,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 125, on third reading, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

go over in its order, for the present.

The PRESIDENT. Is there objection?

Mr. HALUSKA. Mr. President, I object that it be passed over in order.

The PRESIDENT. There is objection.

Mr. DENT. Mr. President, I make that motion with the understanding that Senate Bill 125 will be taken up at the end of today's calendar.

Mr. HALUSKA. Mr. President, I withdraw my motion.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. THOMAS B. WILSON. Mr President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from McKean will state his question of parlimentary inquiry.

Mr. THOMAS B. WILSON. Mr. President, does that mean that Senate Bill 125 will be voted on today?

The PRESIDENT. The Chair understands. It will be called up for action.

If there is no objection, Senate Bill 125 will go over in order.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act providing for the payment by the State Treasurer of the tax on certain premiums paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns and townships. and for the payment thereof into their police pension funds, and, in certain cases, into the State Employes' Retirement Fund for the benefit of the Pennsylvania Motor Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. FARRELL. Mr. President, I move that Senate Bill No. 5 the bill just read, be recommitted to the Committee on Municipal Government, for the purpose of further study.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 34, entitled:

An Act to amend section twelve of the act approved the eighth day of June, one thousand nine hundred and eleven (P. L. 705), entitled "An act creating, the office of Fire Marshal, to be attached to the Department of Public Safety in cities of the first class; prescribing his duties and powers; and providing penalties for violations of the provisions of the act; and providing for the method of appointment, compensation, and for the maintenance of his office," by imposing additional duties on the Fire Marshal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 125, CALLED UP FROM THE THIRD READING CALENDAR

Mr. HALUSKA. Mr. President, I now ask that the Senate do now resume consideration of Senate Bill No. 25, on third reading, Page 3 of the Calendar, which went over in its order for the present.

Mr. REED. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed third reading and consideration of Senate Bill No. 125, as follows:

An Act abating certain tax penalties and interest on county city (except city of the first class) borough town township school district (except school district of the first class) and county institution district taxes prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All penalties and interest imposed on delinquent county city (except city of the first class) borough town township school district (except school district of the first class) and county institution district taxes for the tax year one thousand nine hundred and forty and all previous years and all penalties and interest imposed on such taxes for the years aforesaid assessed and levied against any parcel or parcels of real estate and on delinquent poll taxes levied for any of such years are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of the installment system of payment provided by this act twenty per centum of the delinquent taxes due for the year one thousand nine hundred and forty and for all previous years shall be paid

on or before the first day of November one thousand nine hundred and forty-one twenty per centum on or before the first day of November one thousand nine hundred and forty-two twenty per centum on or before the first day of November one thousand nine hundred and forty-three twenty per centum on or before the first day of November one thousand nine hundred and forty-four and the final twenty per centum on or before the first day of November one thousand nine hundred and forty-five And provided That the respective current taxes on such parcel or parcels of real estate and on delinquent poll taxes levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provide then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payment required to be paid under this act during that year which delinquent payment and said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this act If such sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such delinquent taxes for the year one thousand nine hundred and forty and previous years at any time on or before November first one thousand nine hundred and forty-one by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and forty-one shall not be required at the time of such payment

Section 3 This act shall be construed to apply to all such taxes whether or not such taxes have been returned to the commissioner's office for nonpayment or liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or county institution district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or county institution district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitor's fees where such taxes have been returned for nonpayment or liens therefor have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The county commissioners of each county shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such municipal subdivision showing the fact amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred and forty-one and any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the fourteenth day of April one thousand nine hundred and thirty-seven (Pamphlet Laws 302) the act approved the twenty-fifth day of October one thousand nine hundred and thirty-eight (Pamphlet Laws 84) and the act approved the nineteenth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 405) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill

Mr. EALY. Mr. President, I had understood in the session of 1939 we had passed our last tax abatement bill. It may be necessary, Mr. President, to pass a bill at this time, but we have heard a good many objections from members of the Senate to the different provisions of this bill, and it seems to me we are using undue haste in passing it at this time without more fully considerating it.

Mr. President, in looking at the Act of 1939, I find it was not approved by the Governor until June. These tax sales are fixed for August, and I feel we could give considerably more attention to this bill before we take it up and rush it through.

Mr. President, I would probably vote for the tax abatement bill if it were fully considered, but I do not like to be rushed into a matter of this kind at this time.

Mr. McGINNIS. Mr. President, I object to the bill in its present form, because it applies to property taxes in the City of Pittsburgh, but to the school taxes it does not apply. Therefore, Mr. President, it would be very confusing to our collectors to have it apply to half of our taxes in the City of Pittsburgh and not to the other half. However, Mr. President, I am sure this bill will be corrected in the House so that it will satisfy the City of Philadelphia and the first class school district of Philadelphia, and make it uniform in the City of Pittsburgh.

Mr. DENT. Mr. President, this is a re-enactment of the acts originally passed in 1935, 1937 and 1939.

Mr. President, as far as the City of Pittsburgh's objection is concerned, I tried for hours to get some opinion from the member from Pittsburgh who handles tax matters and collects them, the city controller, Senator Frey.

Mr. President, this bill exempts the first class school districts. Pittsburgh is a second class city with a first class school district; Philadelphia is a first class city with a first class school district. Philadelphia has its own bill, and it is a companion bill to this one.

Mr. President, in the last five years that I know of, the Philadelphia bill has taken care of first class school districts and city districts. If they amend this act and take second class cities out of it, then when the Philadelphia bill passes, if it does, you will find this condition that the gentleman from Allegheny objected to, you will have the school districts with tax penalty abatements and the city proper without tax penalty abatements.

Mr. President, this is exactly the same act as was passed for the last five years. The only thing that is different in it is the name and the date.

Mr. President, I suggest we take it to a vote. Those who have not the problems to worry about at home such as I have—my county treasurer has stated he will have to send out tax sale notices on March 4, and if we pass the bill, it will be notice to all county treasurers not to send out tax sale notices.

Therefore, Mr. President, I call for a vote on the bill. Let it stand or fall on its merits.

Mr. SHAPIRO. Mr. President, some years ago, I think it was about four years ago, on this tax abatement question, I called attention to the fact that a bill which was going through the Senate in exactly a similar form to this one would have the affect of not carrying out the purpose of the framer.

Mr. President, it is more than mere confusion in Allegheny county, it amounts to this, that where you say that there shall be no foreclosure on a piece of property in Allegheny county under this bill, you will stop the hand of the city from foreclosing, but you do not stop the hand of the school district from proceeding to foreclose, so that it is more than mere confusion. It means, Mr. President, that you do not affect the purpose that you are trying to accomplish.

Mr. President, four years ago when this situation occurred, we all sat down and we framed a bill which covered all districts, all cities, from cities of the first class down. That bill is still a law today, except, Mr. President, that bill is not effective for persons who have not taken advantage of the act within the time prescribed by law, so that those persons who have not by the time fixed, which was November of the year following the passage of the law which was subsequently extended for another two years, those persons who have not taken advantage can not come into Philadelphia or any other city in the state and ask for an installment plan for the payment of their taxes.

Mr. President, this bill comes along and recreates the situation by going back for back taxes and including, I think, 1940 and 1941 tax sales, and provides for installment payments of those taxes.

Mr. President, this bill does not cover Philadelphia. There is no law today which covers Philadelphia, there is no law which grants a similar right to a person living in a city of the first class, nor is there a similar law which gives the right to school districts of the first class so the school districts of Pittsburgh will be operating on one basis with authority to foreclose, whereas the city will not be permitted to foreclose.

Mr. President, that creates a confusion which I think does not look well for the members of the Senate. We are hastily passing legislation we should pass in a proper way.

Mr. President, I have great sympathy for the situation in which the gentleman from Westmoreland finds himself, and I would be very glad to help in whatever way I can to help in the situation, and I say to him, I make the suggestion that as to all cities and school districts other than first class, and that would cover the situation, leave cities of the first class and school districts of the first class out of it.

Mr. President, there is no longer in my opinion in Philadelphia a cry for any delinquent tax bill and I do not think there is any reason for it in Allegheny county. I am not so sure about that. I think you will find if you will consult with the receiver of taxes in Philadelphia he would prefer not to have this bill. As a matter of fact, at the time we passed these bills there was a great emergency situation, but I do not see, so far as Philadelphia is concerned, that we need this bill. I think cities of the first class and school districts of the first class ought to be out.

Mr. DENT. Mr. President, I am glad the gentleman from Philadelphia can now vote with me on the bill, because cities of the first class and school districts of the first class are out of the bill, just as he wants them.

Mr. GELTZ. Mr. President, I find enough sentiment, I think, on both sides of the Senate for an abatement act, so that I would like to ask, because of the confusion which apparently exists, that the sponsor of the bill have it go over until Monday, because I am afraid, if he calls it up for final passage at this time the bill will be defeated, and that is not the desire of the majority members of the Senate.

Mr. DENT. Mr. President, I was glad to have the bill go back to committee at the request of those who did not like the provisions of it and wanted to amend it, and the bill came out in identically the same form as it was sent back to committee.

Mr. President, I object to letting it go over until Monday because they will not know any more about it on Monday than they know now, and, Mr. President, if it is going to be defeated, let us do it now.

Mr. HALUSKA. Mr. President, the same condition spoken of by the gentleman from Westmoreland as existing in his county also exists in my county. I understand our county treasurer is prepared next week to send out notices.

Mr. President, I think we members of the rural counties should be given an opportunity to either vote for this bill or, defeat it. If Pittsburgh has a problem of its own they have had every opportunity, I know that personally, to amend the bill.

Mr. President, the gentleman from Westmoreland had the bill sent back to committee for that purpose and it came out of committee without any amendments. I think we members from the rural counties want this bill passed and if Philadelphia and Pittsburgh wish to oppose it, well and good, but I see no reason to delay a vote on this bill because next week will be to late and I therefor ask that this bill go to a vote today.

Mr. EALY. Mr. President, I desire to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. EALY. Mr. President, I desire to ask the gentleman from Cambria what notice the treasurer of his county, or the county commissioners, or whoever it may be, is going to send out next week.

Mr. HALUSKA. Mr. President, I can not answer that question as to what notice will be sent out. I just read an article in the newspaper where the county Treasurer is planning a county treasurer's sale, but what the date is I do not know.

Mr. EALY. Mr. President, as I pointed out awhile ago, the act of 1939 was not signed by the Governor until June of 1939. These treasurer's sales do not take place until August and I can not understand what notice is being sent out at this time.

Furthermore, Mr. President, if the treasurer of Cambria County or the treasurer of Westmoreland county sends out certain notices at this time that ought to help in getting in taxes, without affecting the sale. We can still postpone the sale after we get a proper bill.

Mr. HALUSKA. Mr. President, if my memory serves me correctly it seems to me we in 1939 dilly-dallied around for a long time, until we passed a resolution asking the county treasurer to stop sending out notices, and that will happen again.

Mr. President, while I am on my feet I wish to say this, it is true, however, that we passed a tax abatement bill in 1935 and also in 1937 and 1939. It is also true, however, Mr. President, thousands upon thousands of our citizens were not in a position to take advantage of that law because they did not have any employment but now within the last eight or nine months many of those persons have become employed and this is the first opportunity they have had to redeem their properties.

Mr. President, I think it is more important today than at any time in previous years because of the fact that those people are employed and are very anxious to be able to redeem their own properties.

Mr. MALLERY. Mr. President, I desire to interrogate the gentleman from Westmoreland.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. With pleasure, Mr. President.

Mr. MALLERY. Mr. President, I would like to suggest to the Senator from Westmoreland, to state rather, that in the session of 1935 I was confronted, or the legislature was confronted with this problem and I introduced a resolution which I think would better accomplish the purpose of staying any tax sales, than to vote on this bill this morning.

Mr. President, I want to assure the gentleman from Westmoreland I am very much interested in a bill of this kind. I have also listened with interest to the remarks of the gentleman from Somerset and also the gentleman from Philadelphia, and while I am in favor of the bill I think it behooves us to have a good bill and I think this bill can be improved upon.

Mr. President, I am in favor of a tax abatement bill for the reason that Blair County has not enjoyed as yet the prosperity that possibly Philadelphia and Allegheny County have enjoyed, and if the properties go to sale I feel they will simply become the properties of the County and that no great purpose will be served by having these sales.

Therefore, Mr. President, I would respectfully request the Senator from Westmoreland not to press for a vote on the bill this morning because I fear it may result in the defeat of the bill. I would suggest to the gentleman the advisability of introducing a resolution to take care of the matter.

Mr. DENT. Mr. President, I understood I was being interrogated.

Mr. MALLERY. Mr. President, I desired to make that statement.

Mr. DENT. Mr. President, with permission of the Chair I will make a statement in answer to the statement made by the gentleman from Blair.

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President, I would like to go along with the proposition of letting the bill stay over until Monday. However, Mr. President the bill is identically the same bill and practically the same bill that every man on this floor voted for in 1937 and 1939, and those of us who were here in 1935 also voted for practically the same bill.

Mr. President, I remember in the House in 1935 we had a bill similar to what the gentleman from Philadelphia, Mr. Shapiro, asked for, all inclusive, and it took us over three weeks—over three weeks to argue the point with the Philadelphia delegation and the Pittsburgh delegation and after three weeks argument we came out with this bill you gentlemen see before you now.

Mr. President, you are not going to gain anything. If you have any suggestions that will show me right now this can be made a better bill I would be willing to have the bill go over until June, but Mr. President, this bill is identically the same bill which is on the statute books today. What suggestions have you? Show them to me.

Mr. McGINNIS. Mr. President, one suggestion is the bill

might be made to apply to municipalities at their discretion. That may be objectionable but it is something that has not been considered much and if it were left that way it would leave Philadelphia out.

Mr. COLEMAN. Mr. President, I share the anxiety of the members on both sides of the House, if the sponsor insists upon pressing for its passage at this time. I do not think anything can be accomplished by preventing the sending out of any notices in his particular county. That is what the county treasurer is supposed to do on tax sales.

Mr. President, with the thought in mind of the presentation of a resolution on Monday asking the county treasurers to delay sending out notices of tax sales and in order to prevent this bill from being defeated today, I desire to make a motion, in order to give the parties interested an opportunity to study the bill over the weekend.

MOTION TO PLACE SENATE BILL NO. 125 ON CALENDAR AS SPECIAL ORDER OF BUSINESS

Mr. COLEMAN. Mr. President, I move that Senate Bill No. 125 be made a special order of business at 4:45 p. m. on Monday, March 3rd.

Mr. COX. Mr. President, I second the motion of the gentleman from Lackawanna.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated

Mr. COLEMAN. I shall be delighted, Mr. President.

Mr. DENT. Mr. President, what is the purpose of having Senate Bill No. 125 made a special order of business on Monday? If you want those who are discontented with the bill to have a chance to amend it, you had best send it back to committee or leave it on the regular calendar without it being made a special order of business, because, Mr. President, under a special order of business you can not amend that bill. Mr. President, what is the purpose of having the bill made a special order of business?

Mr. COLEMAN. Mr. President, my purpose is that I gathered from the remarks made by both the Democratic and the Republican members of the Senate that in event this bill is pressed for passage at this particular time we do not have enough votes to pass it and my purpose in making the motion is to save the bill.

Mr. President, I am tremendously interested in an abatement tax bill and in every session of the Legislature. including the two terms I served in the house, I presented tax abatement bills. In the 1937 session the bill I presented became a law of the Commonwealth.

Mr. President, I have a fear in the event we do not make Senate Bill No. 125 a special order of business it is going to be licked. There is a possibility, however, even though the bill is made a special order of business, if I understand Senate procedure correctly, of recommitting the bill at that particular time.

Mr. DENT. Mr. President I do not intend to vote to make Senate Bill No. 125 a special order of business; I want it voted on right now.

Mr. President, I think there are enough votes right here present on the Senate floor to pass the bill now, because as I understand the act it does not affect Philadelphia and out of courtesy I think they will go along with the rural districts. Some of them will vote for the bill and others will vote against it. I ask those of you who are in favor of this bill to record yourselves by voting in favor of the bill and if you are in favor of the bill you will oppose the motion and you will vote against postponing action on this bill untill Monday.

Mr. CAVALCANTE. Mr. President, I see in the matter now before us a question that has been a curse to some citizens of this Commonwealtth and a benefit to others. I see in this discussion that long standing difference between the representatives who come from the city districts and the representatives of those who come from the rural districts.

Mr. President, this bill is framed and drawn purposely to take care of a situtation that pertains to the rural districts of this Commonwealth and nothting else. The bill itself in its title specifically excepts cities of the first class and specifically excepts the school districts of the first class and applies solely to rural districts, rural counties.

Mr. President, I am alarmed, as I have been in sessions past, to see this either holy or unholy combination of Allegheny and Philadelphia constantly interposing themselves into legislation for the protection or benefit of those who come from rural districts.

I agree fully with the gentleman from Westmoreland, Mr. President, that since this bill so specifically in its provision excepts cities of the first class and school districts of the first class, I think it ought to be voted on now and not next week.

This bill is here on third reading and final passage. Everybody has had an opportunity to study this bill and I am alarmed and ashamed to hear in this body, when we examine the calendar, we have had since the opening of this Senate, to find members in this body who would say they do not know what this bill means or that they have not read this bill.

Why, Mr. President, the people of this Commonwealth ought to come down here and chase us out when they see all the work which we have done from the opening of this session in January until now, almost the first of March. Mr. President, that is too much when you count all the bills we have had on the Calendar here, we are admitting to the people of this Commonwealth we do not know anything about a bill which is now on third reading and ready for final passage, which affects so many taxpayers and home owners and farmers in the rural districts and this opposition, the interposing in the name of Allegheny or Pittsburgh and Philadelphia.

I tell you, Mr. President, it is not a holy combination; in my judgment it has been an unholy combination and very disastrous to the people of this Commonwealth, politically and otherwise. I tell you frankly, Mr. President, I think that the Republican party would have been in continous control of our Government, that the Democratic party would have never succeeded in gaining control in 1936 had it not been for the toleration given by the Republican leaders to that unholy alliance between the City of Pittsburgh and the City of Philadelphia, and I am frank to admit, as a believer in the Democratic principles of this Commonwealth, that if we tolerate that same unholy alliance we will have no hope of ever gaining again control of this state government for the purpose of applying what we believe to be democratic principles.

You can holler all you want. I have said, and I conclude by saying, there has been this unholy alliance and

at this present moment in the caucuses of both parties.

Mr. President, as far as the Democratic caucuses are concerned these two twins, these two groups, this unholy combination of Philadelphia and Pittsburgh, they get together first in their communities, the members of this General Assembly and they decide on what they want done, these two groups, and they barter and trade and corrupt each other to the fullest extent and they come down to this Capitol building, call caucuses and expect the legislators from the rural districts to attend those caucuses—for what purpose—after they who control the caucus have already decided back in their own districts, in Philadelphia and Pittsburgh, that they are going to vote the unit rule in caucus. What can we representatives from the rural districts expect, when are we going to get our rights, when are we going to get our consideration? You may laugh, you may think it is something funny but I tell you as the rural districts of this state have overcome the city gentleman in times past we will overcome you again some day at the ballot boxes with our ballots.

Mr. STIEFEL. Mr. President, the distinguished author Voltaire once made the statement about the Holy Roman Empire—that it was neither holy nor was it an Empire and paraphrasing the statement of Voltaire in reference to the remarks of the gentleman from Fayette I want to say this unholy alliance mentioned by the gentleman from Fayette is neither an alliance nor is it unholy.

Mr. President, I intend to vote for the bill and as one member of the Philadelphia delegation I object to the aspersions cast on the Philadelphia delegation.

Mr. President, I am very reluctant to cross swords with the gentleman from Fayette but I feel I would be remiss in my duty if did not make that remark.

Mr. DiSILVESTRO. Mr. President, when I cast my vote I do not want the Senate to feel I have been influenced by the bombastic Senator from Fayette or that the remarks he made with regard to an alliance between Philadelphia and Pittsburgh might influence my vote, but I was afraid if the gentleman from Cambria continued in his bombard ment I might change my mind. Mr. President, I intend to vote for the bill introduced by the gentleman from Westmoreland and I am sorry the gentleman from Fayette took this occasion to take another shot at Philadelphia and I want it noted now that my vote has not been influenced by his tirade.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Philadelphia, Mr. DiSilvestro.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. DiSilvestro permit himself to be interrogated?

Mr. DiSILVESTRO. Absolutely, Mr. President.

Mr. CAVALCANTE. Mr. President, is it true or isn't it true that the legislative members of Philadelphia have caucuses or meetings in the City of Philadelphia and decide in those meetings what their action shall be in the Democratic Caucus at Harrisburg.

Mr. DiSILVESTRO. Mr. President, confronted with such a complicated question as the Senator has placed before me I feel the discussion now is on the bill presented by the gentleman from Westmoreland and I do not feel that question is in order.

Mr. CAVALCANTE. Mr. President—

Mr. HALUSKA. Mr. President—

The PRESIDENT. The gentleman from Fayette still has the floor.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, the point of order I make is that the gentleman from Fayette and the gentleman from Philadelphia, are not discussing the motion before the House.

Mr. CAVALCANTE. Mr. President, my remarks are on the motion.

The PRESIDENT. The gentleman will confine his remarks to the motion.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Stiefel.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Stiefel, permit himself to be interrogated?

Mr. STIEFEL. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, is it true or untrue that the legislative members of the City of Philadelphia have meetings in Philadelphia and decide in those meetings what their actions shall be in the Democratic Caucus at Harrisburg?

Mr. STIEFEL. Mr. President, it is true there are conferences at which times we discuss our actions, but I state with pride that our leader, whom I consider the Gallahad of Pennsylvania's democracy, Jack Kelly, always tells each and every one of us that we may vote as we wish and we are not bound by the dictates of anybody.

Mr. CAVALCANTE. Mr. President, will the gentleman from Philadelphia, Mr. Stiefel, also state whether at those caucuses or meetings in Philadelphia you decide whether or not your vote in the caucus at Harrisburg shall be by the unit rule or as individuals?

Mr. STIEFEL. Mr. President, we do not decide that. We are at liberty to vote as we deem proper and according to the contents and tenure of the bill presented.

Mr. LETZLER. Mr. President, I am interested in the passage of this bill because those I represent I feel will be benefited by its passage. For that reason, Mr. President, I am definitely interested in a postponement of the vote on this bill until Monday, if that can be effected in any way I shall be for that, but I am interested in a tax abatement bill.

Mr. President, our county treasurer has so many properties he does not know what to do with them and we hope later on there may be ways and means by which of course the people can get them back. Up until this time, Mr. President, we have not had the benefit of the prosperity we are told is prevalent in the larger cities and I believe our people will be in a better position to pay on the installment plan than they are at the present time.

Mr. President, I am therefore going to vote in favor of Senate Bill No. 125.

Mr. THOMAS B. WILSON. Mr. President, I want to say I do not happen to come from one of those Democratic districts—Philadelphia or Pittsburgh—either one of them; I come from a rural district.

As a matter of fact, Mr. President, I have some business, as some school districts have hired me as their solicitor and I think it is not unfair to members of the Senate if a member of the Senate says he would like to return to his district and ascertain what the facts are and what should be done in regard to this, he should be allowed to that it has been perpetuated and that it is present right

have until Monday to consider this, and all this talk and blah that goes on here does not amount to anything because, Mr. President, the question before the Senate is whether or not this shall be a special order of business for Monday afternoon.

Mr. President, there ought to be some parliamentary procedure by which we could stop some of this and get through with some of our business.

Mr. President, the gentleman from Fayette complains that we are doing so little work; I think if the gentleman would give a little consideration to the reasons why we have done so little work, maybe we can get along a little faster in the future.

QUESTION OF PERSONAL PRIVILEGE

Mr. KEPHART. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia, Mr. Kephart, will state his question of personal privilege.

Mr. KEPHART. Mr. President, I wish to point out in connection with the remarks by the Senator from Fayette concerning an unholy alliance and the aspersions cast on the counties of Allegheny and Philadelphia, the gentleman from Fayette can speak only for the Democratic party on this question and not for the Republicans. The Senator from Fayette has no knowledge of what occurs in the Republican caucus but I can assure him there are no such unholy alliances as he points out exists within the Democratic party.

Mr. COLEMAN. Mr. President, I have heard a number of speeches on the Senate floor replete with statements, the import of which are tremendously misleading.

I do not want to inject myself into the quarrel between the urban and the rural members of the Legislature, but I do want to make a statement about what my good friend, the gentleman from Westmoreland, says about the vote on this particular question.

Mr. President, he said in his closing remarks that if you are against the bill vote for the motion to postpone action, to make it a special order of business, and if you were for the bill to oppose the motion.

Mr. President, I think that is an unfair implication. The motivating influence behind the motion I made was to save the bill. Mr. President, I am interested in the bill and I do not think there is any basic difference between myself and the gentleman from Westmoreland, as we are both for the bill, but there seems to be some difference in the matter of policy.

Mr. President, I am tremendously interested in seeing this bill passed and that is the impelling force behind my motion to make Senate Bill No. 125 a special order of business next Monday.

Mr. McGINNIS. Mr. President, I regret exceedingly to hear any Senator on this floor impugn anything improper to any other member. I was hurt to hear remarks made on this floor that impugn any other Senator and in these times especially it hurts extremely to have any person on this floor—I will say with good intentions—array class against class. Mr. President, that is an old trick of those who have torn down governments in Europe, to bore from within and array class against class.

I am sure every Senator on this floor in the years they have been here could go to Allegheny county or to Philadelphia and if they needed help for their counties and the classes of their cities or counties that they would receive sincere and honest help. I am also sure the reverse is true. Whenever the City of Pittsburgh, the county of Allegheny or the City of Philadelphia is concerned. We have a right to be concerned for our people, we represent them, and if we go to you with a proposition that affects only our municipalities we have always received from Republicans and Democrats a sympathetic ear and an honest ear and I am sure that is the feeling of nearly every Senator on this floor notwithstanding some of the remarks that I am going to apologize for in this way, I attribute to the maker of those remarks the sincerest purpose but the effect in these times is not so good.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, will the Chair inform this house just what is before us—passage of the bill or the motion to postpone action on the bill until next Monday.

The PRESIDENT. The Chair is glad the Senator has raised that point. The question before the House is the motion of the gentleman from Lackawanna which was seconded by the gentleman from Allegheny, Mr. Cox, that Senate Bill No. 125 be made a special order of business at 4:45 p. m. Monday next, March 3, when it will be on final passage. This bill has already passed third reading.

Mr. HALUSKA. A further point of information: is the bill now on third reading.

The PRESIDENT. It is.

Mr. HALUSKA. Mr. President, therefore, it is possible for that motion to be in order? Is it not necessary either to postpone this bill for the present and make that motion or have the bill passed over in order? Can that motion supersede a bill passed on third reading?

The PRESIDENT. The Chair understands in answer to the question of the gentleman from Cambria it would be necessary for a Senator who voted with the majority to reconsider the vote by which the bill passed third reading.

Mr. HALUSKA. That is my point, Mr. President.

Mr. DENT. Mr. President, that is exactly the reason I made the statement I did.

Mr. President, in answer to the statement of my good friend and old colleague in the House I want to say that every weekend when I go home I take with me a copy of the latest Calendar and a copy of the latest History and when I come in on Monday, during the six years I have been here I have never had to ask that any bill go over until the next week, that has been on the Calendar of the previous weekend.

Mr. President, this bill has been on the Calendar previously, over the last weekend, and every opportunity was given to every member to go home and contact those vitally interested in this question.

Mr. President, that is why when I come here today I have a legitimate argument, for my county treasurer is going to send out tax sale notices, because I went back and asked him and he is the one directly and vitally interested in quick passage of this bill.

Mr. President, we do not need to think whatever we pass here will be accepted by the House in the identical

form we send it to the House, and if there is no opposition—and this has been done before when the end justified the means employed—if there are any amendments that will make this a better bill, let it be amended in the House, with the co-operation of the House, and still serve the purpose of notifying county treasurers in the State of Pennsylvania, third class counties, that this Legislature and this Senate particularly is interested enough to pass an abatement bill.

Mr. President, I have not heard one amendment suggested other than the one suggested by my sensitive friend from Allegheny, Mr. McGinnis, and that is to make it optional on the part of the municipality.

Mr. President, we had that argument here during three successive sessions and if the gentleman from Allegheny, Mr. McGinnis, will recollect he will remember that was defeated on the floor of the Senate and also in the House after lengthy debate and I sincerely believe if we were to take a vote to reconsider passage of this bill on third reading and postpone it until Monday night we would absolutely be saying to county treasurers in third class counties of the State of Pennsylvania we do not care whether they send out tax notices or not and instead of helping the taxpayer we will be further increasing his burden by spending money needlessly.

Mr. President, I therefore oppose the motion of the gentleman from Lackawanna, that Senate Bill No. 125 be made a special order of business, if that is the motion now before the Senate. Let us pass the bill or defeat it. I stand entirely on the record as made.

Mr. HENRY I. WILSON. Mr. President, the question before the Senate is whether Senate Bill No. 125, known as the Tax Abatement Bill, shall be made a special order of business for next Monday afternoon at 4:45 o'clock. This seems to me like a very reasonable request because of the nature of the bill which is before us.

Mr. President, the nature and character of this bill is very farreaching and the evident sincerity of those who have debated it is clear to everyone who is here, but there is one point that is pertinent on the question of making it a special order of business that has not been touched upon.

Mr. President, a tax bill is a very necessary evil, some people call it, but it is a very necessary thing, to have the business of a county or any municipality properly taken care of.

Mr. President, we have had this Tax Abatement Bill before us, as has been said, and no party can be accused of unnecessarily delaying or should be accused of unnecessarily delaying the bill. What we should do is to try to work together to try to get as much of these taxes in as fair a manner as is possible to make our tax laws a success. The truth of the matter is that there have been too many of us in the House and in the Senate who have been catering, as reported, to people who are oppressed, to the taxpayers of this state, and they all have our sympathy, that is true, but this eternal dickering, this eternal delaying and this eternal trying to tell another district what they should or should not do, this anxiety to serve a particular class of people, has really gotten out of bounds.

Mr. President, I do feel it is the duty of every Senator to take note of this bill and to go back home and consult his constituents, consult the county commissioners who have a very great part in the collection of taxes; secondly, consult every tax collector of every county, to see, to know and find out just exactly how the other bills had worked and what the effect of them was.

Mr. President, if some of the members of this Senate had had the experience as I have had, forty-eight years of making tax duplicates, and forty-eight years of sitting behind a desk talking to taxpayers and forty-eight years coming in contact with those rural people, of whom the Senators from the larger districts take so great an interest, they would know it is impossible to tell the effect of a bill immediately.

Mr. President, I feel it would be entirely wrong to force a vote on this bill today, without knowing what the County Commissioners have to say, without knowing what the tax collectors have to say and without knowing what your immediate constitutents would have to say to you when you go back to inquire.

Mr. President, I regret exceedingly that the political situations in these different portions of the State are such that it makes it necessary that they be brought forth on a question of a tax bill which refers to tax abatement.

This is a technical matter, this is a matter we ought to see what is right to be done, not how it effects our political party, and I say to this Senate I think it should be postponed at least a week longer than March 3rd, but so far as I am concerned that will be long enough.

Mr. President, I wonder if everybody can take the bills home as has been suggested by the gentleman from Westmoreland and learn these things merely by opening books; you cannot get far doing that on a tax matter, as you ought to consult your auditors, your commissioners of the different districts, you ought to consult the tax collectors, you ought to consult the people you are hoping to serve. We want to be sure now, and because of the nature of this bill we are not sure, but you may by this Senate just debating for a few moments on the merits, prevent interference with many of the plans that have been working out at home on the new home rule and so forth and some of these present taxes you want to hold back.

Mr. President, surely this Senate does not want to do anything to discourage people from paying their taxes; on the other hand if the officials have worked out something that is all right and they believe a bill of this kind would be best there will be no question of getting it passed, but there is no necessity in hurrying it.

Mr. President, therefore I join in the motion of the gentleman from Lackawanna to make Senate Bill No. 125 a special order of business for next Monday afternoon at 4:45 o'clock, with the public assertation I think it should be one week longer and that every Senator in this room should confer with the people back home, rather than with each other on the question of political expediency.

PREVIOUS QUESTION

Mr. EDMONDS. Mr. President, I move the previous question on the motion made by the gentleman from Lackawanna, which I understand was to make Senate Bill No. 125 a special order of business next Monday afternoon.

On the question,

Will the Senate agree to the motion?

The roll was called.

(During the calling of the roll.)

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, I understand Senate Bill No. 125 has received third reading and I insist the motion is out of order.

The PRESIDENT. The Chair rules the point of order of the gentleman from Cambria is not well taken.

MOTION TO ADJOURN

Mr. DENT. Mr. President, I move the Senate do now adjourn until next Monday afternoon at 4:00 o'clock.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, I submit there is nothing before the Senate except the announcing of the vote on the motion.

The PRESIDENT. The Chair rules the point of order of the gentleman from Allegheny is well taken.

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—32

Bartlett,	Ealy,	Letzler,	Taylor,
Becker,	Edmonds,	Mallery,	Thomas,
Carr,	Farrell,	McGinnis,	Tyler,
Coleman,	Geltz,	Miller,	Wade,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Kephart,	Tallman,	Ziesenheim,

NAYS—11

Cavalcante,	DiSilvestro,	McQuiddy,	Stiefel,
Chapman,	Haluska,	Reed,	Walker,
Dent,	Lanius,	Snowden,	

So the question was determined in the affirmative.

The PRESIDENT. The vote on the motion was 32 yeas and 11 nays, the question is determined in the affirmative, and Senate Bill No. 125 is placed as a special order of business on the Calendar for Monday, March 3, 1941.

HOUSE RESOLUTION NO. 19 CALLED FROM THE TABLE

Mr. MILLER. Mr. President, I now call from the table House Resolution No. 19, Printer's No. 28.

Mr. WALKER. Mr. President, I second the motion.

It was agreed to.

The resolution was twice read, considered and agreed to.

In the House of Representatives, February 10, 1941.

Whereas December 15 1941 will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments and

Whereas This date which is ordinarily significant assumes unusual importance at this particular period in the history of our Nation and of the world when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home and

Whereas The American Legion Spanish American War Veterans and Veterans of the World War and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to designate December 15 1941 as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day and be it further

Resolved That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States each of the presiding officers of the two branches in Congress and to each United States senator and member from this Commonwealth.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 152, entitled:

An Act authorizing and directing the Department of Military Affairs to compile, edit, publish, and distribute books, listing the names of the veterans of the wars and expeditions, in which the United States has engaged; authorizing said department to procure and accept a Federal Works Progress Administration grant; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. GELTZ. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. GELTZ. Mr. President, on the tenth of February, 1941, the Senate passed a resolution sponsored by the gentleman from Washington, Senator Reed, requesting certain information from the records of the Department of Public Assistance.

Mr. President, on the eleventh of February, the day following an inquiry was directed to me by Mr. Russell for certain explanations in connection with the resolution and further advising the Senate that there were certain matters in the request for information which the Secretary felt possibly he should not properly under the law submit to the Senate.

Mr. President, I want the Senator from Washington to understand Secretary Russell has in no way delayed this matter, as the letter came to my office after I had departed from Harrisburg that week, and in view of the fact I was not here last week that accounts for the delay in this matter.

Secretary Russell yesterday informed me certain of this information is ready. Since he wrote that letter, he has

the items which apply to paragraph A and D prepared.

Mr. President, paragraph A provides the number of employes of the state department, and paragraph D provides the number of employes that have resigned or have been furloughed or dismissed during the last year, with their names and salaries.

Mr. President, the two paragraphs which he raised some question about are, first, paragraph B, asking for the names, family addresses and salaries of all males and if available, a statement as to whether they are married or single. Paragraph C provide for all information as to the names, family addresses and salaries of all female employes, and so forth.

Mr. President, after making this explanation as to what apparently was the cause of the delay, I will turn this communication over to the sponsor of the resolution. I suggest we take it up together, both sides, and see what can be worked out.

Mr. REED. Mr. President, I am glad the Senator from Allegheny called the Senate's attention to that letter, because I just started back to the stenographic room in order to address a letter to Mr. Russell asking about the delay. The information that has been requested is vital to every member of the Senate and is also of much interest to the people of Pennsylvania.

Mr. President, I will be very glad to sit down with Mr. Russell or the Senator from Allegheny or anyone else designated in order to expedite the obtaining of this information. However, Mr. President, it is singular and strange to me, that Mr. Russell should not have addressed more particularly a letter to the sponsor of the bill, if he had been sincere in his endeavors to straighten out the difficulties brought about by this resolution.

Mr. President, I shall again repeat that I will be glad to cooperate with the gentleman from Allegheny in hurrying the obtaining of this information along.

Mr. GELTZ. Mr. President, I have a high regard for the fairness of my colleague from Washington County, but I think after the explanation which I made as to the cause of the delay in this matter, he is somewhat unfair in criticizing the secretary for what is not his fault, because as I explained, it was my fault. I was not here last week or this matter would have been brought to the Senate's attention last week, and I think the fact that Secretary Russell directed that communication to me the day after the resolution was passed in the Senate shows he was apparently trying to act in good faith.

Mr. President, I think possibly the criticism is correct in that the communication was not also directed to the sponsor of the resolution, but it is not fair to impugn any lack of good faith on the part of the Secretary of Public Assistance.

Mr. REED. Mr. President, I repeat, I am not criticizing in any way the action of my good friend from Allegheny, but I still insist that if Mr. Russell, the head of the Department of Public Assistance, was vitally interested in hurrying the obtaining of this information along, he would have sent a copy of that letter to the sponsor of the resolution whom he knew very well—perhaps too well.

REPORT BY PENNSYLVANIA ECONOMY LEAGUE

The PRESIDENT. The Chair wishes to lay before the Senate a report made to the State Government Commission of the Commonwealth of Pennsylvania by the Pennsylvania Economy League, being a study of the tax system of Pennsylvania and a comparison with systems of neighboring industrial states.

If there is no objection, it will be noted in the Journal and I understand copies of the report have been distributed among the Senators.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Montgomery will state his question of personal privilege.

Mr. EDMONDS. Mr. President, I think the Senate will be interested to know it is always difficult to procure information.

Mr. President, about a week ago I introduced a resolution to the Senate calling upon the Secretary of Welfare, Public Assistance and Pensions to advise the Senate as to the addresses of the ninety-three municipal authorities mentioned, and requesting certain information from them.

Mr. President, the Secretary did his work with commendable speed, and has advised me that eight have already been returned by the post office with addresses unknown, so that it looks to me as if we ought to inquire how many municipal authorities are in our district and where they are functioning and what are their addresses.

MOTION FOR RECESS

Mr. GELTZ. Mr. President, in order that the bill which was enacted by agreement, Senate Bill 202, which is the Appropriation Bill may become law, as is very necessary because of the depletion of the former appropriation, it will be necessary for the Senate to take a recess and then come back so that the bill may be signed by the presiding officer of the Senate.

Before making a motion that this recess be taken, I would like to advise my colleague that at 7:45 a. m. this morning over fifty units of the 107th Field Artillery left the western end of the Turnpike.

About twenty or twenty-five minutes ago they had arrived at Carlisle. This possibly will give us an opportunity to see the largest group of mechanized units we have had heretofore or may have for some time.

Mr. President, this 107th regiment will come through Harrisburg and should start to come through in possibly the next fifteen minutes and probably pass in front of the Capitol.

LEAVE OF ABSENCE

Mr. DENT. Mr. President, may I ask permission to be excused for the rest of the week?

The PRESIDENT. If there is no objection, leave will be granted.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 2:00 o'clock, p. m.

Mr. DENT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 262

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 262, entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill 262, (Senate Bill No. 202), entitled:

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bill of the House, as follows:

House Bill No. 349, (Senate Bill No. 265), entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost: and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Municipal Government.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 3, 1941 at 4:30 o'clock, p. m.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:33 o'clock p. m., until Monday, March 3, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 26, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Almighty God, Our Heavenly Father, Father of us all and of all mankind, we recognize Thee this day, not only as the Creator of all things but also the giver of every good and perfect gift. This day, known as Ash Wednesday throughout the world where Thy word has been fruitful, marks the beginning of a great season when men and women everywhere will once again live through to the forty days' fast of Moses, and Elijah, and of Jesus. May we not only think of their lives and their sacrifices, but may we respond by keeping watch over our lives throughout this lenten period—our every act; that it may be a worthwhile one; our every word, that it be pure and undefiled before Thee, O God. Teach us not only how to pray but likewise how to live for Thee and with our fellowmen. In Thy name, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. NORMAN WOOD, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. CHUDOFF. HOUSE BILL No. 603.

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn.

Referred to the Committee on Judiciary General.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 604.

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure, "by defining further the duty of support of indigent persons by children or grandchildren.

By Messrs. WILLIAMS and KENEHAN. HOUSE BILL No. 605.

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof, under the supervision of the Department of Mines, for the purpose of developing new uses and markets for anthracite and bituminous coal.

Referred to the Committee on Appropriations.

By Mr. O'BRIEN. HOUSE BILL No. 606.

An Act to amend section six hundred ninety-nine and four-tenths of the act, approved the twenty-fourth day

of June, one thousand nine hundred and thirty-nine (P. L. 872) entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by further extending and regulating the provisions regarding worldly business on Sunday.

Referred to the Committee on Judiciary General.

By Mr. O'BRIEN. HOUSE BILL No. 607.

An Act to further amend section twenty-four of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing the tax upon premiums of insurance companies of other states or foreign governments.

Referred to the Committee on Ways and Means.

By Mr. O'BRIEN. HOUSE BILL No. 608.

An Act providing for liens in certain cases; repealing all acts or parts of acts inconsistent herewith; and establishing priorities.

Referred to the Committee on Judiciary General.

By Mr. WEINGARTNER. HOUSE BILL No. 609.

An Act to amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto changing the qualifications of historical societies to receive county appropriations.

Referred to the Committee on Municipal Corporations.

By Mr. WEINGARTNER. HOUSE BILL No. 610.

An Act to amend clause forty-seven of section two thousand four hundred three of the act, approved the twenty-third of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the qualification of historical societies to receive appropriations.

Referred to the Committee on Municipal Corporations.

By Mr. MALLOY. HOUSE BILL No. 611.

An Act providing for the acquisition by the Department of Forests and Waters, in the name of the Commonwealth, of certain lands in Luzerne, Sullivan, and Wyoming Counties, for use of as a State Park; making an appropriation for said acquisition; providing for the management of said property by said department and defining the uses to which the property shall be put.

Referred to the Committee on Appropriations.

By Messrs. WEISS and MAXWELL. HOUSE BILL No. 612.

An Act to protect the public against fraud; requiring all real estate brokers and salesman soliciting, accepting or receiving payments of principal or interest on mortgages or judgments as agent, employe or attorney-in-fact or another, to file a bond with the Department of Public Instruction for the protection of the payers; and prescribing penalties.

Referred to the Committee on Professional Licensure.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Boney for Mr. WILKINSON on account of illness.

REPORTS FROM COMMITTEES

Mr. Brown from the Committee on State Government reported as committed, House Bill No. 312, entitled:

An act to amend clause (e) of section five of the act, approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation," by providing for furnishing artificial limbs to children over ten years of age.

Mr. HARKINS from the Committee on Education reported as committed, House Bill No. 1, entitled:

An Act to further amend paragraphs six and nineteen, and to eliminate paragraph seven, of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, "fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

Mr. HARKINS from the Committee on Appropriations, re-reported as committed, House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

Mr. D'ORTONA from the Committee on Welfare, reported as amended, House Resolution No. 29.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows

HOUSE BILL No. 262.

An Act making a deficiency appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by inserting after the word "Assistance" the words "and providing for certain allocations therefrom;" also in line 5, by inserting after "forty-one" the words 'and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine."

Amend Section 1, page 1, line 4, by striking out after "Assistance" the words "to provide assistance and for local and certain state administrations expenses in the manner provided in the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred forty-one and inserting in lieu thereof the following: "for the payment of assistance administrative expenses and expenses of liquidating the State Emergency Relief Board as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred thirty-nine and for the payment of assistance administrative expenses expenses of liquidating the State Emergency Relief Board attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine."

Amend Section 2, page 2, line 2, by striking out after the word "allocate" the following: "from time to time among the several county boards of assistance funds with which to provide assistance and administrative expenses Allocations so made to a county board of assistance shall be available for expenditure in that county for assistance and for administration expenses in the manner provided by the Public Assistance Law," and inserting in lieu thereof the following: "funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department."

Amend Section 3, page 2, by striking out all of said section as follows: "Section 3 out of the moneys appropriated by section one of this act the Governor Auditor General and State Treasurer shall from time to time allocate to the Department of the Auditor General and the Treasury Department such sums as they deem necessary to pay the administrative expenses of said departments in auditing and disbursing the appropriation made by this act," and inserting in lieu thereof a new Section 3, as follows:

"Section 3 Out of the moneys appropriated by section one of this act there is hereby allocated to the Treasury Department the sum of one hundred eighty thousand dollars ($180,000) to pay the administrative expenses of said department in disbursing the appropriation made by this act and any other appropriations that may be made for assistance during the biennium. Any unexpended balance of this allocation shall lapse into the General Fund."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ACHTERMAN. Mr. Speaker, I think the House should have the benefit of a complete history of the procedure under this bill, as well as a brief history of what has transpired in relation to appropriations to the Department of Assistance since 1939.

To have a basic knowledge of what occurred under this bill as it was originally introduced in the House, one must relate back to similar measures that were passed in 1937.

I wish to call to the attention of the Members of the House that a reading of the appropriation acts to the Department of Assistance, in the act of 1937, and I might say in that case the bill provided that, "the Governor, with the approval of the Auditor General and the State Treasurer shall from time to time allocate to the Department of the Auditor General and the Treasury Department from the appropriations made by this House such a sum for as may be deemed necessary to administer the expenses of the Department of the Auditor General and the Treasury Department."

The Members will note that in 1937 we treated the Treasury Department and the Auditor General as being duly elected officials of this Commonwealth by the majority vote of the people. We placed them on a plane where they were higher than a bureau chief; we placed them on the plane on which their office entitled them to be placed. We made no effort to play politics with relief.

Let us follow with what occurred in 1939 and the injection of politics into relief bills. In 1939, in the general appropriation act for the Department of Assistance, you will notice this change in the wording of the act. The section was changed to read: "Out of the moneys appropriated by Section 1 of this act the Governor", not with the approval of the Auditor General and the State Treasurer, but "the Governor shall from time to time allocate to the department of the Auditor General and the Treasury Department respectively such sums as may be necessary to pay the administration expenses of the Department of the Auditor General and the Treasury Department."

Now, what was the effect of the wording in the act of 1939? It compelled two duly elected officials of this Commonwealth to have recourse to the Governor's department and to become. as a matter of fact, nothing but bureau chiefs under his command. That, I say, was the first indication of the playing of politics by the Republican Governor.

Let us follow and see what the Governor did in the special or extraordinary session of nineteen hundred and forty. In that act it provides as follows:

"Out of the moneys appropriated by Section 1 of this act the Governor shall from time to time allocate to the Department of the Auditor General and the Treasury Departments respectively such sums as he, the Governor, may deem necessary to pay the administration expenses of the Department of the Auditor General and the Treasury Department". First of all he proceeds to take the Auditor General's office and the State Treasurer's office and by inference make them bureaus under the Governor's office, to ladle out moneys, for the disbursement of the necessary relief funds. Then finally he says, "I am going to be the man who is going to determine what shall be ladled out".

Let us follow on with what happened as the result of all these actions. We find the State Treasurer's Department curtailed, and curtailed to the point that it no longer was able to function as it should, and when I say that I say it intentionally, for the reason that we find the Auditor General was unable to meet all the expenses he had incurred in the disbursement of relief. Always heretofore the Auditor General in the exercise of his office saw fit to send into the field investigators to determine whether or not chiselers were receiving relief funds. With the advent of the Republican administration that was discontinued. The Auditor General no longer has a force to send into the field to investigate chiselers. Here is a force that has been cut more than in half and all that he can do today is to send a few men out into the offices to investigate applications for categorical relief. By categorical relief I mean old age assistance, assistance for the blind and for dependent mothers or dependent children. These investigations are purely superficial. What has resulted? This has resulted: The Joint State Government Commission, in its

official report has called the attention of this House to the chiseling on the part of reliefers and they have given you samples of chiseling in the city of Philadelphia and in the city of Pittsburgh. My recollection is that they have indicated that there has been chiseling to the extent of 17 percent, and the report recommends that this should be stopped. Can we not here today add an addition to that report to say to this Republican Governor, "If you had stopped playing politics with relief, if you had given to the Departments the power that was originally vested in them, if you had given them sufficient funds to proceed with their activities and their purposes, the chiseling that the General State Government Commission found would not be in existence today." That is the politics that I am saying has been played in the appropriation bills and relief.

May I show further the state in which we found the conditions existing between the Treasurer's office and the Governor's office? We found that the Treasurer was compelled to go into the Governor's office, hat in hand asking for money to distribute the relief we had appropriated. We found that the allocation by the Governor was insufficient to properly operate the office.

We find in this bill that we are about to vote upon the Governor had made no effort to correct that condition. Finally we decided that that condition should no longer exist in this Commonwealth. We decided that this Governor no longer should make a political football of relief. So we went to the Treasury Department and we ascertained what it would cost, and here are the figures and how we arrived at the amount. We found that the payroll for the next three months will be one hundred thousand dollars; we found that the postage for the mailing of the checks would be fifty thousand dollars; we found that the traveling expenses would be seven thousand dollars we found that the maintenance expense would be nine thousand dollars, and we also found a deficit of fourteen thousand dollars which makes a total of one hundred and eighty thousand dollars, the sum which the Treasury Department has been consistently asking this Governor to furnish it. We said, "Mr. Governor, these conditions shall no longer continue, we shall put the amount in the bill, we shall stop you fro mplaying politics in relief." That is the reason we today are concurring and asking your support in this measure.

Mr. WOODSIDE. Mr. Speaker, I will say in the beginning of my talk that I propose to support the amendments which were introduced in the House. But I do want to make a few remarks concerning what has been said by the gentleman on the other side.

It was interesting to me that the floor leader of the Democratic party was pleading not for those on relief but for those people who maintain jobs in sending out relief checks. I need not say anything about the Auditor General's Department because there is no contest between the Auditor General's Department and the Governor, and there is nothing in this quarrel to regulate the amount which the Auditor General is to receive. He will receive the same amount that was given him prior to this time under the former bill. There is no dispute about that. But let me say this, since the gentleman from Monroe has injected it into this discussion. while the Auditor General's Department was making these investigations which the gentleman feels were so unfortunate, at a cost of many thousands of dollars a month, they found that the number of chiselers that they were able to expose was somewhat in the neighborhood of seven per cent while the Joint State Government Commission, at an expenditure of somewhat less than five thousand dollars was able to carry out investigations in the city of Pittsburgh and the city of Philadelphia, has shown by their investigations that relief chiselers were in the neighborhood of seventeen per cent.

Let us turn for a moment to these acts to which the gentleman has referred, insinuating that the Governor has taken, or has assumed power which previous Governors did not have. Let us look at the act of 1937 and analyze that matter which he has read to you concerning allocations from the relief fund to the State Treasurer by the Governor. It starts out "the Governor with the approval of the State Treasurer and the Auditor General". The gentleman is a lawyer and knows well what it means. It means that the governor in the first instance must set the amount, and that then the Auditor General and the State Treasurer pass upon the amount. The Auditor General and the State Treasurer have no right to determine the amount. They only have the right to approve the amount and that is the way the act read in 1937.

In 1939 it said that "the Governor shall allocate such amounts to the State Treasurer and the Auditor General as are necessary". There is no marked change in that because the procedure is exactly the same. The Auditor General and the State Treasurer can not veto the amounts that they are to receive, which right they had under the act of 1937, but which was a foolish provision because it did something which never could occur.

Then we can turn to the act of 1940 which follows in its operation exactly the same procedure as the act of 1939. Now, let us turn to the amendment which the gentleman offered to this bill and see what the intent was and what effect that would have. The gentleman on the other side, when this bill was up for second reading, introduced an amendment to the appropriation for relief, for what purpose? For the purpose of creating a board composed of the State Treasurer, the Auditor General and the Governor, to determine how much money should be paid to the Auditor General and the State Treasurer. Of course, his thought in the matter unquestionably was that there was a Democratic Auditor General and a Democratic State Treasurer and that they could take as much money out of the relief fund as they wanted for the purpose of creating jobs.

Let us look at some figures in connection with this. The State Treasurer was receiving in October of 1939 the sum of sixty thousand dollars; in November and December of 1939 and in January, February, March, April and May of 1940 the same amount. At that time he had accumulated a deficit in the sum of forty-five thousand six hundred and nine dollars for which it was necessary for him to receive funds from the Governor. The Governor gave him those funds, but when he was expending approximately the sum of sixty-five thousand dollars, including the deficit, the relief rolls were three hundred and seventy-five thousand five hundred and twenty-one dollars. In January of 1941 the Governor allocated to the State Treasurer fifty thousand dollars, and at that time the relief rolls were down to three hundred and six thousand dollars. But not only that, in the mean time the State Treasurer had ceased to write checks. That func-

tion was being carried on by the Department of Public Assistance. Therefore it was not necessary for him to have the same amount of money per case as he had before. Under these circumstances, Mr. Speaker, I think it is perfectly evident that what was intended by the amendment that was put in by the gentleman from Monroe, and which was taken out by the Senate, and this provision substituted, indicates that they wanted to make sure that these jobs would be protected.

The pleading which the gentleman on the other side has been doing is not being done for the people on relief, and has nothing to do with the playing of politics with relief, because playing politics with relief I think is when you take money out of the relief fund for the purpose of spending it on jobs. That, it seems to me, is playing politics with relief, but when you keep them from taking money out of the relief fund for creating politicial jobs, I do not think that is politics.

So there may be no misunderstanding on this other point, a great deal was made at the time this bill was on second reading with regard to the fact that there was no provision in it for of a certain sum, and I suggested at the time that the reason was that there was sufficient money out of the other appropriation for the payment of the necessary expenses of the State Treasurer and the Auditor General. That there may be no mistake about that, let us refer to the funds available for allocation to May 31, 1941, out of act 28-A of the regular session of 1939, and out of act 6-A of the special session of 1940, they being the only acts which made appropriations for relief. Out of act 28-A, there was a possible allocation of one hundred and fifty-four thousand dollars to the State Treasurer, and out of act 6-A there was a possible allocation of sixty thousand dollars, making a total of two hundred and fourteen thousand dollars for allocation to the State Treasurer to carry on the work, February 26th to May 31, 1941. That is an amount of over seventy thousand dollars per month, which is even in excess of the amount which the Legislature is now allowing them.

There was allowed to the Auditor General out of act 28-A the sum of five thousand and one hundred dollars, and out of act 6-A the sum of thirty-seven and five hundred dollars, or a total of forty-two thousand and six hundred dollars, for three months to the Auditor General which was generally in accordance with the previous amount which had been allocated to the Auditor General in the sum of thirty-seven thousand and five hundred dollars, so that there was sufficient allocation to the Auditor General as well as to the State Treasurer.

Now, I want to call to the attention of the Members of the House another thing. I haven't had time to look up the figures on it, but I know when the amount of one million dollars was set in act 28-A as the amount to be allocated to the State Treasurer in 1939, that was a larger percentage of the amount to be spent than has been allowed to the State Treasurer under the prior administration, when the Governor and the State Treasurer were of the same party. I merely point that out to the Members of the House in order to show you that this was not a matter of playing politics or trying to keep the Treasury Department from receiving the necessary funds to carry out the necessary functions of the government.

After a meeting with the representatives of the State Treasurer in which they stated, and we took their word for the fact that it was necessary to have one hundred and eighty thousand dollars to carry out the functions of that Department for the balance of this biennium and to pay a deficit in the neighborhood of fourteen thousand dollars, and facing the danger of those people on relief not receiving their checks that should be mailed out on Friday or at least on Monday, the Senate agreed to make this one hundred and eighty thousand dollars a specific amount allocated to the State Treasurer for the balance of the biennium. I think it was a reasonable compromise and I suggest that the members on this side of the House go along, but I thought it important to call their attention to some of the things which were brought out by the gentleman on the other side and some of the facts which he did not bring out, which have a very direct bearing on the issue.

Mr. HARKINS. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. HARKINS. Mr. Speaker, I desire to inquire of the gentleman from Dauphin, Mr. Woodside.

stood him to say that the Joint State Government Commission had ascertained that seventeen percent of the people on relief in Pittsburgh and Philadelphia were chiselers.

Mr. WOODSIDE. I think I did say seventeen percent, but I understand that that was erroneous. It was between fifteen and sixteen percent of those investigated who were discovered to be chiselers.

Mr. HARKINS. Mr. Speaker, do I understand the gentleman from Dauphin to say that that percentage applies only to cases that were investigated.

Mr. WOODSIDE. Mr. Speaker, that is certainly true. We did not investigate every case in the Commonwealth of Pennsylvania nor did we investigate every case in the city of Pittsburgh. The figures which I have given you related to those cases which were investigated but I think those investigated comprised a fair sample.

Mr. HARKINS. Mr. Speaker, I desire to inquire of the gentleman from Dauphin whether or not the cases that were investigated were cases concerning which complaints had already been made.

Mr. WOODSIDE. Mr. Speaker, at the request of the gentleman from Delaware, Mr. Turner, I am going to yield to him as he was the Chairman of the Joint State Government Commission, and ask him to answer the questions. I think I know what he is going to answer, but I think perhaps it would be more advisable for Mr. Turner to answer it.

Mr. HARKINS. Mr. Speaker, I am willing to accept the gentleman from Delaware, Mr. Turner.

Mr. HARKINS. Mr. Speaker, I desire to inquire of the gentleman from Delaware Mr. Turner whether or not the cases that were investigated by the Joint State Government Commission and upon which the percentage referred to by Mr. Woodside was based were not composed of cases concerning which complaint had been made either to the Department of Public Assistance or to some other agency.

Mr. TURNER. Mr. Speaker, in answer to the gentleman from Allegheny I will say he is raising a question which has been raised in a report, or in a memorandum filed, by some group from Allegheny County. It is not

true as stated in that report, that the cases that were investigated were only cases concerning which complaints had been made to either to the Department of Public Assistance or to the Allegheny County Board. The cases in Allegheny County that were investigated by the Joint State Government Commission were a sampling of cases picked out at random without any relation to complaints or anything else. They were picked at random from the files of the Assistance Board of Allegheny County, and the same thing was done in Philadelphia.

Mr. HARKINS. Mr. Speaker, do I understand that in the best judgment of the gentleman from Delaware there is a percentage of nearly fifteen which is the same percentage as stated by Mr. Woodside, and that that percentage is a correct percentage of the people in Philadelphia and Pittsburgh who are on relief and who are in some way or other chiselers?

Mr. TURNER. Mr. Speaker, in answer to the gentleman from Allegheny, I would say that while our report shows somewhere between fifteen and sixteen percent, as I recall the figures,—I think Philadelphia was a little higher than Allegheny County, my own belief is that that figure is low, and that the percentage of chiselers we could find by the kind of investigation and the facilities we've had,—if we could find fifteen percent of chiselers, I would say that the number chislers and the percentage of chiselers is far in excess of that amount.

Mr. HARKINS. Mr. Speaker, I take it then, Mr. Speaker, that in the judgment of the gentleman from Delaware the random sampling or whatever it was, used by the Joint-State Government Commission, was a truly scientific manner of sampling of all the people on relief in Pittsburgh and Philadelphia?

Mr. TURNER. Mr. Speaker, in answer to the gentleman from Allegheny I would say that I do not think it is a perfect method, because the perfect method would be to investigate every case. The next method would be, of course, to investigate a greater number of cases over a very much wider area in the state of Pennsylvania, but I think that for the purpose of determining whether there is chiseling, for the purpose of determining whether our investigation is right, for the purpose of determining whether our visitors are effective, the method we employed of taking at random, cases without any effort to select them for a particular purpose or because they showed particular things, and then investigating them with the kind of investigators we put on, who were not trained as social visitors but were men of business experience, or were men of some investigating experience, if we turned up the fifteen percent, there is reason to believe the percentage is far more than that.

Mr. HARKINS. Mr. Speaker, I take it from the gentleman's answers that he is stating the method used was a scientific procedure.

Mr. TURNER. Mr. Speaker, I think it was a scientific procedure, yes.

Mr. HARKINS. Mr. Speaker, I take it that the statement referred to made by the group of Allegheny County Social Workers with respect to the fact that the cases investigated were only cases concerning which complaints had been made, is absolutely incorrect and false?

Mr. TURNER. Mr. Speaker, that is true. It is incorrect.

Mr. HARKINS. Mr. Speaker, I would further inquire of the gentleman from Delaware just what explanation he would make of the term "chiseling." In other words, did you receive only cases in which prosecutions have been brought, or cases in which the Department itself decided someone had paid more money than he was entitled to, or would the gentleman from Delaware also include cases in which the Department through error had made an over payment?

Mr. TURNER. Mr. Speaker, I would think if the Department made an error that that would not affect the question of chiseling one way or the other, the fact that the person who received it was not entitled to it. I think my own definition of chiseling would be the same as any other person's, whether they are cases in which prosecution has been brought or not. We did not find that any of these cases were under prosecution, nor did we find that the assistance board or the visitors had turned up any of these cases as being chiselers. As a matter of fact, when we produced the evidence that they were chiselers they never yet have given us a complete answer. They made alibis and sent some investigators out but they have never yet given us a complete answer, according to my understanding, to the report of the Joint State Government Commission.

What is a chiseler? To my mind a chiseler is a person who under law and under the regulations laid down for assistance and who should not receive assistance, is receiving assistance. We found a man, for instance, who had made, or earned the sum of twelve hundred dollars during the period of time he was getting assistance. We found a man who paid one thousand dollars down on a house during the time he was getting assistance. We found people who were in business earning money during the time they were getting assistance. We found a man who was running one of these push-carts around the city of Philadelphia earning twenty-five to thirty dollars a week, getting assistance. I do not know, may be you believe that they are not chiselers. May be you think they are entitled to assistance. In my view they are not entitled to relief, but if you want my definition that is my answer.

Mr. HARKINS. Mr. Speaker, I thank the gentleman from Delaware Mr. Turner. I am only asking the gentleman for information because I want to get the percentage correct, as to what the majority party felt, or what their leaders felt with respect to the percentage of people in Philadelphia and Pittsburgh who were on relief and who were chiselers. ,

I desire to inquire of the gentleman from Delaware Mr. Turner if it is not his opinion then that a relief chisel is someone who obtains assistance by misrepresentation, and who is not entitled under the law and under the regulations of the department to obtain that relief.

Mr. TURNER. I do not know, Mr. Speaker, any other way in which you could define it, because truly a man or woman is not a chiseler who is getting relief within the rules and regulations. I think there are no doubt a lot of malingers, I do not know that the percentage is so high, but there are a lot of them. I also think there are a lot of people who for their own good would be better off if they were taken off relief, but in my opinion a chiseler can only be qualified as such when he violates the rules and regulations.

Mr. HARKINS. Mr. Speaker, I would inquire of the gentleman from Delaware, Mr. Turner, what his estimate

or percentage is, as he recollects it, whether it is fifteen percent?

Mr. TURNER. Mr. Speaker, my recollection is that it ran something like sixteen percent in Philadelphia and about fifteen percent in Allegheny County. It is not below fifteen percent and it is not above seventeen.

Mr. HARKINS. Mr. Speaker, am I correct then in assuming from the remarks of the gentleman from Delaware that he feels the percentage is higher?

Mr. TURNER. Mr. Speaker, I believe if we can find fifteen percent on an investigation of a cross section picked at random, that the actual percentage is still higher.

Mr. HARKINS. Mr. Speaker, I was very much interested in learning the percentages expressed by the gentlemen, both Mr. Woodside and Mr. Turner. I offer no brief or defense for a relief chiseler. I am surprised to learn that the group of people who are supposed to have some knowledge of the relief set up in Pittsburgh, have sent to the Members of the Assembly a statement indicating that the cases investigated by the Joint State Government Commission were cases concerning which complaints had already been made. I was particularly interested in the statement that the gentlemen from Delaware made to the extent that that is not so. I propose to inquire of those people so that they will have the opportunity to answer definitely the statement by the gentleman from Delaware, Mr. Turner, because I think it should be a matter of record, if a particular organization puts out information and a circular, they should know that their remarks or their statements are absolutely contradicted by the Chairman of the Joint State Government Commission.

Mr. TURNER. Mr. Speaker, I would just like to say in reply to what the gentleman from Allegheny, Mr. Harkins, has said, that it is our intention, and it has been our intention ever since the publication of the report by the group from Allegheny County, to give an answer to it. Unquestionably the members of the commission have been so jammed with reports, which we are trying to clean up, we haven't had an opporunity to make a reply, but it is in the course of preparation. The statement which I have made are based not only on my own knowledge, but on information which has been given to me. I am also advised, for the benefit of the gentleman from Allegheny, Mr. Harkins, that during the year 1940 there were some five hundred and seventy-six prosecutions in Allegheny County for chiseling; there were in the neighborhood of one hundred and twenty during the month of January of 1939. I do not think all of those prosecutions are things which show that there is a certain amount of chiseling. Certainly they show that there is chiseling, but whether it shows the extent or not is another question.

I might also say that I believe the investigations made by the Auditor General Department have a value. Those investigations were made on an entirely different basis than those made by the Joint State Government Commission. What we sought to drive home, and what we are trying to drive home in the relief report is this, that the very foundation of the whole problem of administration, the whole basis of the administration of relief is the efficiency of the investigation and of the visitor. That is what we tried to say in the relief report, and that is what we are trying to show now, and we are here trying to show the basic of value of it. That is the place where you are going to save or not save money; that is the place where the people on relief are going to get a just and fair amount of relief, those who are entitled to it, and those who are not entitled to it are going to be cut off. The investigation by the Auditor General's Department is important, but it seems to me in the past we have spent too much money for the kind of investigation we got and the results we got. I think the little experiment in the Joint State Government Commission was well worth while, and for a very small amount of money we produced very large results.

Mr. PRESLEY N. JONES. Mr. Speaker, I desire to bring to your attention some information that I consider quite relevant to the discussion before the House today. In the report of the Joint State Government Commission, there is a statement to the effect that there is no politics in relief. It is evident that this Commission failed to investigate Lawrence County because we in Lawrence County, in the city of New Castle, know and feel positively that there is politics in relief. We, therefore, offer this information to you. This information was brought to the attention of the people of Lawrence County on October 21, 1940, in answer to the challenges as to why the Executive Director had been fired.

To the People of Lawrence County:

"It is with reluctance that the former Executive Director of Assistance in Lawrence County for six years, must resort to a publication of facts concerning his administration during the past two years when he believes that his record speaks for itself.

"Many statements insinuating inefficiency and so forth, have been circulated in an attempt to justify the injustice done by the newly appointed County Board of Assistance.

"The many friends of the former Executive Director resent such unfairness and have insisted upon a reply from him in order that the facts may be made known to the people and the situation clarified once and for all.

"The facts contained herein are presented in a manner as non partisan as is possible under the circumstances.

LAWS

"The last Democratic Administration in Pennsylvania passed a law, based upon the Goodrich Plan, that placed all employes in the Department of Public Assistance, including the Executive Directors, in civil service.

"The former Executive Director was one who passed the necessary examinations and was permanently appointed by a former local Board.

"One of the first acts of the first Republican Legislature in 1939, under Governor Arthur H. James, was to pass the Van Allsburg Ripper Bill which ripped all Executive Directors out of civil service. Some of these positions have since become the footballs of political patronage. This action gave the County Chairman of a political party the power to control local administration through a personally conducted local board and the appointment of the Executive Director.

FORMER LOCAL BOARD

"From February 17, 1939 to June 9, 1939 there was no local board in Lawrence County. During this period of nearly four months, it was necessary for the Executive Director and his staff to carry the full responsibility for County Administration. They were short of staff because of increased unemployment but no personnel could be appointed in the absence of a County Board.

"Mr. Roger W. Rowland, County Chairman of the Republican Party in Lawrence County, submitted the names of Mr. R. H. Kirkpatrick, Dr. Frederick Taylor, Mrs. Blanche Sampson, Mrs. Bernice Shannon, Mr.

Harry Davies, Mr. Preston Flaherty and Rev. Charles Z. Bell, to the Governor and he appointed this, the former Board which met first on June 9, 1939.

"All went well for the remainder of the year except for agitation by the Republican Chairman and his patronage committee that the Executive Director be dismissed.

"This former representative County Board continually refused to obey the demands of the County Chairman because they believed in a non partisan administration of public assistance.

"Mr. William D. Hughes, 453 East Long Ave., New Castle, Penna., came to the home of the Executive Director on the evening of August 9, 1939. He stated that he had attended secret meetings held by some members of the former local board in the home of Mr. Oliver J. Shannon, 224 Fairfield Ave., New Castle, Penna. Mr. Highes wrote a statement containing what he termed important information, obtained at these meetings, that the Executive Director should have.

"The information contained therein referred to proposed changes in personnel and control of Relief Administration in Lawrence County. It was definitely political. Although the Executive Director knew the desires of the Republican Chairman regarding these matters, he temporarily discounted the statement of Mr. Hughes because both the Governor and the Secretary had made public statements as follows: 'There will be no politics in relief and no relief in politics.' Honorable Arthur H. James, Governor of the Commonwealth of Pennsylvania; 'I know that the Governor will not be the tool of any County Board that attempts to use the dismissal power for political reasons.' Honorable Howard L. Russell, Secretary of Assistance, Commonwealth of Pennsylvania.

THE SECRETARY

"Secretary Russell came into the picture in January of 1940. He and Mr. Rowland, both members of the Governor's Cabinet, appeared at a dinner held in the basement of the Presbyterian Church, New Castle, Penna., to which all politicians were cordially invited. Mr. Russell gave an address on the subject of Public Assistance in Pennsylvania. Before he concluded, however, he threw out the suggestion that Harrisburg was not entitrely satisfied with the local Administration in Lawrence County.

"This was the first intimation that either the local Board, or the Executive Director had that such a feeling was being being created in Harrisburg. When asked by the local Board what was meant, Mr. Russell stated that his representative would make a report to them at their convenience. The local Board set February 29, 1940 as the date for delivery.

REPORTS

"The report was prepared for the Secretary by a professional social worker who brought his superior with him to New Castle, Penna., on the above date. Before the meeting with the local Board, he called the Chairman of the Board from the Castleton Hotel and requested that the Executive Director be excluded from the meeting. When the Chairman told the Director of the request, he agreed to withdraw providing he be given a copy of the report and the opportunity to reply. The request was granted by the Board. The report was exaggerated for the purpose, faulty and vicious. The following inscription, signed by the Secretary, appeared on the frontispiece: 'Administrative Information; not for release. May not be reproduced in whole or in part except by special permission of the Secretary of Public Assistance.'

"Following the receipt of the report, the local Board adopted the following resolutions:

" 'First, that Mr. J. W. Moorehead, Executive Director, be granted the opportunity to reply to the report of the Secretary.

"Second, that the local Board investigate the operation of the three Departments of the local Administration.

"Third, that appropriate action be taken, based upon the facts contained in the report, the reply, and as revealed by the investigation.'

(signed) Chairman,
Lawrence County Board of Assistance.

"Because the Secretary had banned the repreduction of the report in whole or in part without his special permission, it was necessary for the Executive Director to get it before his reply could be written. Special permission to "use the report or quotations from it in anyway consistent with its purpose" was received and the reply prepared.

"An extra special permission must have been granted another by the Secretary, because there is a copy circulating within the county in a further attempt to prove inefficiency. No one has reported having seen a copy of the reply. However, the one who owns the report also has a copy of the reply.

"Following the completion of the reply and the investigation of the local Board, the following action was spread upon its minutes of the meeting held April 11, 1940:

" 'Motion was made and seconded that, on the basis of the findings of this Board, the reply by the Executive Director dated March 15, 1940 be adopted because it is found to be fair, definite and accurate.' Motion was carried unanimously.

"The former local Board of Mr. Rowland's choosing and reperesentative of the people of Lawrence County, by the above action, demonstrated that they had seen the picture and also the 'frame'.

"The vindication of the Executive Director by them marked the finish of the Board, because it was at this point, that the Republican Chairman told a County Board Member that if they did not fire Moorehead as Executive Director, that he (Rowland) would fire the Board and appoint one that would. The statement was made to others and it soon became generally known.

"Mr. William D. Hughes came to the Executive Director's office May 23, 1940, stated that he had heard the reports, that they checked with his former statement, and he wished to make affidavit to the facts as he had heard them.

"Note the date of the affidavit, May 23, 1940. Many of the statements contained therein have become facts. A copy of the affidavit follows:

"Commonwealth of Pennsylvania }
County of Lawrence } ss:

"Before me, the undersigned authority, personally came William D. Hughes, who being duly sworn according to law, deposes and says that he is of the age of twenty-four years, and that he resides at 453 East Long Avenue, Fifth Ward, New Castle, Lawrence County, Pennsylvania.

"On several occasions I was asked by Mr. Harry H. Davies, member of the Lawrence County Board of Public Assistance, to drive his car to meetings held in the home of Mr. and Mrs. Oliver J. Shannon, 224 Fairfield Avenue, New Castle, Pennsylvania. I was privileged to attend these meetings held between Mr. Davies and Mr. and Mrs. Oliver J. Shannon, the latter also being a member of the Lawrence County Board of Assistance.

"In one of these meetings held in the home of Mr. Shannon in the year 1939, organization of the new Board was discussed. Mr. Harry H. Davies expressed himself as wanting to be Chairman, but Mr. Oliver J. Shannon told him that he could operate more effectively from the floor, if Mr. Kirkpatrick was made Chairman. By doing this, Mr. Shannon stated that Mr. Davies and Mrs. Shannon could depend upon the sup-

port of Mr. Kirkpatrick and control the Board with four votes.

"Mr. Oliver J. Shannon stated in my presence that the plan agreed upon between him and Mr. Roger W. Rowland, Chairman of the Lawrence County Republican Committee, was to fire Mr. J. W. Moorehead, the Executive Director and replace him with a politician of their choice, also fire four supervisors: namely, Norris, Hamilton, Sargeant and Gold and oppoint four people favorable to Mr. Shannon, Mr. Davies and Mrs. Shannon. One of the supervisors to be appointed was a man by the name of Perdue. Mr. Shannon further stated that they could thus control the operation of the administration of relief in Lawrence County and build their political fences.

"I also heard Mr. Shannon say that when the top jobs of the local relief offices in New Castle were cleaned out, Mr. Davies was to get an appointment from Harrisburg, and that Mr. Shannon was to be recompensed by receiving insurance business from the Department of Purchases and Supplies in Harrisburg.

"In all of the meetings that I was privileged to attend, Mr. Oliver J. Shannon gave the orders and Mr. Harry H. Davies and Mrs. Oliver J. Shannon agreed that they would see to it that they were obeyed. Mr. Oliver J. Shannon further instructed Mr. Harry H. Davies and Mrs. Oliver J. Shannon, in my presence, that they must control the appeal Board and thereby decide who would and who would not get relief in Lawrence County when cases were appealed from regular decisions made by the local administration. Mr. Shannon further stated that if his instructions were not fully carried out as authorized above a new Board would be appointed.

"All of the above statements have been made of my own free will and accord and without any influence or promise of gain to me.

"Witness my own hand and seal this 23 day of May 1940.

(Signed) William D. Hughes
Signature

"(Signed) A. C. Shoaf
Witness

"(Signed) Edna V. Matthews
Witness

(Seal)

"Sworn to and subscribed before me, this 23 day of May, Nineteen Hundred and Forty.

(Signed) A. Clyde Shoaf, Notary Public

"(My commission expires March 20, 1943)"

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, we have already had a great deal of latitude on the question before the House pertaining to this particular bill. The question arose as to the amount of money expended by the Auditor General and that led into the discussion on chiseling. The gentleman is going very far afield, and while I did not want to interrupt him, as I think this is his maiden speech in the House, and while I do not want to interrupt or check his maiden speech, yet I do think he ought to get down to the subject and stick to the subject that we have before us.

The SPEAKER. The gentleman will please confine his remarks to the question before the House, which is on the amendments inserted by the Senate. The gentleman will proceed.

Mr. PRESLEY N. JONES. "Many representive citizens called upon Mr. Rowland. Republican Chairman, and requested the retention of the former Board but of no avail. Others wrote to Governor James and Secretary Russell, organizations sent resolutions, board members wrote for a hearing in Harrisburg to explain the politics in it all, but no one received a satisfactory reply or hearing from any of them. The Republican Chairman had evidently ruled otherwise. Lawrence was his county and he was granted the courtesy of a Cabinet Officer by the Governor and the Secretary of Public Assistance.

"The former County Board was out at the adjournment of the last session of the Senate, May 16, 1940. Not a former member was to be reappointed.

FIELD SERVICE

"All counties in the Commonwealth are entitled to Field Service under the system. The professional social worker, known as the Field Representative in Lawrence County, acts as a liaison officer between Harrisburg and the County Officers. An Executive Director finds it very difficult to operate a local administrative office without such service because it places his office out of touch with headquarters. Nevertheless, Field Service was discontinued to Lawrence County, effective February 15, 1940 and was not resumed until four months later, after the Executive Director had written a memo to the Secretary under date of June 3, 1940 in which he protested the action of the Secretary as follows:"

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman is not speaking upon the question.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the question before the House, which is on the amendments inserted by the Senate.

Mr. PRESLEY N. JONES. Mr. Speaker, the gentleman no doubt realizes that chiseling in the minds of all of us is really as bad as fifth column work. I say definitely that when you are speaking of chiseling those people that have chiseled have been placed on there no doubt by some of the members of the county boards for political reasons, therefore, I say this definitely ties in with chiseling.

Mr. TURNER. Mr. Speaker, the alibi prepared by the gentleman from Allegheny, Mr. Moran, and given to the gentleman from Lawrence will be accepted.

Mr. PRESLEY N. JONES. Mr. Speaker, nevertheless, field service was discontinued in Lawrence County, effective February 15, 1940, and was not resumed until four months later.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Is the gentleman from Lawrence speaking for the gentleman from Allegheny, Mr. Moran?

The SPEAKER. The gentleman from Lawrence will have to answer that question himself.

Mr. PRESLEY N. JONES. Mr. Speaker, may I address my remarks to the gentleman from Delaware, Mr. Turner?

Mr. TURNER. Mr. Speaker, may I request that Edgar Bergen Moran return to his seat.

The SPEAKER. The gentleman will return to his seat.

Mr. LEVY. Mr. Speaker, I desire to have the gentleman from Lawrence proceed a trifle more slowly because I think it is a very valuable address.

The SPEAKER. Will the gentleman from Lawrence proceed more slowly so that the Members can understand what he is saying.

Mr. PRESLEY N. JONES. Mr. Speaker.

"There has been no Field Service in Lawrence County since February 15, 1940, or for the past three and one half months, and no local Board for the past three weeks.

The policy of your Department has always been to furnish Field Service to all Counties within the Commonwealth and, to the best of my knowledge, there has been no request from either the local Board or myself for discontinuance.

In view of your report dated February 29, 1940, it would seem that the County should have had all of the service possible to make for a better administration of assistance, rather than to have had it withdrawn under such circumstances, when it is available to all others.

Since the entire responsibility for the Administration of Public Assistance in Lawrence County now rests upon me, I am particularly interested in learning the reason for your action and if and when Field Service will be restored."

(Signed) Executive Director.

There was no reply received from the Secretary but on June 17, 1940, the Field Representative, who had made the February report for the Secretary, came to the Lawrence County office to restore field Service after four months absence.

Apparently, it was a deliberate attempt to strangle the Executive Director and his administration in Lawrence County.

AUDITS

A representative in Resources Investigation called at the New Castle office May 21-22, 1940 and completely checked that department. The report of his investigation was very satisfactory and he made no suggestions.

A statistician and specialist in office methods and system was sent to the New Castle office from Harrisburg. He conducted an investigation June 3-7, 1940 and the report he made to headquarters was very satisfactory.

The favorable results of these audits confirmed the justfication of the action taken by the former local Board when it approved the reply of the Executive Director.

BOARD RIPPED

Then the former local Board was ripped out. The Pittsburgh Post-Gazette of August 13, 1940, carried the following news item: "Board Ripped in New Castle." "Every member of the Lawrence County Board was dropped today."

This was the answer given by Governor James and Secretaries Russell and Rowland to the people of Lawrence County who had pleaded and urged that a non-partisan administration of relief be continued.

NEW BOARD

The present County Board was suggested by the Republican Chairman and appointed by the Governor, August 13, 1940. Their names are as follows:

Mr. Lloyd W. Strayer, Chairman; Mr. Fred Vaughn, Mr. Scott Brest, Mr. Ray Johnstown, Mrs. Rose Fazzone, Mr. Sam Taylor and Mr. Ivor Richards.

The members of this new Board had held two meetings when at 11:45 p. m., September 17, 1940, they called the Executive Director before them and demanded his resignation immediately. He, therefore, did not return to the office after that night but was paid to October 1, 1940 because of vacation on his own time.

The reason given by Chairman Strayer was, "you are not satisfactory to Harrisburg."

Such was the treatment accorded to one who had ten years experience in the work, six of which had been served in the interests of the people of Lawrence County.

SUMMARY

February-June 1939 ...	4	Months No Local Board
February-June 1940 ...	4	Months No Field Service
May 16-Sept 1940	3½	Months No Local Board
Total	11½	

February 1939 to September 1940 .... Nineteen Months

During 11½ of the last nineteen months, the local administration was without either Field Service or a Local Board.

A severe staff shortage was experienced during several months of that time, but nothing could be done about it locally.

CONCLUSION

Regardless of these severe handicaps, the Executive Director stands on his record of services rendered, and leaves the verdict to the thinking people of Lawrence County.

These facts are presented to the people for their consideration regarding the operations of a political party in power, when it means to put politics in relief and relief in politics; the quotations of Governor James and Secretary Russell, to the contrary, notwithstanding.

J. W. MOOREHEAD,
Former Executive Director,
Lawrence County Board of Assistance."

It was not my intention, Mr. Speaker, to confuse the matter brought before the House today. I am concerned with the problem of relief in my County, inasmuch as we have close to seventy per cent of our people on relief, or substantially so. We do not and will not see the hearts of these people tortured by being made political footballs any longer. If it is the plan of the Governor and his aides to bring about measures such as were enacted in 1939, which I know emasculated some of the provisions of prior years, evidently he feels that the people of the Commonwealth should be reduced to economic servitude reminiscent of the Dark Ages.

I came here to work and I hope to work, and I think it is about time that we work for the people of the Commonwealth instead of working against them.

Mr. BENTLEY: Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

Mr. SPEAKER: Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BENTLEY. Mr. Speaker, did I understand the gentleman from Delaware to say that in this opinion, based on his investigation and as Chairman of an investigating committee, that there were many malingerers on relief.

Mr. TURNER. Mr. Speaker, it is my opinion that there are many malingerers on relief.

Mr. BENTLEY. Mr. Speaker, does the gentleman from Delaware have any statistics as in the case of chiselers, on the subject of malingerers?

Mr. TURNER. Mr. Speaker, I think that would be a

very difficult investigation and a rather expensive one to determine that all over the State.

Specifically, in answer to the gentleman, I have no figures and we did not attempt to make any study of that problem. However, I might say that the Delaware County Relief Board has recently been making a very intensive study of all the people on relief. I do not know what the percentages are, but I do know that at one time the Board of Delaware County took off the relief rolls about seventy-four cases of individuals who they believed had been either on the rolls so many years that they had to find some way of getting off, or they believed the relief rolls paid them so low that they should be able to earn that amount. The Joint State Government Commission report shows an investigation of those cases made by the Joint State Government Commission to learn what happened to them. In other words, we were interested to know whether that board had been correct in its action and to determine what had happened to those people. It is amazing, and if you will turn to the pages,—I cannot keep these facts in my mind, but if you will turn to those pages in the report of the Joint State Government Commission and read that Delaware County investigation you will find that there were not very many of those seventy-four that turned up, in fact they could not find most of them. They found some of them. Some of them had gotten jobs, some of them had gone back to live with their families, and so forth. I think there were only two or three cases that they thought were in any way entitled to relief. I do not know what the percentage of those seventy-four were to the number of cases on relief in Delaware County.

Mr. BENTLEY. Mr. Speaker, will the gentleman state, based on his investigation, his observation, and his experience with the Joint State Government Commission whether or not malingering is as common as chiseling, as he defined it.

Mr. TURNER. Mr. Speaker, I really have no facts upon which I could base that. I never attempted in my own mind to determine how far that may go.

I would like to give you this example to show you what I mean. A man told me the other day of a man who worked for him for a number of years. He said he was a fine mechanic, one of the finest mechanics he knew of and one who could get a job anytime he wanted. This man got out of work during the depression; he got on relief and then on W.P.A., and he finally sank so low that when the upturn came and there was employment, which a man of his calibre and his attainments could have secured, this man had lost his grip so he just couldn't seem to get anything to do. He was practically down and out. Some of the men in that neighborhood got hold of him, got him bucked up, and finally he is back in harness, back to a good living. I am confident that those cases are manifold and that there are plenty of them.

Mr. BENTLEY. Mr. Speaker, will the gentleman from Delaware state whether, based on his observations and experience, as the Chairman of this Committee, it is as easy to be a malingerer as it is to be a chiseler?

Mr. TURNER. Mr. Speaker, under the law and under the rules as they exist it is pretty difficult to say that a man who is malingering is not legally entitled to relief. I am speaking from the standpoint that is best for the individual. We all know that a real job is what the average citizen wants. I think the Pierson relief act demonstrated very clearly that the majority of people on relief really want to work. I think we have many, many cases where that was shown, that the people who were on relief, and got jobs under the Pierson relief act were willing to work, they took an interest in the job they were doing, whether they were painting a school house, or fixing something in their little towns. Those people came back and offered to work. I think that demonstrates very clearly one thing, that is, that the majority of American citizens on relief are anxious to work or have some form of work. We all know too that it is human nature to be either a little lazy or it is human nature to take it easy when helped. It is human nature to go along with something that provides an easy means to get by, when you get right down to it.

For instance, the other night a man told me of some one, speaking of a certain individual, he said this man has five children and he earns thirteen dollars and sixty cents a week on W.P.A. and he does not want any other kind of employment; he is satisfied. We do not want people satisfied with thirteen dollars and sixty cents a week. That is a sub-standard of living as we know it in America. It is the purchasing power of the vast majority of our people that makes the wheels go round in business. When they go around there is employment, and when there is employment we do not have any unemployment problems. Therefore, it is our duty to raise that standard of living as far as it is possible to raise it. We do not want people on W.P.A., we do not want people on relief, not alone because it is a burden on the state, not alone because it is a burden upon the Nation, but because economically and morally it is not a good thing.

Mr. BENTLEY. Mr. Speaker, out of the wealth of remarks made by the gentleman from Delaware, Mr. Turner, I have gathered, perhaps erroneously, but certainly the tenor of his remarks indicated to me that he felt there were at least as many malingerers, as he called them, as there are chiselers,—accepting relief in the Commonwealth of Pennsylvania, in the counties of Allegheny and Philadelphia. I think that can be justly drawn from his remarks. That indicates, on the percentages which he has given us on chiselers, that there are in Allegheny and Philadelphia Counties something in the neighborhood of thirty per cent or better of relief applicants, whom he dubs either as malingerers or chiselers. That indicates but one thing to me, either a total lack of sympathy, or a misunderstanding, of the problem of relief applicants. I wish to go on record here and now as expressing my entire disagreement with such an attitude of mind and such an expression.

Mr. TURNER. Mr. Speaker, the gentleman from Allegheny is entitled to his own opinion. I have no quarrel with that. In fact I never have any quarrel with any man for having his own opinion, but the way the gentleman endeavors to interpret my opinion and then rises to the defense of some group, I can only think from his attitude that he is trying to place me on the spot, and I must, therefore, answer the gentleman in this way. In the first place, I did not say, and I was very careful to say that I had no idea and no estimate of the group of malingerers on relief; I had no idea of the percentage.

As to the question of sympathy with relief, Mr. Speaker, I have, I think, a record which speaks for itself, but for the benefit of the gentleman from Allegheny who is seek-

ing to interpret my meanings and my opinions, I would say that in 1931 I was one of those who drafted, or helped to draft "The Talbot Act," under which all relief in Pennsylvania has been given since that time. I would say, Mr. Speaker, that since 1931, and you will recall the history of 1931, we had a very difficult battle to put across the Talbot Act. It was carried to the Supreme Court. Since 1931 I have actively studied the question and have spent many hours upon it. I would say, not only as Chairman of the Joint State Government Commission, and a member of the committee on relief, I have been in addition to that a member of a nationwide committee appointed by the Council on State Government to study the question of relief. I have given may hours, and a great deal of time and effort to the study of this question which I consider to be a most vital question to the American people. I have voted for relief appropriations; I have favored the giving of relief to those people who need it, but that does not blind me, nor do I think I would for a minute endeavor to set up any alibi or any defense for my efforts to in seeing that the many millions of dollars, which are a great weight around the necks of the taxpayers of Pennsylvania, which has prevented us from spending money that is needed for public schools, which has prevented us from giving moneys that are needed by our political subdivisions, which has prevented us from carrying out many other activities, which has put a burden upon the industry of Pennsylvania, as shown by the report presented to the Legislature yesterday, are properly expended. Those are things which are vitally important, and it is the duty of every legislator to forget for the moment his instincts for charity and kindness, when it pertains to the improper application and the improper securing of relief funds.

One of the quarrels I have, and I find that I am not alone in this, because I have met Democrats and Republicans from all over the state, I find that Legislators from everywhere, no matter what their political faith is, are all in agreement upon this question: to reduce the amount of the relief burden in every way possible, to reduce that burden and at the same time take care of those people who have gone on relief.

Therefore, Mr. Speaker, I shall stand here as long as I am a Member of this House, as long as I am here as a representative of the people of this Commonwealth, and battle against any improper application of the funds, whether they be given to chiselers or given to malingerers. I started out to say that my whole quarrel as to the administration of relief, not only in Pennsylvania but elsewhere, is that in the administration of relief the psychology has been wrong; the approach has been from the social service view point rather than from the viewpoint of the need of the people and the burden which you are placing upon the taxpayers of the Commonwealth. The school teachers are struggling in the various schools of Pennsylvania because they are not paid. There are school teachers, who have not been able to receive payment because the state has not been able to help any of our school districts. There are many other activities that need our charity and our good feeling as much as does this question of relief. So I would answer the gentleman from Allegheny by saying it is unfair and improper to say that I have established any percentage or that I have indicated or said in any way that there was any great percentage of those on releif that were malingerers, because I distinctly said I have no information upon it and have never given it very much thought. If I find there is one out of three I will state that fact. Whether it be popular to say it or whether it be wise to say it from a political viewpoint, because in the end I owe a higher duty than that pertaining to politics or any group of people.

Mr. LEVY. Mr. Speaker, I have been in this Hall with the gentleman from Delaware for quite a few sessions, and I believe what he says, but I do not think the arguments coming from the Democratic side of the House have been interpreted by the gentleman from Delaware in the light they have been given. Our quarrel is not with the interpretation of the Public Assistance Law by Republicans or Democrats. I sincerely believe that Mr. Turner and the members of the Joint State Government Commission have spent many hours in attempting to find a solution, and to bring some recommendations before the House of Representatives that might improve the Public Assistance Law and the administration of public assistance in Pennsylvania. I do say, however, and I insist upon it, that the Joint State Government Commission originating as it did out of a Commission appointed with so many members of one political party, and so few members of another political party, that naturally the attitude and principles and ideals that eminated from the Republican side of the House must have been inserted in the Commission's study. I say to the gentleman from Delaware that I have no quarrel with him as to chiseling. Every man in the House detests it and certainly we have attempted to Legislate against it. I do say this, in the appointment of investigators, in the drawing of conclusions as to what constitutes chiseling and what does not that certainly the Republican members who dominated the commission, placed in the report their attitude on the administration of relief.

Mr. RUSH. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. RUSH. Mr. Speaker, I would like to ask the gentleman from Delaware in the investigation by the Joint-State Government Commission whether they accepted the reports of the Board of Assistance of Delaware County or whether they investigated the cases themselves?

Mr. TURNER. Mr. Speaker, in reply to the gentleman, the investigation, and I presume he refers to the group of cases I mentioned and which are mentioned in the report, was by our own investigators. We took no statement by any relief board on any question, that is any question pertaining to the individual case.

Mr. RUSH. Mr. Speaker, I would like to ask the gentleman from Delaware if the cases that he spoke of as being dismissed from relief in Delaware are the cases that were dismissed in October of last year?

Mr. TURNER. Mr. Speaker, I really do not remember when they were dismissed.

Mr. RUSH. Mr. Speaker, I hesitated to get into this discussion at this time because I know it has gone far afield from the original subject under discussion. However, since the question of relief chiseling and malingering has been brought into the discussion by Mr. Woodside and since Delaware County has been mentioned, I feel I would be lax in my duties if I were to let it pass without making a few remarks.

I understand by reports that have been issued by the Department of Public Assistance, the relief board in Delaware County is held up as an example all over the state because of its efficiency in Delaware County in handling the relief cases. I have before me here a number of letters, some of which I have personally investigated, and others that I intend to investigate, where persons who were receiving relief were cut off. I have many other cases that I have personally investigated in Delaware County and I would just like to cite one for the information of the Members of this House.

I might say that we have in the city of Chester a gentleman who is receiving old age assistance, who has not been physically able to work for a number of years; seventy-four years of age at the present time, and receiving old age assistance. The Relief Board suddenly decided he was not entitled to old age assistance. They said his children were able to take care of him, and after months of investigation, after he had been cut off of relief, they finally decided that this gentleman had a son living in Pottstown, Pennsylvania, who was able to take care of him. They brought him before the Court in Delaware County to compel him to take care of his father and mother and one minor child in the city of Chester.

After the Court had made an investigation it handed down a decision on the first day of November, stating that the son in Pottstown was not able to take care of the father, that he was hardly able to take care of himself and that the relief board should return the old age assistance.

This gentleman was told by the investigator to appear at the office of the relief board on the following Thursday a week, and make another application for old age assistance, and after an investigation if they found he was entitled to it he would be given old age assistance. Now, mind you, they dragged this case through the Courts of Delaware County and were ordered by the Court, and it was suggested by the Court that they return the old age assistance, and then they had to go through two investigations, and old age assistance was not returned until January of this year.

I have another instance of another gentleman who was receiving assistance in the amount of four dollars eighty cents a week and required to work one day in the Crozer Hospital to earn a part of that old age assistance. Because he lived with a young man who was married and had a child, the relief board—and I might say that the young man with whom he was living was no relation, he was only living there out of the goodness of heart of this young man and his wife—the relief board came in there and demanded that this young man surrender the insurance policies that he had on himself, his wife and child before taking relief—that is this man that was living with him. They took the relief away from him, and then they discovered that he was entitled to it.

I could stand here for hours and tell you of cases that were handled by this board in Delaware County which has been held up as an example in Pennsylvania, but I will not take the time to do that. However sometime later on when the question of relief is up for discussion, I will have more to say.

Mr. SAMUEL ROSE. I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. Mr. Speaker, I am pretty hungry but I will answer the gentleman.

Mr. SAMUEL ROSE. Mr. Speaker, did I understand the gentleman from Delaware, in reply to a question from the gentleman from Allegheny, Mr. Harkins, and in line with the recommendations of the Joint State Government Commission, to state that he thought it would be better to use men of business experience to carry on investigations of recipients of relief rather than use what he termed "social workers."

Mr. TURNER. Mr. Speaker, I think I can answer that very quickly by suggesting that the gentleman read the report of the Joint State Government Commission which is quite specific and extensive on the question of investigators.

Mr. SAMUEL ROSE. Mr. Speaker, will the gentleman say yes or no?

Mr. TURNER. Mr. Speaker, the gentleman will not say yes or no.

Mr. SAMUEL ROSE. Mr. Speaker, I would ask the gentleman from Delaware whether in his opinion he could obtain a man of business experience to carry out the duties now being carried out by our visitors at the rate of compensation which the visitors receive, which incidentally starts at about eight-five dollars a month and runs up to about one hundred dollars a month?

Mr. TURNER. Mr. Speaker, I am very glad that question has been raised because we specifically state in our report that we believe they should receive more money. This is my personal opinion, and please do not get it mixed up with the opinion of the Republican party or the opinion of the Joint State Government Commission. I do personally believe that the amount of money paid for an investigator should be more than is paid, because, as I said, that is the very foundation of this whole question. It is like the man whom you are going to send out to different people to meet and sell your product, he ought to receive compensation commensurate with his ability and training. I do believe they should have some business experience and I do believe investigators should receive more money because I do not see how you can expect to secure the proper kind of investigators for the amount of money the Commonwealth is spending.

Mr. SAMUEL ROSE. Mr. Speaker, if we were to adopt the recommendations of the Joint State Government Commission with respect to the substitution of men of business experience as visitors rather than social workers which the Joint State Government Commission was so much concerned about, would the gentleman from Delware be willing to go along with an increased appropriation at this time to better compensate these business men whom he would use as investigators and thereby disrupt the Governor's budget and recommendations?

Mr. TURNER. That is a rather long and involved question. I cannot answer as to what the members of the Joint State Government Commission would do, but I understand the gentleman's final question was as to whether or not I personally would go along in favor of an increased appropriation. Let me keep the record straight, as one of your most famous Democrats used to say. First of all, I do not want to leave the impression that I think business men are the only ones who would make good investigators. I think there are many women who are good investigators and who possess the proper training and ex-

perience. I do not think business experience is the only qualification because that again would be a wrong angle. I do think it is one of the qualifications, but not the only one. The trouble is at the present time the emphasis on examination is mainly placed upon social service training. Your social service training is a fine thing, and is one of the things to be considered in getting the proper kind of investigators.

The gentleman asked me whether I would go along with an appropriation which would increase the amount of pay that will be necessary to secure the right kind of investigators and thus disrupt the Governor's budget. I do not know that it would be necessary to disrupt the Governor's budget. I do not know how much money would be required to increase the salaries of investigators. I say this, that the question of disrupting the Governor's budget is not so important in my mind as getting good investigators, and if I were convinced that it were necessary to appropriate more money for the purpose of getting good investigators I personally. and let us understand, Mr. Speaker and members of the House, I personally would be in favor of such an increase.

Mr. SAMUEL ROSE. Mr. Speaker, I am very glad to get the opinion of the gentleman from Delaware on that matter as it will assist me materially in my study of this question.

POINT OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a point of information.

The SPEAKER. The gentleman from Delaware will state his point of information.

Mr. TURNER. Mr. Speaker, Edger Bergen Moran, is in again.

The SPEAKER. The gentleman from Delaware is right. Charlie McCarthey will go to the rear of the hall.

Mr. TURNER. On second thought, Mr. Speaker, I will take on both of them.

Mr. SAMUEL ROSE. Mr. Speaker, I might state here that the gentleman from Philadelphia does not need any aid from any other quarter. They might do that in other sections of the State but he does not need it. I want to question the gentleman from Delaware.

In his opinion would the gentleman from Delaware agree at this time to provide better compensation to the visitors now being employed if he were of the opinion that granting higher compensation to such visitors would result in more efficiency and result in a better conduct of their duties.

Mr. TURNER. Mr. Speaker, I am not convinced that money question is the sole question. If the gentleman asked me whether I would be willing to increase the pay of the visitors, I would say, if he is asking me, as a Mother Hubbard to cover the whole group I would say. no. If he is asking whether after proper investigation to determine the qualifications of the visitors I would be in favor of increasing their compensation, as they prove their efficiency and so forth, yes, I would.

Mr. SAMUEL ROSE. Mr. Speaker, I would like to ask one more question of the gentleman from Delaware.

In his reply to previous questions by Members of the House on the occasions when he was addressing the House, he referred to the social workers who are being employed by the Department of Public Assistance to carry out their investigations and I would like to get from the gentleman from Delaware his definition as to what constitutes a social worker.

Mr. TURNER. Mr. Speaker, I think we ought to try to find that out. I presume the gentleman is referring to the remarks I made in reference to the social service viewpoint. I did not say anything about social workers. As far as the social service viewpoint is concerned I did not say that in itself there was anything in that which argues against the administration. I said that the quarrel many of us have had with the administration is that the administration of relief has been entirely from a social service viewpoint. I think the social service viewpoint has been that which is applied to the question of relief, those regulations or rules of investigation and rules for determining relief which were applied to small community relief, where they were confronted to a great extent not only with the question of aiding families but in all of the family problems that entered into it. I think our great difficulty, and I have talked a great deal to social service workers and people in the National Association of Social—I do not remember what they call it, but they have headquarters in Chicago, and I have attended some of their conferences. I think they admit that one of the great difficulties is that the ideas of the plans and ideals of the social service group as it applied to community welfare and community agencies was carried into the larger problem which was a bigger problem and which had other values and other connections which should have been considered.

Mr. SAMUEL ROSE. Mr. Speaker, I still do not think that the gentleman from Delaware has given me a definition of what constitutes a social service worker. In view of the fact that he has made huge studies of this problem I will appreciate the gentleman from Delaware giving me his definition.

Mr. TURNER. Mr. Speaker, I do not think it is the proper thing to do at this time, that is, take up the time of the House in obtaining my definition of a social service worker. Is that the question you are asking?

Mr. SAMUEL ROSE. That is correct, sir.

Mr. TURNER. Mr. Speaker, I would say that my idea of a social service worker is one who takes a course of training in some of these institutions which have been set up for training social service workers, that deal in the field of human relationship, that deal in the field of groups who either are of sub-income or because of no income, have become a problem in the community. They are that group of people who first started in settlement houses in the different large cities of the country, such as the one in Chicago,—I cannot think of the name of it, but it is a famous one in Chicago. That perhaps is an inclusive definition.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a question of parliamentary inquiry.

Mr. SPEAKER. The gentleman from Blair will state his question of parliamentary inquiry.

Mr. AUKER. Mr. Speaker, would it be permissible for a member of the House to request the Speaker to admonish the members who are speaking presently to confine themselves to the matter before the House?

The SPEAKER. In answer to the question of parlia-

mentary inquiry of the gentleman from Blair, the question before the House is on concurrence in the amendments made by the Senate.

POINT OF ORDER

Mr. AUKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKER. The gentleman is not talking on the point at issue before the House.

The SPEAKER. The point of order is well taken.

Mr. SAMUEL ROSE. Mr. Speaker, we have before us the question of concurring in the amendments submitted by the Senate, and this discussion concerning the relief situation was commenced by the members on the opposite side of the House, and as one interested in acting upon appropriations and upon legislation before us at this time I am very much interested in getting the views of those who are much better acquainted with this situation than I am. I feel that the interrogations I have been submitting to the gentleman from Delaware will aid me considerably in considering this particular measure.

The SPEAKER. The gentleman must confine his interrogations to the subject matter before the House.

Mr. SAMUEL ROSE. Mr. Speaker, I have but one other question which I would like to ask the gentleman from Delaware.

The gentleman from Delaware has just said in his opinion a social worker is one who has received training from some of the schools set up to better train them and equip them to serve as social workers. I would like to ask the gentleman from Delaware whether he has any idea as to the number of social workers being employed by the Philadelphia County Board of Assistance as visitors.

Mr. TURNER. Mr. Speaker, I have no knowledge off hand.

I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Rose, permit himself to be interrogated?

Mr. SAMUEL ROSE. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to know what his definition is of a social worker.

Mr. SAMUEL ROSE. Mr. Speaker, frankly, I do not have the experience of the gentleman from Delaware, but it was always my opinion that a social worker was one who was interested in the problems of those individuals for whom special institutions have been set up, as well as the general problem of human welfare.

Mr. TURNER. Mr. Speaker, I would like to add one word. I do not want to leave the record wrong. When I said institutions were set up for training, I was not only thinking of special institutions, such as were set up by some of those interested in relief in Philadelphia, and out of which I think have come most of the social service workers in at least the eastern part of the state, but in many of the colleges. I know that girls from Vassar, Bryn Mawr and Wellesley have been trained as social workers, so that includes other institutions than those specifically set up.

Mr. SAMUEL ROSE. Mr. Speaker, I do not know much about the girls from Vassar but I do want to say now that I appreciate the replies made by the gentleman from Delaware and I am certain that they will aid me in better considering this particular amendment.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. R.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
	Lyons,	Rosenfeld,	

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys, and participation in the sport of bowling on Sundays.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain right, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 512, entitled:

An Act requiring all authorities of political subdivisions of the Commonwealth, who contract for policies of insurance on behalf of such political subdivisions, to so contract with stock insurance companies only.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 382, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Surplus Commodities Stamp plans therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 208, entitled:

An Act to further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports changing the necessary favorable vote in referenda on the creation, addition of, territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 466, (Senate Bill No. 79), entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of miners, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 349, as follows:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any city borough incorporated town township or school district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the claim to judgment or in the case of a tax claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the city borough incorporated town township or school district has not within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such city borough incorporated town township or school district may within six months after the passage and approval of this act issue its praecipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion or nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however that the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city borough incorporated town township or school district to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim of judgment was lost.

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. R.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
	Lyons,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 262.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred

prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 19.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, February 10, 1941.

Whereas, December 15, 1941, will be the 150th anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first ten amendments, and

Whereas, This date which is ordinarily significant assumes unusual importance at this particular period in the history of our Nation and of the world when those fundamental rights are threatened by totalitarian forces aboard and their sympathizers at home, and

Whereas, The American Legion Spanish American War Veterans and Veterans of the World War and other veterans' and patriotic organizations and citizens have petitioned this General Assembly to urge suitable action to encourage the promotion of widespread observance of the anniversary, therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize the Congress of the United States to designate December 15, 1941, as a national holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States each of the presiding officers of the two branches in Congress and to each United States Senator and member from this Commonwealth.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHAW, asked and obtained unanimous consent to address the House.

Mr. Speaker, due to the fact that the agreement under which the sewing projects were continued for two months was not reached until after the adjournment of the House last Wednesday and in order to prevent Members of the House from going to members of the Committee to ask about it, I think a brief statement is in order.

Due to the cooperation of all the parties concerned, an agreement was reached on last Wednesday, the terms of which provide that the sewing projects are to be continued for two months. During that period the Master Highway Project which is designed to act as a cushion and permit Pennsylvania to receive the benefit of an over-all computation and its contribution to WPA Projects, will be in operation. The members of your committee are quite confident, that there will be no further interruption of the sewing projects.

In order to satisfy a few complaints which have reached me within the past day or two, I have a further statement to make: In Philadelphia some of the people were told that certain projects were to be given up. That is not true. The WPA Deputy Administrator advises me to-day that in order to keep from paying exhorbitant rent, certain projects are being combined in one buliding but the projects will not be given up. They are to continue just as they have been.

RESOLUTION

Mr. TURNER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, February 26, 1941.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore, be it

Resolved, (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by The Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, I ask the indulgence of the Members of the House for about five minutes of their time. I know they are anxious to get out but I have not had any hand in delaying the session this afternoon.

In submitting to the members of the House this Brief against the Rugg books, it is the desire of the Honorable George E. Jones and myself that the members of the House be brought to a full realization of the dangers inherant in these books by allowing them to be used in our public schools and especially in the Junior High schools.

It must be borne in mind when we speak of the Rugg books that they take the place of History, Civics, and Geography in the Junior Highschools and are used as a rule, in series of 3: as a textbook, a reading book, both of which the parents can see if they so desire, and a so-called teacher's guide, which only the teachers see. It is in the teacher's guide that the instructors are taught how to lead the pupils using the text and reference books in thoughts and in ideas which will very strongly tend, if not altogether so, to have a realization or conviction that our form of Government is not of the right kind; that a new social order should be created, based very strongly on the collectivistic form of government; the principles, concepts and forms of which are so amply and aptly illustrated in the world today by the so called totalatarian states.

It is further the thought of the sponsors of these Bills to bring the House members to an awareness of the fact that the use of these books and all books of a similar nature, or series of books such as Dr. Rugg's "Social Science Series" is particularly dangerous at this time. And, too, it possibly may seem more or less of a paradox that Dr. Rugg and his colleagues in the "Progressive Educational Association of America" should be advocating at the time their text and reference books and their "teachers guides." Courses and teachings, which it is contended, will break down the American Democratic way of life and create in the minds

of students a prejudice against the United States Constitution; against its system or checks and balances which is so fundamental for the protection of minorities in this country, and would pave the way for a collectivist social order. And that further bringing a conclusion in the student's mind that social, economical and political conditions in these United States are so bad that honesty, frugality and thrift rarely bring rewards, I say at this time, paradox, when the totalitarian states are seeking and using every means in their power to create in the minds of people and school children of the democracies, ideas and conclusions that their own form of government and school systems and economic life is a failure and this for the purpose of hastening the down-fall of the democratic governments of the world and creating universally throughout the world their own system of totalitarian government with all powers of whatsoever nature supreme in the state and with the state having control of the economic life, individual and civic, and religious life of the people.

Dr. Rugg has stated that he did not believe that an educator should not belong to any political party. We contend that such a statement is un-American and that in making such a statement he shows very strongly his weakness to acclaim that he is a good American. Most certainly, educators should of a necessity ought to belong to at least if not in a minority party, then assuredly in one of the major political parties. For we believe that it can be taken as a well proven fact that the safety of our form of Government and the continuance of the same rests upon the fact that there are two major political parties in the Country and have always been two such parties.

The sponsors of this Bill are not acting for the American Legion. Dr. Rugg has dared the critics of his books to state in what particulars they are objectionable. The sponsors of these two Bills, to wit, the Bill to remove the Rugg books from the schools of Pennsylvania and the Bill to investigate all books which tend to create un-American or un-Democratic ideas in the pupils minds, accept that challenge. As stated in the Brief, much more material is available. We believe that the situation is so critical in our schools at this time that an immediate investigation should be started seeing whether or not the allegations made are true or not true.

Dr. Rugg in a brief public address or press conference fell back on the American Constitution and the Bill of Rights as part of his defense. We say to you that in the fear of infringing of civil liberties the American people have coddled our un-American foe at every turn. We further allege, that the people who are trying to instill into the peoples' minds and especially into the minds of susceptible school children who are not mature enough to be able to evaluate different opinions, that the proponents of such teachings and such ideas are deliberately using our Constitution and our Bill of Rights as a convenient shield for their subversive aims. We believe that it is high time that some action be taken to correct these conditions as they do exist and that the time to act is now, and as quickly as possible, and that we show to these people if such conditions exist that we are not going to allow such conditions and teachings in our schools and allow our pupils, especially in the Junior High school grades, to be lead astray by such teachings.

In conclusion, therefore, we respectfully ask this House and the Committee which hold these bills to act as quickly as possible in order that action may be started.

INTERROGATION

Mr. SHEPARD. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair, Permit himself to be interrogated.

Mr. AUKER. Mr. Speaker, I shall.

Mr. SHEPARD. Mr. Speaker, I would like to ask the gentleman how long the Rugg books have been used in Pennsylvania.

Mr. AUKER. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Shepard, I cannot say the exact number of years. I would say somewhere between seven and ten years. I might add further that I do not believe, while I am perfectly willing to submit myself to questioning at any time, we should prolong the session this afternoon by going into this matter. When there is a bill in the House to appoint an investigating commission whose function it will be to investigate thoroughly all questions raised on matters of this kind that discussion may come before the House.

Mr. SHEPARD. I would like to know, Mr. Speaker, does the gentleman know the number of Rugg books which are used in Pennsylvania in our schools, and how they are distributed.

Mr. AUKER. Mr. Speaker, I do not know.

Mr. SHEPARD. Mr. Speaker, does the gentleman know in just what grades these books are being used?

Mr. AUKER. Mr. Speaker, I would say as I said in my statement, that they are used in junior high school grades mostly. However, if the gentleman read the brief that was laid on his desk, the question is answered in there. Some are being used in the elementary grades and some in high schools. What proportion, I cannot say at this time.

Mr. SHEPARD. Mr. Speaker, may I interrogate the gentleman from Delaware, Mr. Charlie McCarthy Turner?

The SPEAKER. Will the gentleman from Delaware, Mr. Turner, permit himself to be interrogated?

Mr. AUKER. Mr. Speaker, may I say that the gentleman from Blair is well able to take care of himself on the floor of this House.

Mr. TURNER. Mr. Speaker, I presume the gentleman refers to me.

Mr. SPEAKER. Does the gentleman yield?

Mr. TURNER. No, Mr. Speaker, I want to answer his question, but before I agree to be interrogated I would say that I presume that the gentleman from Philadelphia is speaking of his desire to interrogate Charlie McCarthy Turner, as I am the only Turner in the House he must mean me. However, I would say, Mr. Speaker, I would not be willing to be interrogated as Charlie McCarthy Turner because there would be nothing coming from Charlie McCarthy.

Mr. SHEPARD. Mr. Speaker, my only observation would be that since the gentleman who read the statement does not seem to know much about the books and use in the schools, my association and knowledge of the children in the public schools during the last ten years, is that they do not seem to know much about what is in any book. However, I do think, Mr. Speaker, in refer-

ence to this statement, that the gentleman ought to furnish us with direct quotations from these books, rather than from this quotation that has been deduced by somebody who has perhaps not read the Rugg books, and I ask that he give the House a little more enlightment on the material in these books rather than just introduce it through someone who may or may not have read the book.

CONSENT TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I understood the gentleman from Philadelphia to say that from his observation of the children for the last ten years, they did not know what was in the books. Mr. Speaker, I would say from observation of my colleagues in the House that goes back further than ten years.

COMMITTEE MEETING

The following Committee meeting was announced:

Municipal Corporations, Monday, March 3 at 8 p. m. in Room 323.

ADJOURNMENT

Mr. TAYLOR. Mr. Speaker, I move that this House do now adjourn until Monday, March 3, 1941, at 9 p. m.

The motion was agreed to, and (at 2:35 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, MARCH 3, 1941. No. 16.

SENATE

MONDAY, March 3, 1941

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

O Thou Blessed God of us all, what can we render unto Thee for all Thy benefits? Or what can we do but give or what can we do but receive since all we call our own is totally Thine? Then make us humble and devout in all our living that we may choose the right having open minds to receive the truth and willing hearts to respond.

With each succeeding day international relationships grow yet more sinister and the citadels of democracy yet more endangered. Avaricious and subversive forces to our way of government become more evident daily within our own gates. Can it be that men will make their own personal aggrandizement to be tantamount to the urgency of national defense? Can it be that Thou art sorely trying our faith and spiritual stamina in Thine own ways of testing?

Whatever may be the answers may they be made out of true and honest American hearts that whatever may be the testing, whether it be another Lexington or Sumter culminating in a Yorktown or Appomatax, they may be by and through Thy holy will. Grant that this nation shall live to be a blessing to the nations of the earth.

Give us true courage and abiding patience faithfully to discharge our duties devolvent upon us this day. As we record the result of our labors today may they be pleasing to Thee as well as to us in that we have kept our trusts unbetrayed in Thy sight. We pray in the name of Jesus. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session.

Mr. SHAPIRO. Mr. President, before the Journal is approved, I desire to call attention to an error apparently in the Journal or History. Senate Bill No. 125 appears in the History and on the Calendar as on final passage and as having passed third reading. It is my recollection Senate Bill No 125 did not pass third reading.

The PRESIDENT. The Chair is of the opinion it did.

Mr. SHAPIRO. Mr. President, that was the bill on which we had such a lengthy discussion, as to whether it should be a special order of business for today. It was on third reading and I am quite sure it did not pass and was not acted on.

The PRESIDENT. The Chair is of the impression Senate Bill No. 125 did pass third reading, and was on final passage. The clerks are of the same opinion.

Mr. SHAPIRO. Mr. President, does the record show Senate Bill No. 125 passed third reading?

The PRESIDENT. The Clerk informs the Chair the record is correct.

On motion of Mr. LETZLER and Mr. GELTZ the further reading of the Journal was dispensed with.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD.

LETTER MEMORIALIZING SENATE

The PRESIDENT. The Chair lays before the Senate a communication from the Fire Chiefs Association of Allegheny County, Inc., which the Clerk will read.

The communication was read as follows and referred to the Committee on Finance.

FIRE CHIEFS ASSOCIATION OF
ALLEGHENY COUNTY, INC.

Feb. 10, 1941.

To the Senate,
To the House of Represensatives,
State of Pennsylvania,
Harrisburg, Pa.

Honored Sirs:

Now that the budget for 1941 and 1942 has been presented for your action, also a bill for the return of money borrowed from the 2% Foreign Fire Insurance Fund, we would ask that this bill have your support.

We trust that in the future it will not be necessary to borrow from this fund, as some companies were compelled to suspend coverage on their members for one year, as they had no money to pay for the insurance, placing a rather hardship on the men, who get nothing for their service in protecting life, limb and property for their communities, and as our Country is making a great stride for defense and home protection, and what more greater protection can you get than the fireman, and therefore we are entitled to the money for protection of those who give this wonderful service without compensation.

Trusting that this bill is passed and the money turned over to the companies at an early date, we remain,

Very truly yours,

Fire Chiefs Assn. of Allegheny Co.,
(Signed) G. W. COOK, Secretary

RESOLUTION FROM STEEL CITY INDUSTRIAL UNION COUNCIL

The PRESIDENT. The Chair lays before the Senate a communication from the Steel City Industrial Union Council enclosing a resolution which the Clerk will read.

The Resolution was twice read and referred to the Committee on Labor and Industry.

STEEL CITY INDUSTRIAL UNION COUNCIL

To the Speaker
Pennsylvania Senate
Harrisburg, Pa.

Dear Sir:

The enclosed resolution was adopted by a unanimous vote at the last meeting of the Steel City Industrial Union Council.

Very truly yours,

DAVID J. McDONALD, Secretary

Whereas, Government employes have been organized for a number of years in Pennsylvania under the State, County and Municipal Workers of America, CIO, and

Whereas, The union has worked for the improvement of wages and working conditions and has brought many benefits to these employes, has further good administration in the public service and has cooperated with officials who are interested in good administration, and

Whereas, The Joint State Government Commission has recommended to the Legislature that State employes should not be affiliated with labor organizations but instead should be confined to forming company unions, and

Whereas, Secretary of Labor and Industry Lewis G. Hines used the report of the Joint State Government Commission as a springboard for continuing his attack against the State, County and Municipal Workers of America,

Therefore, be it resolved, That the Steel City Industrial Union Council look upon the recommendation of the Joint State Government Commission and the statements by Secretary Hines as attacks upon the legitimate rights of State employes and upon organized labor, and

Be it further resolved, That Steel City Industrial Union Council make known these views to the legislature and the Governor, and take whatever other steps it deems necessary to protect the rights of Government employes to affiliate with the Congress of Industrial Organizations.

Steel City Industrial Union Council, CIO
1500 Commonwealth Building
Pittsburgh, Pa.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 3, 1941 by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

DELAWARE COUNTY

Miss Helen M. Maag, Media, March 5, 1941.

LEBANON COUNTY

C. E. Gingrich, South Londonderry Twp., Lawn, March 5, 1941.

PHILADELPHIA COUNTY

Miss Clara Abele, Phila., 3160 Kensington Avenue, March 5, 1941.

Frederick W. Cloak, Phila., 2719 South Mole St., March 5, 1941.

John H. Gossling, Phila., 603-14 Stephen Girard Bldg., 21 South 12th Street, March 5, 1941.

Miss Mary V. Fahy, Phila., 1238 South 57th St., March 6, 1941.

Miss C. E. Milligan, Phila., 1429 Walnut St., March 6, 1941.

WESTMORELAND COUNTY

W. E. Noel, Ligonier, March 6, 1941.

ALLEGHENY COUNTY

Miss Margaret Abmayr, Pittsburgh, 519 Water St., March 7, 1941.

William L. Jacob, Pittsburgh, 81 St. Nicholas Building, March 7, 1941.

BERKS COUNTY

Miss Catherine E. Haughton, Reading, March 7, 1941.

ERIE COUNTY

P. S. Stover, Erie, March 7, 1941.

LEHIGH COUNTY

Samuel L. Steckel, Slatington, March 7, 1941.

SCHUYLKILL COUNTY

William Shugg, Tamaqua, March 7, 1941.

ALLEGHENY COUNTY

James S. McKain, Ross Twp., Bellevue, March 8, 1941,
W. J. Whitaker, Dravosburg, March 8, 1941.

CARBON COUNTY

Philip M. Graul, Lehighton, March 8, 1941.

CAMBRIA COUNTY

M. P. Westrick, Carrolltown, March 9, 1941.

MONTGOMERY COUNTY

Mrs. Kathryn B. Ramsey, West Conshohocken, March 9, 1941.

PHILADELPHIA COUNTY

Charles Bentley Collins, Phila., 1218 Chestnut St., March 9, 1941.

SCHUYLKILL COUNTY

Miss M. Evelyn O'Donnell, Coaldale, March 9, 1941.

CARBON COUNTY

Mrs. Evleyn Scott Shinton, Summit Hill, March 11, 1941.

PHILADELPHIA COUNTY

Miss Esther L. Fox, Phila., 1420 Walnut St., March 12, 941.

ALLEGHENY COUNTY

George P. Fulton, Pittsburgh, 501 Penn Ave., March 15, 1941.

LACKAWANNA COUNTY

Louis Marsala, Winton, March 15, 1941.

PHILADELPHIA COUNTY

Moritt G. Williams, Phila., 5912 Torresdale Avenue, March 15, 1941.

ALLEGHENY COUNTY

John Bibza, Duquesne, March 16, 1941.
Samuel F. Guy, Pitcarin, March 16, 1941.
Mrs. Lillian Hane, Pittsburgh, 4504 Butler St., March 16, 1941.
H. O. Hornberger, Jr., Pittsburgh, 4737 Second Avenue, March 16, 1941.

BLAIR COUNTY

Mrs. Mary D. Dematteis, Altoona, March 16, 1941.

BRADFORD COUNTY

Mrs. Neta I. Frutchey, Sayre, March 16, 1941.
J. I. Morley, Athens, March 16, 1941.

ERIE COUNTY

Ralph E. Kreider, Erie, March 16, 1941.

LEBANON COUNTY

Jonathan F. King, Myerstown, March 16, 1941.
Edward H. Smith, Annville Twp., 39 E. Main St., Annville, March 16, 1941.

PHILADELPHIA COUNTY

Horace M. Burton, Phila., 1022 Commercial Trust Bldg., 7 South 15th Street, March 16, 1941.
Harry J. Clifton, Phila., 2656 E. Clearfield St., March 16, 1941.
Miss M. E. Harding, Phila., 1113 North American Bldg., N E Cor. Broad and Sansom Sts., March 16, 1941.
Miss Elizabeth M. King., Phila., Land Title Bldg., March 16, 1941.

WASHINGTON COUNTY

C. S. Warne, Monongahela, March 16, 1941.

WAYNE COUNTY

Miss Etta Nielson, Honesdale, March 16, 1941.

YORK COUNTY

Frank B. Snyder, York, March 16, 1941.

DAUPHIN COUNTY

William J. Kennard, Middletown, March 17, 1941.
Claud E. Sohn, Middletown, March 17, 1941.

WESTMORELAND COUNTY

Jos. J. Knappenberger, Greensburg, March 17, 1941.

ALLEGHENY COUNTY

Mrs. Emma L. Vandermast, Pittsburgh, County Office Bldg., Ross and Diamond Streets, March 18, 1941.

BLAIR COUNTY

Miss Edith Ergler, Altoona, March 18, 1941.

COLUMBIA COUNTY

Warner D. Werkheiser, Bloomsburg, March 18, 1941.

INDIANA COUNTY

Mrs. Rowena D. Galbreath, Indiana, March 18, 1941.

PHILADELPHIA COUNTY

Julius A. Bacher, Phila., 7862 Oxford Ave., March 18, 1941.

WASHINGTON COUNTY

Harold A. Pete, Donora, March 18, 1941.

WESTMORELAND COUNTY

Harry Lilli, New Kensington, March 18, 1941.

YORK COUNTY

Philip B. Gross, York, March 18, 1941.

BERKS COUNTY

Miss Florine L. Lesher, Reading, March 19, 1941.

McKEAN COUNTY

Melvin L. Carlson, Kane, March 19, 1941.
Henry A. Onofrio, Bradford, March 19, 1941.

NORTHAMPTON COUNTY

James S. Fry, Nazareth, March 19, 1941.

PHILADELPHIA COUNTY

Rufus W. Fister, Phila., 914 Lincoln-Liberty Building, March 19, 1941.

ALLEGHENY COUNTY

Chares Dunbar, Pittsburgh, 516 Federal St., March 20, 1941.

LACKAWANNA COUNTY

Mrs. Gertrude H. Green, Scranton, March 20, 1941.

PHILADELPHIA COUNTY

Royal W. Urie, Phila., 1615 Pennsylvania Building, March 20, 1941.

DELAWARE COUNTY

Robert B. Blackburn, Marcus Hook, March 21, 1941.

ERIE COUNTY

Chester K. Reichert, Erie, March 21, 1941.

LUZERNE COUNTY

Miss Anne K. Durgin, Wilkes-Barre, March 21, 1941.

PHILADELPHIA COUNTY

Albert C. Ehmann, Phila., 1746 North 13th St., March 21, 1941.
Vernon Stanton, Phila., 1112 Harrison Bldg., March 21, 1941.

ALLEGHENY COUNTY

H. J. Pelzel, Pittsburgh, 434 Edgemont Street, March 22, 1941.
Miss Margaret Webster, Braddock, March 22, 1941.

LUZERNE COUNTY

George H. Sutton, Wilkes-Barre, March 22, 1941.

PHILADELPHIA COUNTY

George Beck, Phila., 532 W. Dauphin St., March 22, 1941.

YORK COUNTY

Royce Kohr, York, March 22, 1941.

ALLEGHENY COUNTY

H. J. Kreiling, Pittsburgh, Pittsburgh Press Building, March 23, 1941.
George W. Seel, Etna, March 23, 1941.

CARBON COUNTY

Mrs. Bertha R. Davis, Summit Hill, March 23, 1941.

CUMBERLAND COUNTY

W. H. Crider, Carlisle, March 23, 1941.

ERIE COUNTY

Charles Hagenlocher, Erie, March 23, 1941.

LANCASTER COUNTY

Miss M. Edith Hahn, Lancaster, March 23, 1941.

LAWRENCE COUNTY

B. J. Martin, New Castle, March 23, 1941.

PHILADELPHIA COUNTY

Geo. A. Butler, Phila., 809 Stephen Girard Building, March 23, 1941.

ALLEGHENY COUNTY

H. W. Bowman, Pittsburgh, 435 Sixth Ave., March 24, 1941.
Miss Frances E. Cohen, Pittsburgh, 519 Smithfield Street, March 24, 1941.
Miss G. Grace Cole, Clairton, March 24, 1941.
Harry Grove, Glassport, March 24, 1941.
A. J. Hartman, Harmar Twp., Box 2038, Pittsburgh, March 24, 1941.
Miss Louise Leachman, Pittsburgh, The Pittsburgh Press Building, March 24, 1941.
Miss Evelyn R. Leven, Pittsburgh, 409 Plaza Building, March 24, 1941.
Harry J. Saltzer, Duquesne, March 24, 1941.
E. J. Schwartz, Pittsburgh, 5614 Penn Ave., March 24, 1941.

BERKS COUNTY

Ralph C. Schmucker, Reading, March 24, 1941.

CAMBRIA COUNTY

Leo J. Buettner, Johnstown, March 24, 1941.

CLARION COUNTY

Mrs. Martha L. Welch, Rimersburg, March 24, 1941.

CLEARFIELD COUNTY

Leo R. Brockbank, DuBois, March 24, 1941.
Miss Frances Fugler, DuBois, March 24, 1941.

DELAWARE COUNTY

George I. Boyd, Springfield Twp., 216 Ballymore Rd., Springfield, March 24, 1941.

ERIE COUNTY

Herman M. Reinecke, Erie, March 24, 1941.

LACKAWANNA COUNTY

Miss Elizabeth A. Timmons, Carbondale, March 24, 1941.

LANCASTER COUNTY

Miss Susan E. Miller, Elizabethtown, March 24, 1941.

LUZERNE COUNTY

Bert R. Ardoline, Pittston, March 24, 1941.
Samuel Gildenberg, Hazleton, March 24, 1941.

LYCOMING COUNTY

Rodgers K. Foster, Williamsport, March 24, 1941.
H. Edgar Sones, Williamsport, March 24, 1941.

MERCER COUNTY

Miss Edith I. Wagenman, Greenville, March 24, 1941.

MONTGOMERY COUNTY

Mrs. Abbie W. Whitman, Plymouth Twp., Plymouth Meeting, March 24, 1941.

NORTHAMPTON COUNTY

George W. App, Wilson, March 24, 1941.

NORTHUMBERLAND COUNTY

Lawrence Walutkavich, Mount Carmel Twp., Mount Carmel, March 24, 1941.

PHILADELPHIA COUNTY

Mrs. Eva M. Bahr, Phila., 1912 Franklin Trust Building, March 24, 1941.
Edgar A. Barnett, Phila., 106 South 16th St., March 24, 1941.
Milton M. Borowsky, Phila., 1501 Franklin Trust Building, March 24, 1941.
Miss Mary E. Cummings, Phila., 1600 Arch St., March 24, 1941.
Frank C. Forderer, Phila., 2729 N. Front St., March 24, 1941.
David M. Green, Phila., Hotel Majestic, Broad and Girard Ave., March 24, 1941.
Fred C. Keill, Phila., N. W. Cor. Roosevelt Blvd and Rising Sun Ave., March 24, 1941.
Mrs. Elizabeth L. Lenz, Phila., 3737 Main St., March 24, 1941.
A. Lincoln Thomas, Phila., 3543 Germantown Avenue, March 24, 1941.
George A. Wilby, Phila., Schaaf Bldg., N. W. Cor. 15th and Race Sts., March 24, 1941.

SCHUYLKILL COUNTY

Thomas J. Charlton, Pottsville, March 24, 1941.

SULLIVAN COUNTY

Mrs. Ellen L. Kehrer, Eaglesmere, March 24, 1941.

VENANGO COUNTY

W. E. Crow, Oil City, March 24, 1941.

WASHINGTON COUNTY

Glenn Piper, East Bethlehem Twp., First National Bank Bldg., Fredericktown, March 24, 1941.

WAYNE COUNTY

Mrs. Edith F. Warburton, Honesdale, March 24, 1941.

WESTMORELAND COUNTY

Clarence W. Beck, Youngwood, March 24, 1941.
H. D. Diffenderfer, Export, March 24, 1941.
Oliver M. Yerty, Vandergrift, March 24, 1941.

ADAMS COUNTY

William L. Meals, Gettysburg, March 24, 1941.

ALLEGHENY COUNTY

Franklin H. Allison, Pittsburgh, Flannery Bldg., 3528 Forbes St., March 25, 1941.
Wm. B. Anderson, Pittsburgh, Empire Bldg., 507 Liberty Ave., March 25, 1941.
Miss G. D. Berkebile, Pittsburgh, 307 Fourth Ave., March 25, 1941.
John C. Burrey, Pittsburgh, Carnegie Institute of Technology, Schenley Park, March 25, 1941.
Philip Green, Bridgeville, March 25, 1941.
Miss Helen M. Griffin, McKeesport, March 25, 1941.
John C. McCloskey, East Pittsburgh, March 25, 1941.
Miss Evelyn Mervis, Munhall, March 25, 1941.
Chris Spring, Pittsburgh, 1902 Frick Building, March 25, 1941.

Henry Wegener, Carnegie, March 25, 1941.
Henry Welling, Jr., Pittsburgh, 1902 Brownsville Rd., Carrick, March 25, 1941.

ARMSTRONG COUNTY

Julius Steiner, Ford City, March 25, 1941.

BEAVER COUNTY

C. Roy Kerr, Ambridge, March 25, 1941.

BERKS COUNTY

Miss Lillie M. Fry, Reading, March 25, 1941.
Henry H. Hernan, Reading, March 25, 1941.

CAMBRIA COUNTY

John R. Musser, Barnesboro, March 25, 1941.

CARBON COUNTY

Payson C. Bittner, Palmerton, March 25, 1941.

CHESTER COUNTY

Louis Cutillo, Phoenixville, March 25, 1941.

CLINTON COUNTY

Mrs. Edna E. Hughes, Lock Haven, March 25, 1941.

DAUPHIN COUNTY

Harry L. Miler, Steelton, March 25, 1941.

DELAWARE COUNTY

Harry P. Ottey, Media, March 25, 1941.

GREENE COUNTY

John M. Livingood, Waynesburg, March 25, 1941.

LACKAWANNA COUNTY

Miss Mary Duffy, Scranton, March 25, 1941.

LANCASTER COUNTY

Harry O. Conn, Lancaster, March 25, 1941.
T. W. K. Deitzel, Columbia, March 25, 1941.

LUZERNE COUNTY

W. N. Thompson, Pittston, March 25, 1941.

MERCER COUNTY

C. E. Brockway, Sharon, March 25, 1941.
Miss Louise Spears, Grove City, March 25, 1941.

MONTGOMERY COUNTY

I. K. B. Hansel, Ambler, March 25, 1941.

NORTHUMBERLAND COUNTY

Miss Elsie I. Culp, Sunbury, March 25, 1941.

PHILADELPHIA COUNTY

Miss Ellen E. Deady, Phila., N. E. Cor. Third and Pine Sts., March 25, 1941.
Albert P. Finney, Phila., N. E. Cor. H and Potter Sts., March 25, 1941.
Charles Keinath, Phila., 322 Race St., March 25, 1941.
J. Walter Lauer, Phila., 2045 Hunting Park Ave., March 25, 1941.
Miss Alice S. Marsh, Phila., 1616 Walnut St., March 25, 1941.
Miss Mary A. McSorley, Phila., Packard Bldg., S. E. Cor. 15th and Chestnut Sts., March 25, 1941.
Louis S. Neidig, Jr., Phila., Franklin Trust Bldg., 1500 Chestnut St., March 25, 1941.
E. Irving Shuttleworth Phila., 3054 Kensington Avenue. March 25, 1941.
Miss Mollie Silver, Phila., 1303 Land Title Building, March 25, 1941.
Edward J. Simons, Phila., 6221 Rising Sun Avenue, March 25, 1941.
Asher Steinberg, Phila., 614 Fairmount Ave., March 25, 1941.

POTTER COUNTY

B. L. Langworthy, Shinglehouse, March 25, 1941.

SOMERSET COUNTY

W. H. Clements, Garrett, March 25, 1941.
Robt. H. Johnston, Salisbury, March 25, 1941.

SUSQUEHANNA COUNTY

W. J. Maxey, Forest City, March 25, 1941.
Wm. A. Titsworth, Montrose, March 25, 1941.

WARREN COUNTY

Leslie M. Kinnear, Tidioute, March 25, 1941.

ALLEGHENY COUNTY

E. Dexter Pool, Pittsburgh, 2005 Commonwealth Bldg., 316 Fourth Avenue, March 26, 1941.

BRADFORD COUNTY

Miss Mollie W. Rice, Rome, March 26, 1941.

LUZERNE COUNTY

Miss Frances F. Willis Nanticoke, March 26, 1941.

PHILADELPHIA COUNTY

Joseph Larkin, Jr. Phila., 1227 W. Broad St., March 26, 1941.

ALLEGHENY COUNTY

Miss Carrie B. Mercer, Neville Twp., Grand Ave., Neville Island, Pittsburgh, March 27, 1941.
Miss Virginia Meyers, Pittsburgh, 108 Southern Avenue, March 27, 1941.
Edward R. Richardson, Pittsburgh, Farmers Bank Building, March 27, 1941.

BUTLER COUNTY

Miss Sadie B. McCullough, Butler, March 27, 1941.

FAYETTE COUNTY

J. Kemp Conn, Point Marion, March 27, 1941.

LACKAWANNA COUNTY

H. E. Crane, Scranton, March 27, 1941.
Clifford J. Hadley, Scranton, March 27, 1941.
Leo McNiff, Scranton, March 27, 1941.
Geo. J. Powell, Scranton, March 27, 1941.

LANCASTER COUNTY

Carl H. Groff, New Holland, March 27, 1941.

LYCOMING COUNTY

Mrs. Ethel J. Neefe, Jersey Shore, March 27, 1941.

MONTGOMERY COUNTY

Wm. J. Cheatley, Norristown, March 27, 1941.

PHILADELPHIA COUNTY

Mrs. Sallie M. Alderfer, Phila., 4145 Chestnut St., March 27, 1941.
Lewis M. Crompton, Phila., 421 Chestnut St., March 27, 1941.
Miss Anna L. Gerhard, Phila., 3726 N. Bouvier St., March 27, 1941.
Miss Reba E. Joachim, Phila., 939 Land Title Building, March 27, 1941.
Leo W. Lynch, Phila., 1500 Walnut Street Building, March 27, 1941.
John A. Martin, Phila., 1812 South 22d St., March 27, 1941.

Victor Paul, Jr., Phila., 6765 Germantown Avenue, March 27, 1941.
Otto Pischke, Jr., Phila., 7010 Elmwood Ave., March 27, 1941.
S. Stone, Phila., 1515 Locust St., March 27, 1941.

WESTMORELAND COUNTY

Levi J. Smith, Westmoreland, New Kensington, March 27, 1941.

ALLEGHENY COUNTY

Curtis A. Artman, Homestead, March 28, 1941.
W. T. Campbell, Pittsburgh, 1443 Henry W. Oliver Building, March 28, 1941.

BLAIR COUNTY

Miss Viola Howard, Altoona, March 28, 1941.

BRADFORD COUNTY

Miss Elizabeth L. Lake, Sayre, March 28, 1941.

BUCKS COUNTY

Miss Reba F. Cutler, Yardley, March 28, 1941.

CHESTER COUNTY

Edwin D. Baldwin, Downingtown, March 28, 1941.

DELAWARE COUNTY

Ernest Hibbord, Media, March 28, 1941.

LEBANON COUNTY

H. F. King, Heidelberg Twp., R. D. 2, Myerstown, March 28, 1941.

McKEAN COUNTY

Thomas J. Melvin, Bradford, March 28, 1941.

MONTGOMERY COUNTY

Miss Mildred Brunner, Pottstown, March 28, 1941.

NORTHUMBERLAND COUNTY

J. Grant Kehler, Mount Carmel, March 28, 1941.
Lewis S. Sober, Sunbury, March 28, 1941.

PHILADELPHIA COUNTY

Benjamin Cobrin, Phila., 1833 North 54th St., March 28, 1941.
Angelo De Palma, Phila., 1325 South Broad Street, March 28, 1941.
Raymond C. Grubb, Phila., 1401 Erie Avenue, March 28, 1941.
Miss Dorothy D. Mathues, Phila., 4905 Baltimore Ave., March 28, 1941.
Fred G. Muhl, Phila., 1704 Roselyn St., March 28, 1941.
Harry Pollock, Phila., 1825 South 6th St., March 28, 1941.

ALLEGHENY COUNTY

Henry H. Steinmeyer, Pittsburgh, 718 E. Diamond Street, March 29, 1941.

BERKS COUNTY

Henry M. Mayer, Reading, March 29, 1941.

LANCASTER COUNTY

Roy G. Hubley, Columbia, March 29, 1941.

MONTGOMERY COUNTY

Chas. H. Peacock, Jr., Lower Merion Twp., Wynnewood, March 29, 1941.

PHILADELPHIA COUNTY

Walter W. Hutzel. Phila.. 2801 North 25th St.. March 29, 1941.

ADAMS COUNTY

John W. Hewitt, Gettysburg, March 30, 1941.

ALLEGHENY COUNTY

David A. Hardie, Pittsburgh, 2934 Smallman Street, March 30, 1941.

BEAVER COUNTY

Mrs. Christine C. Groth, Monaca, March 30, 1941.
Harry Troyanowski, Beaver Falls, March 30, 1941.

BUCKS COUNTY

John E. Healey, Bristol, March 30, 1941.

CARBON COUNTY

Andrew J. Dobosh, Lansford, March 30, 1941.

CHESTER COUNTY

John R. Yost, Phoenixville, March 30, 1941.

CRAWFORD COUNTY

Arthur H. Engdahl, Titusville, March 30, 1941.

GREENE COUNTY

Charles Phillips, Wayne Twp., Brave, March 30, 1941.

LEBANON COUNTY

Louis Sundel, Lebanon, March 30, 1941.

LUZERNE COUNTY

Miss Rebecca L. Howell, Kingston, March 30, 1941.

NORTHAMPTON COUNTY

Mrs. Alice L. Engler, Wilson, March 30, 1941.

PHILADELPHIA COUNTY

Walter S. Townsend, Phila., 3427-29 North Broad Street, March 30, 1941.

WESTMORELAND COUNTY

Miss Catherine J. Richardson, Jeannette, March 30, 1941.

ALLEGHENY COUNTY

Cyril A. Pyros, Pittsburgh, Mellon National Bank, March 31, 1941.

LACKAWANNA COUNTY

John J. Hennigan, Scranton, March 31, 1941.

PHILADELPHIA COUNTY

Miss Florence Carey, Phila., 1528 Walnut St., March 31, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

DAUPHIN COUNTY

John Braucher, Halifax, March 5, 1941.

JEFFERSON COUNTY

Gerald B. Carrier, Punxsutawney, March 5, 1941

LEHIGH COUNTY

George T. Leisenring, Allentown, March 5, 1941.

MONTGOMERY COUNTY

Mrs. Sarah S. Craig, Cheltenham Twp., Elkins Park, March 5, 1941.

PHILADELPHIA COUNTY

C. Tyson Allen, Phila., 1944-52 North Front Street, March 5, 1941.

Mrs. Belle M. Tomlinson, Phila., 2200 Girard Trust Building, March 5, 1941.

DELAWARE COUNTY

William C. Jackson, Upper Darby Twp., Drexel Hill, March 6, 1941.

WASHINGTON COUNTY

Miss Julia Lauda, Washington, March 6, 1941.

ALLEGHENY COUNTY

Miss Maude S. Nelson, Pittsburgh, 525 Grant Bldg., March 7, 1941.

CUMBERLAND COUNTY

Emmett R. Woods, Carlisle, March 7, 1941.

FAYETTE COUNTY

Miss Ada Latimer, Connellsville, March 7, 1941.

LANCASTER COUNTY

John E. Homsher, Strasburg, March 7, 1941.

PHILADELPHIA COUNTY

William L. McDevitt, Phila., 1100 Lincoln-Liberty Building, March 7, 1941.

WARREN COUNTY

Miss Charlotte E. Sinclair, Warren, March 7, 1941.

LEHIGH COUNTY

Miss Emilie J. Diefenderfer, Whitehall Twp., 828 Third St., Fullerton, March 8, 1941.

LYCOMING COUNTY

Miss H. R. Herman, Williamsport, March 8, 1941.

PHILADELPHIA COUNTY

Mrs. H. Wright Lemon, Phila., 1849 South St., March 8, 1941.

Miss C. F. Donnelly, Phila., 2224 W. Tioga St., March 9, 1941.

Morton S. Klaus, Phila., 1000 Liberty Title and Trust Bldg., March 9, 1941.

Francis E. McGill, Phila., 4425 Main St., March 9, 1941.

WARREN COUNTY

Ray C. Pickett, Warren, March 9, 1941.

WASHINGTON COUNTY

G. M. Challener, Canonsburg, March 9, 1941.

PHILADELPHIA COUNTY

Robert W. Atkinson, Phila., 437 Chestnut St., March 10, 1941.

John P. Cunningham, Phila., 2219 West Lehigh Avenue, March 11, 1941.

WASHINGTON COUNTY

J. W. Piersol, Bentleyville, March 12, 1941

ALLEGHENY COUNTY

Thomas J. Vunak, Braddock, March 14, 1941.

PHILADELPHIA COUNTY

John Amoroso, Phila., 1500 North Felton Street, March 14, 1941.

ALLEGHENY COUNTY

David M. Simon, West View, March 15, 1941.

LUZERNE COUNTY

E. Walter Samuel, Wilkes-Barre, March 19, 1941.

PHILADELPHIA COUNTY

Christian New, Phila., 1011 Chestnut St., March 22, 1941.

LAWRENCE COUNTY

Mrs. Alice Hurton, Ellwood City, March 24, 1941.

DAUPHIN COUNTY

Walter W. Moul, Harrisburg, March 27, 1941.

NORTHAMPTON COUNTY

Clayton R. Smith, Bangor, March 27, 1941.

PHILADELPHIA COUNTY

Miss Mary Weisenburger, Phila., 601 Otis Bldg., 112 South 16th Street, March 27, 1941.

ERIE COUNTY

Alban W. Curtze, Erie, March 29, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Gene M. Burns, Pittsburgh, 706 Plaza Bldg.
Edward B. Hamburg, West View.
Donald Hill, Wilkinsburg.

BERKS COUNTY

Miss Carmen T. Zocco, Reading.

BUCKS COUNTY

Ralph A. Keller, Perkasie.

CAMBRIA COUNTY

Miss Inez C. Davison, Ebensburg.

DELAWARE COUNTY

Robert W. Siddall, Upper Darby Twp., 336 Shadeland Ave., Drexel Hill.

ERIE COUNTY

Harry R. W. Swenson, Erie.

LEBANON COUNTY

Reuben F. King, Lebanon.
Clifford R. Zinn, Myerstown.

NORTHAMPTON COUNTY

Miss Marianne R. Fresoli, Bethlehem.

PHILADELPHIA COUNTY

Miss Anna A. Bucci, Phila., 1922 East Passyunk Ave.
Harold Colbeck, Phila., 4801 Stenton Ave.
Miss Thelma S. Detwiler, Phila., 1600 Hamilton St.
Joseph L. Farrell, Phila., 710 South 20th St.
Charles G. Gartling, Phila., 1214 Girard Trust Bldg., 1400 South Penn Square.
Miss Ruth Lieber, Phila., 7727 Frankford Ave.
Miss Betrice G. Lutz, Phila., 1724 Lincoln-Liberty Building.
Miss Kathryn Osmond, Phila., 900 Sansom St.
Miss Laura Wittmer, Phila., 3834 North 10th St.

SCHUYLKILL COUNTY

Burton Davis, Shenandoah.
Steve Souchack, Mahanoy City.

WASHINGTON COUNTY

Miss E. Jane Colborn, Charleroi.

WESTMORELAND COUNTY

Miss Elizabeth Kortright, Mount Pleasant.
Miss E. B. Lyford, Derry Twp., Box 390, Latrobe.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania:
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Jerome G. Stone, Pittsburgh, 2703 Penn Ave.
Miss H. A. Wibner, Pittsburgh, 1203 First Nat. Bank Bldg.

BERKS COUNTY

Miss Eva G. Rau, Reading.

CUMBERLAND COUNTY

Mrs. Janet Hollar, Shippensburg.

DAUPHIN COUNTY

Miss Elizabeth A. Maguire, Harrisburg.

DELAWARE COUNTY

Bernard F. Macatee, Haverford Twp., 1231 Garfield Ave., Manoa, Upper Darby.

GREENE COUNTY

Miss Rhetta South, Waynesburg.

INDIANA COUNTY

Miss Jane M. O'Hara, Indiana.

LACKAWANNA COUNTY

Joseph G. Pecko, Fell Twp., 621 Main St., Simpson.

MONTGOMERY COUNTY

Stanley H. Snyder, Pennsburg.
Mrs. Helen L. Weand, Norristown.

NORTHAMPTON COUNTY

Rolland R. Schreib, Easton.

PHILADELPHIA COUNTY

Miss Anna M. Faulds, Phila., 857 East Allegheny Avenue.
Hyman Lebovitz, Phila., 914 Pennsylvania Building.

SCHUYLKILL COUNTY

Miss Ruth C. Kerkeslager, Ashland.

WARREN COUNTY

Miss Eunice J. Alexander, Warren.

WASHINGTON COUNTY

Miss Lillian E. Wolf, Washington.

WESTMORELAND COUNTY

Harold Clayton, Jeannette.
Paul E. Lehmann, North Huntingdon Twp., Irwin.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EDMONDS

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	Dent,	Lanius,	Stiefel,
Bartlett,	DiSilvestro,	Letzler,	Stevenson,
Becker,	Ealy,	Mallery,	Tallman,
Carr,	Edmonds,	McCreesh,	Taylor,
Cavalcante,	Farrell,	McGinnis,	Tyler,
Chapman,	Frey,	McQuiddy,	Wade,
Coleman,	Geltz,	Miller,	Walker,
Cox,	Haluska,	Reed,	Watkins,
Crider,	Heyburn,	Ruth,	Wilson, H. I.,
Crowe,	Homsher,	Scarlett,	Wilson, T. B.,
Deitrick,	Kephart,	Shapiro,	Ziesenheim,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF THE PEACE OF LACKAWANNA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward S. Battle, 115 Powderly Street, Carbondale, Lackawanna County, for appointment as Justice of the Peace in and for the Township of Carbondale, Lackawanna County, until the first Monday in January, 1942, vice John F. Haran, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for appointment as members of the Franklin County Board of Assistance, for the terms set opposite their names:

Mrs. Rose G. Holler, 48 North Second Street, Chambersburg, until December 31, 1943. (Reappointment)

Mrs. E. Viola Hockman, Main and Potomac Streets, Waynesboro, until December 31, 1943. (Reappointment)

Mrs. Anna A. McGee, Spring Run, until December 31, 1943. (Reappointment)

Miss Rhoda Berger, Cove Gap, until December 31, 1941, and until her successor is duly appointed and qualified, vice Edgar W. Diehl, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harrison Beardsley, Johnsonburg, Elk County, for reappointment as a member of the Elk County Board of Assistance, until December 31, 1943, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Bushy Run Battlefield Commission:

H. L. Good, Second and Oak Streets, Irwin, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, to fill a vacancy.

C. Martin Bomberger, Jeannette, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice H. Burns Smith, whose term expired.

H. D. Diffenderfer, Export, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, to fill a vacancy.

James Gregg, Mt. Pleasant Road, Greensburg, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice James K. Clarke, whose term expired.

M. A. Gillespie, 106 North First Street, Jeannette, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified. (Reappointment)

Mrs. Caroline Lynch, Greensburg, Westmoreland County, until the third Tuesday of January, 1943, and until her successor shall have been appointed and qualified, vice Mrs. Kittie Painter Laffoon, whose term expired.

ARTHUR H. JAMES.

SPECIAL ORDER OF BUSINESS—4:45 P. M.

BILL ON FINAL PASSAGE

SENATE BILL NO. 125

Mr. DENT. Mr. President, I call up at this time Senate Bill No. 125, on the Calendar as a special order of business for today at 4:45 p. m.

The PRESIDENT. The Chair was just about to do that. The hour of 4:45 p. m. having arrived, at which time consideration of Senate Bill No. 125 is set for a Special Order of Business, the Chair recognizes the Senator from Jefferson, Mr. Henry I. Wilson.

Mr. HENRY I. WILSON. Mr. President, it will be remembered last Wednesday the question of further postponing consideration of Senate Bill No. 125 was decided and it went over until today as a special order of business at 4:45 p. m.

Mr. President, that time having arrived and having analyzed this bill and having found so many mistakes in it I feel it would be necessary to have further action of the committee.

RECONSIDERATION OF SENATE BILL NO. 125

Mr. HENRY I. WILSON. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 125, entitled,

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof

passed third reading.

Mr. HENRY I. WILSON. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HENRY I. WILSON. Mr. President, I voted "aye."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HENRY I. WILSON. Mr. President, before I move to have Senate Bill No. 125 recommitted to the Committee on Judiciary General for further consideration and possible amendment I wish to extend the courtesy to the author of this bill, or the sponsor of this bill, so that he will know the reasons for it, or at least a few of them in advance.

In making this motion, I want to disclaim any opinion that might pertain to politics and I do feel that we should right now take enough time to see that the matter can be intelligently considered by the Senate Committee. I am not a member of that committee. The Senate now assembled, I believe, has a duty to prform; if an abatement act is to be passed it should be passed in proper form so that everybody considering the bill will know it is right.

Mr. President, a brief history of tax abatement might be well put on the record at this time. It will only take a few minutes to get this properly before the Senate before I move to recommit Senate Bill No. 125.

Mr. President, the first act of abating certain tax penalties in this state applying to cities of the first class was the act of December 7, 1933, at the Special Session, P. L. 66.

The next act to abate taxes outside of cities of the first class was the act of May 1, 1935, P. L. 129. Under that act the taxpayer had to pay the 1935 taxes in order to be under its provisions.

The second act was June 2, 1935, P. L. 444, amending

the act of May 1, 1935 and placing additions thereto in the act. That would indicate the legislation was made somewhat in haste.

Mr. President, the third act was June 4, 1936, P. L. 10. It was the same kind of an act as was passed in 1935.

The fourth act was passed April 14, 1937, P. L. 302.

Under those last two acts, the act of 1936 and the act of 1937 payments had to be made on or before November 1st in all of those years.

The fifth act was passed October 25, 1938, at the Special Session, P. L. 84; that act allowed the taxpayers to pay on or before December 31st.

Mr. President, the sixth act was of June 19, 1939, P. L. 404. That act abated penalty on the 1935 taxes and up-to-date—where payments were due August 1st, unless the county treasurer extended the time by public announcement; however, that was not to be before November 1st.

Mr. President, as to Senate Bill No. 125, the bill on the Calendar for special considertaion today, note well these words and see if they are correct—the word "41" on line 23, page 2, should be "40" for the following reasons: it is my opinion that in order to receive the benefits of the act taxpayers should be compelled to pay the current year's taxes when they start on the plan instead of just the current year's tax beginning the year after they started the plan. Otherwise the tax for the year 1941 could run on indefinitely without payment and the payment of the same never be required, to obtain the benefit of this bill.

Section 2 of the bill is bad, and if it is to stand, payment of the 1941 tax should be required for this reason, namely, when a property is sold at a county treasurer's sale and the same is purchased by the county, the county enters this on its land docket, and is required to charge the land with its respective tax by entering the same on said docket each year, and during the time that it is on the county land docket it does not appear on the assessment records and when a property is redeemed it is not placed on the assessment records until the following year, and if the payment of the 1941 tax is not required it will never be collected, or else the redemption would never be completed, one or the other.

For example, Mr. President, a property was sold by the treasurer in 1936 for 1934 and 1935 taxes and it was placed on the commissioner's docket and each year during the period of redemption, that is 1937, 1938, 1939, 1940 and 1941, the land was charged with its respective taxes by entering the same on the land docket. Under the present law, to make a complete redemption, it would be necessary to pay all the taxes shown on the land docket and if that redemption were made in July, 1941, it would not be placed on the assessment books until 1942. Under the provisions of Section 2 a property owner could pay all the old tax at face and not be required to pay the 1941 tax. In other words, it is my opinion he should be forced to make a complete redemption or else not be entitled to the benefits of the act.

Mr. President, Section 4 of the act should be reworded. Under its present wording it is not clear as to whether the 1941 tax would have to be paid or not and if they are not paid the sale would divest them.

Section 6 is bad for the reason it changes the time of a treasurer's sale. If Section 6 were adopted as legislation, the county treasurer would be forced to advertise a sale for the first Monday of August but the law would not let him hold the sale and it would have to be adjourned and readjourned upon petition by the treasurer and county commissioners and approved by the court until after November, and when a sale is held in November it does not give the county treasurer sufficient time to properly prepare his accounts by the end of the fiscal year. At this time of year sale of hunters' licenses is at its height and at no time should an officer be forced to advertise a sale that he could not hold. See Section 4 of the act of 1939, P. L. 498.

Mr. President, the provisions from line 19 to 28 inclusive on page 6, under Section 6 are bad, and can easily be subject to misinterpretation. Various laws specifically provide for the duration of a tax lien; as the law now is a tax lien can not be revised, that it is only good for five years. The provision in lines 19 to 28 would certainly mix up liens and titles.

Mr. President, we have heard from the floor of this Senate that this bill was identical to bills which have been passed at prior sessions. That, of course, you see could not be correct. It is not the fault of the sponsor of the bill, it is the fault of those who prepared the bill, those who prepare tax bills at times like these should be those who understand the tax business and I therefore feel that this bill should be corrected.

You read it over very carefully and you will see it will continue what was started from 1935 to 1939, a necessary practice, and I want to offer in addition to the reasons that I have mentioned here that there are many other wordings that ought to be changed, even wordings that come from the act of 1939. There are too many to cover here but they can be discussed in committee and I would take pleasure if the committee would give me permission to come before them to tell them about these things but I do want to say in conclusion, before I make a motion to refer this back to the Committee on Judiciary General, I would like every member of the Senate if he would, without politics, any way at all get in touch with the tax collecting authorities, if they have not already done so.

It seems to me that conditions are so different from conditions of all prior years since 1935 that we should not jump to the conclusion that it should be done in this manner. There may be some other way of doing it. Some have mentioned it would be proper to put in an optional provision, which might provide for accepting of the act or not accepting of the act. Some counties might feel that would be right for them. Others would like to have the thing made mandatory.

Mr. President, those conditions have so changed that it would seem proper and right to go into the matters fully and to allow those who are tax specialists to appear before the committee on Judiciary General. If there is anything in the world that is disheartening to a municipality it is the failure of the tax collecting authorities in the securing of their money. If there is anything that ought to be done right it is the preparation of tax bills. If the law-making body of this State is confronted with any problem at all the tax problem is one of the greatest. With me I think the relief problem comes first but the tax problem comes next and I think every member of this Assembly should cast aside anything which might be called partisan politics.

Surely, Mr. President, every member of this Legislature wants and wishes to deal with those things that are

right; every member of this Legislature should consider what is right.

Now, Mr. President, I have taken the pains, like I requested last Wednesday afternoon of other Senators, to take home and make inquiries among those who have these matters to take care of, and I want to pass on to those who are considering this bill that there are serious questions on many of the things provided in this bill.

For instance, in the County of Indiana the entire body of the County Commissioners, after analyzing this bill for some time, are against this bill and there are many people who have to do with municipal affairs, not knowing how much money is going to come in, feel they are unable to make up their budget and that they would be better prepared to do that if the bill was made certain so that they would be willing to accept it and could work it out.

Mr. President, different conditions exist in different counties and therefore there ought to be a provision in some way to take care of all counties.

Mr. President, I feel sure the sponsors of this bill had only the desire to help somebody who needed to be helped. I just feel sure of that and I feel sure if the bill went to a vote today every man in this Senate who would vote for it would feel he was doing something to help somebody who merited such an action, but if this is to be done ought it not to be done scientifically, ought it not to be done properly, and ought it not be considered in a manner that would do the least damage to the municipalities of this commonwealth who have so many serious questions?

Now, Mr. President, far be it from me to make a speech at this time, but there are some very serious questions involved in the matter that is before the Senate and in order that the whole question may be considered properly and that experts may be called in to help prepare the right kind of a bill, if such a thing can be done, I make the following motion:

MOTION TO RECOMMIT SENATE BILL 125 TO COMMITTEE ON JUDCIARY GENERAL

Mr. HENRY I. WILSON. Mr. President, I move you now that Senate Bill 125 be rereferred to the Committee on Judiciary General for further consideration and possible and I will say probable amendment.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President and members of the Senate: I thought we had hashed out most of the difficulties surrounding this bill last week. I can agree in part with what the Senator from Jefferson has said but I just want to inform the members of this Senate when the gentleman from Jefferson finished his talk, after he gave some very good reasons why the bill should be amended, I think he gave very effective argument against the bill itself.

Mr. President, to my mind I think that is the plan behind this motion to send Senate Bill 125 back to Committee. I am a little bit leary towards that because if this bill goes back to committee that is where it will die.

Mr. President, when the gentleman from Jefferson says it is the sort of a bill covering a serious subject he gives me and every other member of this Senate all the more reasons for not sending it back to Committee than I possibly could give you if I talked for an hour. It is a bill which is necessarily a part of the business of every man on the floor of this Senate today.

We should take the bill before us today and if amendments are to be offered let's offer them here today, let's not send the bill back to Committee because it was sent back once to Committee and it came back exactly in the same form I had originally sponsored.

In so far as authorship of Senate Bill 125 is concerned, Mr. President, I disclaim writing it, of course. I do not think any Senate member here writes many bills. The Legislative Reference Bureau is paid to do that work and they naturally wrote the bill at my request. Any errors that may be in it can possibly be attributed to human nature.

However, Mr. President, let me say this, this bill, I repeat, does identically the same thing that has been done since 1935 in the matter of delinquent tax penalty abatement; does not do anything else and there is no difference in Section six today than what it was in the last bill; there is no difference in Section eight; there is no difference in Section seven.

Regarding the matter of line 23, the word "4," amendments are already prepared and they are here. Senator Cox will present amendments to take care of that objection, I mean the typographical error because the word "4," was inserted instead of "40". The amendments are all prepared for page 2, line 25, and the specified date and time.

Mr. President, you will find if you will give us the opportunity here today we will present amendments so that the entire Committee of the Whole can know what they are and can vote intelligently upon them.

Mr. President, the question in my mind is this: do the Republicans on that side want a tax abatement bill or don't they want a tax abatement bill and I repeat today what I said last week, your vote on this particular motion is a vote on what you want in this type of legislation.

The gentleman from Jefferson says the entire body of officials back home in Indiana County are not in favor of the bill, they are against it; therefore the gentleman from Jefferson can vote against the bill; nobody is asking him to vote for it. Mr. President, I say I want to vote for this bill and I want to vote for this bill on the floor of this Senate; I do not want it to go back to committee and be pickled.

I am sincere when I say I agree with the gentleman when he says times are different today than they were in 1935 and that is why I put the bill in, because more people are equipped to take advantage of this bill today and will be for the next five years. With governmental spending for defense, with the improved industrial activity in the State of Pennsylvania, a lot of home owners will be able to pay back taxes, and I say we ought to give them opportunity to pay back taxes. The way to do that, Mr. President, is to do it right now here today. If we have any amendments bring them out on the floor and let's hear them. We will give them intelligent consideration—I believe it will be intelligent consideration; at least it will be honest consideration—and so I say to you I am against this motion. Mr. President, I say any person who votes to send this bill back to committee is voting to send it to the graveyard, because that is where it will go and that is where it will stay.

Mr. President, my friend on the other side took exactly eight minutes to tell us what was wrong with the bill, what ought to be corrected, then he took over twelve minutes

telling us why we ought to kill the bill, and if it goes back to committee I say it will die in committee or come out in such mutilated form it might as well be dead. I oppose the motion to send Senate Bill No. 125 back to committee.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Jefferson.

The PRESIDENT. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. HENRY I. WILSON. Mr. President, I will.

Mr. COLEMAN. Mr. President, I desire to ask the gentleman from Jefferson whether or not he is against the general principle of abatement and penalties and interest on taxes.

Mr. HENRY I. WILSON. Mr. President, as far as I am concerned I want to do that which the majority of this Senate wants me to do. I will say to the Senator from Lackawanna so far as the general abatement matter is concerned I want to get rid of it as soon as possible. I say this, Mr. President, I do not think this bill is effective and this bill is different from the other bills and if it is not properly amended it will not take care of the taxes of 1941 and, Mr. President, it is not betraying any confidence as far as the Caucus of the Republican party is concerned on the merits of the bill, when I say that their attention having been directed to this matter many proposed amendments were discussed. I am satisfied the hope of passage of this bill depends upon it going back to committee and having these matters taken care of in committee by discussion among the people rather than too hastily try to prepare them on the floor of this Senate. And I am wondering, Mr. President, in further answer, why it should be hurried, why we should be hurried.

Mr. COLEMAN. Mr. President, is the gentleman from Jefferson interrogating me I do not think the gentleman from Jefferson gave me a direct answer to my question but I would like to ask the gentleman one more question if I may.

The PRESIDENT. Will the gentleman from Jefferson permit himself to be further interrogated

Mr. HENRY I. WILSON. Mr. President, whether I am for a tax abatement bill as a general principal or not depends entirely on how this thing is formulated. As it stands today and as it was passed in 1939 I am against that principle. Why, Mr. President? Because you charge the people who try to do things, and give that to somebody who does not, plans have been proposed that will not necessarily do it, but if such a plan will come forth in this body I will be very glad to go along.

Mr. President, in making my decision I am against that in principle. I believe the time must come if this state is to thrive we must get rid of the abatement bill, it must not come back as a matter of habit every two years but we must be careful that the time is propitious, and I claim the time is propitious. Every paper, every word of news I get indicates since last October 1st unemployment is decreasing, there is some work and more business and it is going on, so that if there ever will be a time tax abatement can be done away with entirely personally I think it is now. It may be and I hope it may be, if this Senate thinks so, that the work which will be done before the committee will commend itself not only to the Senate but to the House and some bill will come out of it.

Mr. President, I might say if conditions justify voting against any amendments I want to hold myself so that I can do it and I feel every Senator should do that and decide the question for himself, but I will not do it haphazardly and I will not do it without training and experience to do it, without knowing what I am talking about, I will not do it without having it based on years and years of experience, years of experience telling me conditions have changed. It still may be necessary to pass an abatement bill but I want to say it must be prepared, whether at this time or some other, but I hope it will not be necessary to do it, but if it is I do hope that you take sufficient time and find out about the way it should be done. Ask the county commissioners, the taxing authorities of those different counties, the tax collectors, ask the county commissioners, ask the county solicitors, ask the county treasurers, ask all those people why they are not in favor of a tax abatement bill or why they are for it.

The truth of the matter is, Mr. President, all these bills have been a little different, nearly all except two, and it has been difficult for the delinquent tax receivers to keep their records correctly under tax abatement. You have called it up and asked my opinion and under tax abatement I say many people are induced to endeavor to do a thing they can not do and it sinks down and it is not a success in most of the rural counties, and I challenge you to inquire, but if we can get a bill that will be acceptable —and it may be we can—under those conditions I will be glad to go along with the Senator.

Mr. COLEMAN. Mr. President, I am assuming I am correct in my assumption the gentleman from Jefferson is against the principle of abatement, penalties and interest and taxes and that his argument, his complaint about the faulty draftsmanship of the bill is a spurious argument.

Mr. DENT. Mr. President, I do not want to add any wood to the fire but I want to comment on one or two things I gained from the answer the gentleman from Jefferson gave to the question which was asked of him.

Mr. President, I think the gentleman from Jefferson and I do not work along the same line. I do not care what my taxing authorities think about this or any other bill back home. The people I am trying to help are the people that have delinquent taxes and I do not care whether my officers, the county treasurer or the county commissioners, I do not care whether they like the method under which the legislation was done as long as we are doing a thing I believe to be right and a thing that is an honorable thing to do.

Mr. President, I do not believe a pool of bankers or a pool of home loan corporations should step in and take properties that belong to people, on which persons have paid for years and years and own those properties, but because they owe five or six year's taxes they are sold at a tax sale and along comes a mortgage pool or a group of other financiers who take the homes that belong to individuals, family people of this state. Mr. President, those are the ones I am interested in and I do not care whether the county commissioners like the plan or not, I do not care whether my commissioners like it, but I know that the man that has money and has now for the first time in ten years a job where he can pay his back taxes, or part of them, and pay the present taxes, I know that man likes this bill because that man and many, many

thousands like him have taken advantage of this type of legislation in the last five years. Mr. President, that is who I am interested in and I am not a bit interested in what my authorities back home think or whether they like it or not. They attend to their business back home and I try to attend to my business here.

Mr. HENRY I. WILSON. Mr. President, I would like to say just one more word. I think it is the province and duty of the Senate and members of the House of Representatives to try to legislate for all people. I feel that is why every phase of this matter should be considered. I feel it is decidedly improper for me to say, because I am against under certain conditions a certain abatement bill and criticize somebody else because he takes the opposite view, but I do feel like criticizing him when he says I want to legislate for this particular citizen or that particular citizen.

When he tries to do that and presents a bill that is full of errors as was clearly demonstrated before the Republican Caucus today we feel he has not approached the question in a manner which would merit confidence even by the people whom he desires to serve and I want to say to you if he leads people into a bill that is not proper and right, if he leads people into a bill that requires amendment on third reading, such as this bill does require, and hurry it through and we have not been given the opportunity of putting in proper provisions which are required, that certainly would not be good management. I want to disclaim any idea of trying to put a bill back to committee in order to kill it. Mr. President, the way to kill it is to vote on it today—and you will not have intelligent consideration of it. I ask every member of this Senate to get up and discuss and tell what you know and tell how you know it, and when you have done all those things, tell why you have allowed this bill to be drawn so that you lose 1941 taxes. I ask why all this hurry, and all I say is I reserve to myself the right to finally, when this bill comes up for final passage, to vote as I think proper and I hope every Senator on the floor of this House will do the same thing.

Mr. President, I hope this motion will be put to the Senate.

Mr. SHAPIRO. Mr. President, I am going to further violate the rule which provides that a motion to recommit a bill is not debatable by further discussing this bill.

The PRESIDENT. The Chair is aware of that but when there is no objection he assumes that it is by unanimous consent.

Mr. SHAPIRO. Mr. President, my objection to recommitment of this bill is basically one which I hope will tend towards better legislation. If you look at the history of the Senate and look at the record of this bill you will understand why some people view with suspicion the motion to recommit this bill. I do not, Mr. President. I do not view it with suspicion and I take it is with a good intention.

Mr. President, this bill was introduced on February 3rd, it was reported as of February 18th, it passed first reading on February 18th, it passed second reading on February 19th, it was recommitted to the Committee on Judiciary General February 24th, it was rereported as committed on February 25.

Now, Mr. President, if it was recommitted and it was rereported as committed, I take objection to recommitting this bill to the Committee on Judiciary General for the purpose of amendment and I do not blame some of the people for suspecting the motive back of it. Either the Committee on Judiciary General does its work or it does not; either when it is reported back for the purpose of amendment it should be amended, or if the Committee feels it should not be amended then this bill should be finally disposed of. This business of sending a bill back and forth to suit the whims of some particular person or some friend is going to get all of us in trouble.

None of us who realize this is an important piece of legislation could vote honestly to commit this bill back to the Committee on Judiciary General. Why is it to be sent back to the Committee on Judiciary General? It was back there before and it was not amended and if all these defects appeared in the bill, then why do they suddenly come to the surface now? Nothing was said about it last week when this bill was placed on the Calendar as a special order of business.

Mr. President, personally I have no hesitancy in saying I am opposed to this bill, as far as first class cities are concerned, because I do not see any occasion for it. Our situation in Philadelphia has improved to such an extent where I can say, when we first started to pass this bill there were twelve hundred properties listed by the sheriff for sale every month and now there are less than two hundred; some months there have been less than a hundred and fifty, and that indicates to me that people are paying their taxes, people are able to pay their taxes.

Mr. President, in discussing this question with the Receiver of Taxes in Philadelphia I find no inclination in his mind that such a bill is necessary nor do I feel the people of Philadelphia are clamoring for it.

That is one of the reasons why I suggested we were prepared to offer amendments today to make this bill apply only to cities other than cities of the first and second class, because in those cases there are individual situations, there are situations which may require some attention, about which I know nothing at all because I do not come from those counties.

I do not understand and it does seem strange to me a bill which has been in Committee and out—in for the purpose of amendments—should be recommitted again.

Mr. President, all of the things the gentleman speaks about are matters of draftsmanship and matters of principle. The question of whether 1941 taxes should be compelled to be paid in order to take advantage of this abatement bill was discussed before the committee when the bill was in committee.

Mr. President, many of us have objected every time this bill came out. This is not a new question.

In 1937 when the bill was up the question was raised: shall you compel the payment of current taxes or not? arguments were given if you do not you give the slow man an advantage over the man who pays the taxes on time; arguments were made if people pay their taxes or anticipate the payment of taxes they should be paid interest, if they pay them on time and are not charged interest, others allow their taxes to run and are fined and do not pay the interest, and then you come along with an abatement bill and you give them a chance to get the same advantage, you put a premium on laxity instead of enforcing payment. Frequently there was argument and discussion over that question and in 1937, the Committee cut it out.

Now the tax receivers come around and argue if we put this bill through we are going to prevent them from collecting 1941 taxes; they will only get a portion. Every one of those amendments were considered.

The people who framed this bill came to the conclusion that persons who are to be helped by the bill are those persons who are now about to get a job or have just gotten one, they have made some money which they can use to pay off the taxes and stay the sales, but they do not have enough money to pay the 1941 taxes before they become delinquent and therefore they allow the 1941 tax proposition to go along on the basis of an abatement which will not require it to be paid.

Mr. President, these are emergency situations. You heard it last week. How true it is you know better than I do. You know your own situation.

I am told March 1st is the dead line, is the line of demarcation in some communities. I am told certain sales will be made within the next few days—to send this bill back to committee—which already had it for amendment and did not amend it—I say, Mr. President, you have either got to stand by that proposition or raise your question with your respective members of the House to correct these things, and let the bill get through once and for all. If you deny the Committee has done its work properly in that event it seems to me the practical proposition is to let this bill go through to the House and let the House discuss the same questions we have been discussing here, as to whether 1941 taxes should be paid or not and the typographical or printer's error could be taken care of over there. For that reason, Mr. President, I shall object now to the recommittal of this bill.

Mr. HENRY I. WILSON. Mr. President, I just want to make a few comments in answer to the splendid statement of the gentleman from Philadelphia, Mr. Shapiro. However, I think the gentleman ought to know I was not a member of the committee which had this bill under consideration and to the other members of this Senate I should like to say the first opportunity I had to know about what this bill contains was on last Wednesday when it came up for discussion on final passage.

It seems to me, Mr. President, it was the proper time then, but we were hurried, and these matters have been brought up since and I am asking the sponsor of the bill and I am asking every lawyer in this Senate and I am asking every person that knows anything about taxation: is this bill proper or not? As I have previously said, I think the objections I have raised in this discussion are too vital to undertake making amendments to that bill today.

If they are it should be recommitted and if they are not you can recall the vote and I do not care which way you do it.

Mr. WALKER. Mr. President, I agree with the gentleman from Philadelphia that the narrow limits of debate on the motion to recommit a bill are somewhat fine. However, I feel we have unanimous consent to discuss everything from the weather to the bill under consideration.

I want to point out on behalf of the Committee on Judiciary General that this bill was in that committee and languished there for weeks. I assumed when the bill was printed in pink it would be read by everybody.

Mr. President, the bill was considered by the committee and reported out. When it came up the only suggestion was made by the gentleman from Allegheny, Mr. Frey, and there was then a request that the bill be returned to committee for amendment. After the bill was returned to committee there was a discussion between the sponsor of the bill and the gentleman from Allegheny as to whether or not these amendments should be placed in the bill and it finally came to be the concensus of opinion that it should not be placed in the bill and we reported the bill out. If it is now returned to Committee on Judiciary General, I want to suggest to the gentlemen who are just now starting to read the bill that if they have any suggested amendments that they give them to the committee before the bill is reported out on the floor for the third time, because in any league three strikes and you are out.

Mr. MALLERY. Mr. President, I wish to interrogate the gentleman from Westmoreland.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. Mr. President, I will.

Mr. MALLERY. Mr. President, will the gentleman state whether or not I am correct that I understood the Senator to state both Wednesday and today, that this bill is exactly the same as the bill of 1939.

Mr. DENT. Not 1939, Mr. President. No. In the 1939 bill it was optional and the optional bill created more trouble than it did good. You see, Mr. President, in some communities where you have a situation where the school board did not agree with council, the council would agree on abatement of penalties and the school board would not. Not the 1939 bill.

Mr. MALLERY. Mr. President, the Senator from Westmoreland does know the 1939 bill did not abate interest payments.

Mr. DENT. Yes, Mr. President.

Mr. MALLERY. Mr. President, I want to make this statement. I took this matter up over the weekend and while I stated I think on the floor of this Senate I am in favor of a tax abatement bill I likewise wanted to check up and find out what our county commissioners and other officers thought about the matter. They suggested amendments, however, and I have amendments prepared and have them here to make the bill comply with the act of 1939.

Mr. President, the county commissioner with whom I had this conversation stated that if the bill were not made to comply with the 1939 act people who are now paying delinquent taxes under the 1939 act would quit and take up under the act such as is before us, if it were to pass in its present form.

Mr. President, I am in favor of a tax abatement bill, briefly, for this reason: as a understand it those who took advantage of the act of 1939 had to do so by November of 1939 and I think it is only fair to state that since November of 1939 many people have obtained employment who did not have employment in November of 1939 and I think it is a lot better to give these people an opportunity to save their homes, who have obtained employment since November of 1939, than it is to have this property revert to our municipalities and sold to some one who has a lot of loose money and would therefore be able to profit at the expense of a man who has for years endeavored to own his own home.

Mr. President, I am in agreement with the idea that we should make the best possible bill that it is possible

for the Senate to enact, and not the House to correct what we in haste here admit is not in the best form it is possible for us to put it in.

Mr. DENT. Mr. President, in order that there may be no misunderstanding there are amendments prepared and that is why I do not want the bill to go back to Committee. It seems to me every person here has an interest in this bill. Let's offer the amendments on the floor of this Senate. Personally I do not agree with reenacting the act of 1939, but I can readily see if a majority of the Committee and a majority of the Senate so decide we will get that bill. I can see that and that is why I would rather have it acted on here. Let us all have a word on the merits or demerits of the 1939 and 1937 and 1935 acts.

Mr. President, you have two schools of thought in this matter. Some persons want to do for the taxpayers as much as possible and want to help clear up this situation. The banks do it and business houses and manufacturers do it. They take a good customer that has paid his accounts for years and years and years and when he hits a depression or a bad slump in business and does not have the money they discount a certain amount in order to keep his business. We ought to keep the business of anyone who keeps us, the State of Pennsylvania, this great democracy we hear so much about on the floor of the Senate, we ought to help them all we can and that is why we enacted the bills of 1935 and 1937 and 1939 and that is why you have had lots of people take advantage of the act since 1939.

Mr. President, I want to say I will vote against sending this bill back to Committee.

Mr. CAVALCANTE. Mr. President, I would like to offer an amendment to the motion made by the gentleman from Jefferson.

MOTION TO AMEND MOTION TO RECOMMIT SENATE BILL 125

Mr. CAVALCANTE. Mr. President, I will offer an amendment to the previous motion to recommit Senate Bill 125, to carry that after the Committee of Judiciary General has made the necessary corrections and amendments that the bill shall be returned to the floor of this Senate for final action.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the motion made by the gentleman from Fayette is out of order.

Mr. CAVALCANTE. Mr. President, I am in order.

The PRESIDENT. The gentleman from Fayette is not out of order in rising to make a motion, but his motion is out of order.

Mr. GELTZ. That is right, Mr. President.

Mr. CAVALCANTE. I beg your pardon, Mr. President.

The PRESIDENT. The Chair rules the Senator from Fayette, is not out of order in his motion but the amendment is out of order, and the Chair so rules. A similar point was raised last week and the Chair so ruled.

The Chair wishes to make a statement and it is relative to abatement. The Chair is perfectly familiar with the fact that during all our sessions we have not strictly adhered to parliamentary rules and regulations. In order to justify the Chair's position in permitting anything of that kind the Chair has assumed where there has been no objection there has been unanimous consent. The Chair wants to continue that and wants to be just as liberal as possible in order that we may have as free debate as we can, but should the question be raised the Chair would be required to rule that such debate was not in order.

Particularly the Chair wants to call the attention of the Senate to this question of personal privilege, which has been abused repeatedly. The only reason the Chair has tolerated such action was in order to permit the Senators to give vent to their feelings and get something off their chests.

The Chair would ask the Senators to read from Page 846 of the Manual, on the question of Personal Privilege, Sections 154, 155, 156 and 156a.

Notwithstanding the fact that this question of personal privilege has been abused the Chair proposes to be lenient unless there is objection. After all this body is able to take care of itself and I think the use of unanimous consent can control its proceedings, and unless there is a question raised as to some irregularity that is what the Chair proposes to do.

The Chair desired to explain why he has been as liberal as he has, knowing he has permitted action which should not have been permitted.

And the question recurring,

Will the Senate agree to the motion to recommit Senate Bill 125?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—30

Bartlett,	Edmonds,	Miller,	Tyler,
Becker,	Farrell,	Scarlett,	Wade,
Carr,	Geltz,	Snowden,	Walker,
Chapman,	Heyburn,	Stevenson,	Watkins,
Crider,	Homsher,	Tallman,	Wilson, H. I.,
Crowe,	Kephart,	Taylor,	Wilson, T. B.,
Deitrick,	Letzler,	Thomas,	Ziesenheim,
Ealy,	Mallery,		

NAYS—18

Barr,	DiSilvestro,	Lanius,	Reed,
Cavalcante,	Frey,	McCreesh,	Ruth,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	James,	McQuiddy,	Stiefel,
Dent,	Jaspan,		

So the question was determined in the affirmative.

The PRESIDENT. The motion prevails and Senate Bill 125 is returned to the Committee on Judiciary General.

RESOLUTION AUTHORIZING ADJOURNMENT OF TAX SALES

Mr. COLEMAN offered the following resolution which was twice read as follows:

In the Senate, March 3, 1941.

Whereas, The economic emergency of the past several years has not entirely ended; and

Whereas, The present forced sale of real property for the nonpayment of taxes would work tremendous inequities to the persons owning such properties and yield a minimum of satisfaction to execution creditors and taxing authorities; and

Whereas, Under existing law various sales of real property will soon be held for the nonpayment of taxes; and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before the dates fixed for such tax sales to authorize the stay of such proceedings

and the adjournment or further adjournment of such sales; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby authorizes the various courts of common pleas, upon application of interested parties, to stay any writ of execution or proceedings for the sale of real estate for the nonpayment of taxes, and the county treasurers of the various counties if the county commissioners and the court of common peas of such counties consent thereto, to adjourn or readjourn any tax sale, which under existing law was to be held or is required to be held prior to the thirtieth day of June, one thousand nine hundred and forty-one, and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to further provide for the stay of such writs and proceedings for the sale of real property and for the adjournment and readjournment of such sales of real property for the nonpayment of taxes, and to validate any such stay of execution and such adjournment or readjournment of tax sales and to provide for the continuance of such writs and the holding of such sales at a future date, saving the lien of all taxes assessed against real property which was to be sold at such sales.

Mr. COLEMAN. Mr. President, I ask immediate consideration be given the above resolution.

Mr. GELTZ. Mr. President, I object to immediate consideration.

The PRESIDENT. There is objection.

The resolution is referred to the Committee on Judiciary General.

MOTION FOR RECESS

Mr. DENT. Mr. President, I move that the Senate do now take a recess of ten minutes, to give the Committee on Judiciary General an opportunity to meet and act on the resolution.

Mr. COLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, may I suggest that as Chairman of the Committee on Judiciary General I will call a meeting of that committee when I choose. The gentleman from Westmoreland is not a member of that committee and he can not call a meeting.

The PRESIDENT. It has been moved by the Senator from Westmoreland, Mr. Dent, and seconded by the gentleman from Lackawanna, Mr. Coleman, that the Senate do now take a recess of ten minutes.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. For what purpose, Mr. President?

Mr. DENT. Mr. President, for a meeting of the Committee on Judiciary General.

The PRESIDENT. The motion is out of order. The gentleman can not direct a meeting of the Committee on Judiciary General or any other committee. It is for the Committee to determine whether a meeting shall be called.

Mr. DENT. Mr. President, I beg to differ with the Chair. Every committee appointed by this body is under the direct supervision of this body. Mr. President, when a committee of this Senate gets to the point where it does not take direction from a majority of the Senate then it no longer serves the purpose of the Senate.

The PRESIDENT. Proper procedure would be to move to discharge the committee from further action.

Mr. WALKER. That is correct, Mr. President.

Mr. DENT. Mr. President, a committee can meet if directed by the Senate. I still maintain that point.

Mr. CAVALCANTE. Mr. President, I very reluctantly take issue with the President of this body but this ruling just made has been also made in respect to practically the same question raised by me on previous occasions.

I must differ with the Chair on a matter of parliamentary procedure. Mr. President, I submit this body may direct any standing committee of this Senate to perform special duties but in doing so the motion must be carried by the necessary majority. Prior to the present rules of the Senate it would have required a two-thirds vote to impose special duties on a standing committee.

However, Mr. President, as the rules now stand it only requires a majority of those elected to the Senate to place any special duty on any standing committee. As I have stated in the opening, Mr. President, I say very reluctantly but I sincerely and honestly believe that the Chair is mistaken in that decision on parliamentary law.

I agree fully with the gentleman from Westmoreland, it is within the power of this body, as we are meeting at this very moment, to place additional duties on a standing commtitee if we so desire, conditioned however, that that duty is imposed upon them by a proper vote and in this case it would be by a majority of those elected to this Senate.

POINT OF ORDER WITHDRAWN

Mr. WALKER. Mr. President, may I withdraw my point of order.

The PRESIDENT. The gentleman from Allegheny may.

Mr. WALKER. Mr. President, I raised a point of order which I would like now to withdraw. I am perfectly willing to vote on this question.

The PRESIDENT. The question would then be on the opinion of the Chair.

Mr. DENT. Mr. President, there is no appeal from a ruling of the Chair.

Mr. WALKER. Mr. President, may I suggest the question would be on the motion to take a recess, moved by the gentleman from Westmoreland, directing the Committee on Judiciary General to hold a meeting to consider the resolution just presented to the Chair by the gentleman from Lackawanna. Is that correct, Mr. President?

Mr. DENT. Mr. President, that is correct. However, Mr. President, I made no appeal. I will say the vote will be 30-16.

Mr. WALKER. Mr. President, may I suggest it will not.

Mr. SHAPIRO. Mr. President, I do not like to vote on this motion in the form it has been submitted because while I believe the Senate has the right to vote on a motion to adjourn I do not believe the Senate has a right to vote on a motion to adjourn which directs a committee shall hold a meeting. I think, Mr. President, the Senate can vote on a motion to adjourn for the purpose of giving a committee an opportunity to meet if they want to but if the committee does not want to meet anybody has the right to move to discharge the committee from further consideration of the bill.

Mr. President, I do not feel I should be called upon to vote on this motion because it is an inconsistent motion in my opinion. I am in favor of a motion that there be an adjournment of the Senate so as to give the committee an opportunity to hold a meeting. If, after that committee does not hold a meeting, I am prepared to vote on the matter that comes before me, but I am not prepared to vote on the motion in its present form.

Mr. DENT. Mr. President, we did the same thing last week. We recessed for ten minutes in order that a committee might meet. It does not matter whether the chairman of the committee feels it is time to hold a meeting or whether I feel it is time for the committee to hold a meeting, but yet I feel I am still a member of this Senate. Mr. President, I only ask the same privilege given to the chairman of that committee last week, when we voted on the self-same motion now before this Senate and the gentleman from Philadelphia, Mr. Shapiro, did not reserve any rights then. The motion was identically the same and in exactly the same wording, because I wanted it that way. Exactly the same wording was used, Mr. President.

MOTION WITHDRAWN

Mr. DENT. Mr. President, I withdraw my motion because there is no use dilly-dallying, wasting any more time. We know what the vote will be.

Mr. CAVALCANTE. Mr. President, I just wish to call the Chair's attention apropos to the remarks I made a little while ago, to page 728 of the Manual, decision No. 104 of this Senate, which deals with when a two-thirds vote is necessary, and there this Senate body has decided that when a motion places additional duties upon a standing committee, that it requires a two-thirds vote.

Mr. President, that was true when the rules of the Senate required a two-thirds vote to suspend those rules or to amend those rules but I wish to again state that I think the Chair has been honestly mistaken in that ruling and that any motion that is in order, even a motion that adds additional duties upon a standing committee, if the motion passes then it will require the necessary vote, which prior to this session was two-thirds but now only will require twenty-six votes.

The PRESIDENT. The Chair suggests to the gentleman from Fayette that he read the heading of that particular section, which reads, "Two-thirds vote necessary to pass resolution changing rules by imposing special work on a standing committee."

Mr. CAVALCANTE. That is correct, Mr. President.

The PRESIDENT. But the motion was not that. The motion of the gentleman from Fayette was not to change the rules but the motion was to direct a committee to do certain things.

Mr. CAVALCANTE. Mr. President, it does change the rules because a standing committee is only required to do certain work according to the rules of this Senate but when a motion or a resolution is introduced which change the duties imposed upon a standing committee, by the rules of this committee then it requires a different vote than when a vote on a motion is in order.

POINT OF INFORMATION

Mr. SHAPIRO. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Philadelphia will state his point of information.

Mr. SHAPIRO. Mr. President, there is now nothing before the Senate, because the motion has been withdrawn?

The PRESIDENT. That is correct.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, there have been several hearings held in respect to the resolution which I introduced in relation to the Committee on Welfare and there will probably be others held in the near future dealing with the subject matters of the budget. I have felt since all the members of the Senate have not and could not attend these meetings there should be some record made on the information obtained for the benefit of the Senate, which was received at those meetings.

Mr. President, I should like now to give a short resume of the last meetings of the Committee on Welfare.

Mr. President, as a result of that hearing I should like to state to the Senate that the Commonwealth of Pennsylvania operated 9 mental hospitals until the year 1938. Since that time the mental hospital in Philadelphia, known as Byberry, has been taken over under the Mental Health Acts of 1938, so that the Commonwealth now operates 10 mental hospitals.

In addition, the Commonwealth operates three institutions for the mentally deficient and one for epileptics.

The several counties in the Commonwealth own and operate 12 mental hospitals. There are also several privately owned institutions for the care and treatment of the mentally ill.

In the special session of 1938 the Acts of September 29, 1938, P. L. 53; October 11, 1938, P. L. 62; October 11, 1938, P. L. 63; and November 29, 1938, P. L. 92; were passed under the provisions of which the Commonwealth of Pennsylvania assumed full responsibility for the care and treatment of the mentally ill and deficient and prohibited the operation of institutions for that purpose by counties. (A short review of the provisions of these acts appears as a footnote to this discussion.)

Prior to the passage of those Acts Pennsylvania was one of the few states which had not assumed full responsibility for the care and treatment of mental patients. It is believed by and has often been expressed as the opinion of those who have made thorough studies of this subject that the state care and responsibility is the only way to obtain the best results. This is especially true because the local counties are unable financially to develop the institutions to the highest degree of efficiency; and the standards of operation which will be possible under state control are conceded to be the forerunner of efficiency.

Up to that time (1938) Pennsylvania had exhibited a paternalistic attitude towards the mentally ill by making contributions to counties on the basis of $2 per week for each patient in a county institution; and by charging the counties for patients in state institutions originating from the county a fixed fee of $3 per week for each patient, which represents about three-fourths of the actual cost of maintenance to the State.

The demands upon the county institutions are continually increasing and the patient population in the local institutions equal and more often exceed their bed capacity. To meet this situation local authorities send their patients to the state institutions with the result that the patient population in state institutions has reached a point way beyond the capacity of the respective institutions.

This situation, as well as the proved experience of other states that the state can do a better job, had a great deal

to do with bringing about the passage of the Mental Health Acts of 1938.

The following figures submitted by Mr. Sweeny, Secretary of the Department of Welfare of the Commonwealth of Pennsylvania, discloses the deplorable situation which exists today in both the State and locally operated institutions:

State Mental Hospitals	Capacity	Population	Percentage
Allentown	1494	1632	109.2
Danville	1947	2043	104.9
Farview	708	997	140.8
Harrisburg	1921	2132	111.0
Norristown	3407	3687	108.2
Philadelphia	3500	5720	163.4
Torrance	1217	1895	155.7
Warren	1673	2437	145.7
Wernersville	1466	1533	104.8
Total	17333	22076	127.4

As will be seen, the population in these state institutions run from 4.8% to 63.4% above the patient capacity. Can anyone argue that this condition is productive of efficiency in management or health and comfort for the patients?

The situation in the county mental hospitals differs only in the degree of overcrowding. Their capacity and patient population is as follows:

County Mental Hospitals	Capacity	Population	Percentage
Allegheny	2294	2238	97.6
Blair	375	353	94.1
Blakely	154	149	96.7
Chester	343	330	96.2
Hillside	940	924	98.3
Lancaster	428	427	99.8
Mercer	250	231	92.4
Pittsburgh	3242	3109	95.9
Ransom	386	370	95.9
Retreat	1175	1124	95.7
Schuylkill	540	570	105.6
Somerset	500	486	97.2
Total	10627	10311	97.0

While it is true that the populations run from 97% to 105% of capacity, anyone familiar with the operation of any hospital will quickly realize that even capacity population in any hospital is not a healthy situation, and this is particularly so in mental institutions. The condition becomes aggravated according to the physical condition and age of the institution itself.

In the institutions for the mentally deficient the situation may be said to be equally bad, if not worse. There are three state institutions, and the statistics relating to these institutions are as follows:

Institution	Capacity	Population	Percentage
Laurelton	656	695	105.9
Pennhurst	1746	2075	118.8
Polk	2632	2945	111.9
Total	5034	5715	113.5

What makes this situation more aggravated is the fact that in this type of cases there is very little turnover. These patients start out mentally retarded, whereas the mentally ill have in most cases been well and there is hope for their cure (where the case is curable) depending largely upon the treatment they receive.

There is one institution for epileptics in Selinsgrove, which is operated by the State and has a bed capacity of 442 with a population of 388.

At the hearing before the Welfare Committee, Mr. Sweeny, the Secretary of Welfare, acknowledged the fact that there are patients waiting to be admitted in all of the hospitals for the mentally ill, the mentally deficient and the epileptics. There are over 500 mentally deficient patients waiting to be admitted.

With the advent of the General State Authority, programs have been initiated to enlarge the bed capacity in all State mental institutions. At Norristown additions have been completed and are in use, and they have increased the bed capacity by 325 so that the percentage of occupancy has dropped from 108.2% to 98.8%. With all that it must be remembered that at present the patient population exceeds the capacity in these 10 institutions by 4743; and that after all the additions have been completed the population will still exceed the capacity by 1864.

In the institutions for the mentally deficient the State has also inaugurated a program under the sponsorship of the General State Authority which will provide an additional bed capacity of 984, so that when completed this program will increase the bed capacity to 6018. While that will reduce the overcrowding, it will not take care of the 571 urgent cases now on the waiting list. In addition to the urgent cases now on the waiting list, according to figures furnished by the Department of Welfare, there are 2606 additional cases on the waiting list, and even after completion of the full General State Authority program for mentally deficient, if all the cases were to be admitted the population would exceed the bed capacity by an average of 47.7%.

At Selinsgrove, while the patient population represents only 87.8% of the capacity, there are 223 urgent cases waiting to be admitted and 230 additional cases not classed as urgent by the Department, but on the waiting list.

Since the crowded condition of all of these institutions has existed for a great many years the waiting list can be assumed to have existed for the same period of time.

With respect to the county mental institutions there are no programs for increasing the bed capacity. There are only three avenues of hope for patients to be admitted to county institutions, (1) discharge of patients as cured, (2) the death of patients, and (3) the acceptance of county patients by the State in State institutions. The last two avenues do not offer a cheerful or inviting prospect. Since there are not many patients discharged as cured, the turnover is very small; and the tragedy of this is that in modern institutions with the application of modern scientifice and medical discoveries and the installation of modern methods the patient cure is increased and the discharge accelerated.

Experience has shown and the Secretary of Welfare, Mr. Sweeny, agreed, that the State is in a much better position to provide these facilities and the State can do a better job.

Bringing the situation down to the condition with which we are confronted, it must be recognized that the longer the effective date of these bills is postponed, the more aggravated will be the condition. No county will spend any money for improvement of its institutions while it is faced with knowledge of the fact that those institutions

will be taken from them by the Commonwealth. That condition certainly does not help the patients, nor does the State help the fiscal situation of the counties who maintain mental hospitals.

Obviously these institutions should be taken over or the Acts directing that this be done should be repealed. Dilatory methods are unwarranted and unfair. I feel that the question of whether the State should or should not assume the complete responsibility for the care of the mentally ill in Pennsylvania is now a closed proposition. This administration does not contend otherwise. It is not the Governor's position that the State should not assume the responsibility, but only that the assumption of responsibility ought to be postponed, and the only reason advanced for that is that it will cost $11,000,000 per biennium.

I submit that this is a very poor basis upon which to argue that the State should postpone the assumption of an important governmental function. I don't want to raise a controversy by using my experience in the examination of many of the institutions in Pennsylvania and elsewhere as authority for the statement that the condition of patients in local institutions is, in the majority of cases, appalling.

I think it is sufficient to say, and after the hearing before the Welfare Committee no one will deny, that the State can go far towards relieving the overcrowded and the underprivileged condition from which these patients in all county institutions suffer.

I should also like to submit to the members of this body the following statistics dealing with the admissions, discharges and deaths in the state mental hospitals, the county mental hospitals, and the institutions for the mentally deficient and epileptics, furnished by the Department of Welfare, for the year ended May 31, 1940:

State Mental Hospitals	Admissions	Discharges	Deaths
Allentown	259	248	87
Danville	383	323	128
Farview	103	17	33
Harrisburg	307	126	134
Norristown	383	206	207
Philadelphia	900	180	419
Torrance	298	202	99
Warren	545	266	231
Wernersville	241	66	120
Total	3493	1634	1458
County Medical Hospitals			
Allegheny	274	298	153
Blair	148	70	42
Blakely	24	2	10
Chester	70	56	47
Hillside	219	110	76
Lancaster	115	61	41
Mercer	35	21	20
Pittsburgh	600	269	291
Ransom	32	41	25
Retreat	185	112	77
Schuylkill	97	53	50
Somerset	68	56	37
Total	1867	1129	869
nstitutions for Mentally Deficient			
Laurelton	66	35	2
Pennhurst	265	64	28
Polk	133	82	55
Total	464	181	85
Epileptics			
Selinsgrove	35	20	19

In the penal and correctional institutions the picture presented is not any more pleasing. The statistics furnish some explanation for some of the things we have been reading about.

Overcrowding in a penal institution is something to give us pause. In the Eastern Penitentiary in Philadelphia the capacity is 944 and the population is 1340; in Gratersford the capacity is 2000 and the population is 1939; in Western Penitentiary at Riverside the capacity is 1140 and the population is 1159; in Rockview the capacity is 1012 and the population is 970; at Huntingdon the capacity is 1199 and the population is 1268; at Muncy the capacity is 247 and the population is 284; in Morganza the capacity is 578 and the population is 593.

These are startling figures. Their mere disclosure to any person experienced in penal institutional work would evoke a prompt warning that this is a dangerous condition. Its evidences have been quite apparent in the Eastern Penitentiary for some time.

The Department of Welfare tells us that additional capacity is being provided in all of these institutions except Gratersford. The numbers, however, seem to bear no relationship to the necessities. The addition of a capacity of 37 in Eastern Penitentiary, a similar amount in Western Penitentiary is a mere drop in the bucket. Even the 256 at Rockview is not encouraging. However, we were told that Whitehill will be opened shortly with a capacity of 1400. But it must be remembered that the total capacity of all these institutions is 7120, and the occupancy is 7553. With the use of the institution at Huntingdon about to be restricted, the total improvements will add little relief to the condition or comfort to the public.

This picture should raise a grave doubt as to the wisdom of the abandonment of the Maximum Security Penitentiary, which was begun under the General State Authority and which was abandoned by this administration in April, 1939, with a total cost to the General State Authority of $600,000, representing work done and consideration paid to the contractors for the cancellation of their contracts.

I express, as my honest conviction, that the great majority of the members of this Senate are convinced that the assumption by the State of full and complete responsibility for the care of the mentally ill is the most efficient method of dealing with this situation. I am convinced that it is an important governmental function, which should be and can be performed only with the highest degree of efficiency under state supervision. It is a state obligation which I feel should not be shirked and I shall do all in my power to see that the obligation is assumed, because I believe in it and I am convinced that my position is justified.

The facts produced at the public hearings when these bills were before the Senate for consideration in the special session of 1938, proved conclusively that every county presently owning and operating an institution for the mentally ill will save money when the State takes over these institutions.

Much of the opposition from the counties to the State's taking over complete care of the mentally ill can be traced to politics. It is true that a number of local employes will be replaced by State employes. But in Philadelphia most of the employes were chosen locally, and

they usually will be so chosen. The only losers will be those politicians who will be deprived of their appointing power. But that will equalize itself because some other politician will, in turn, acquire the same power. I suggest the consolation that it is "in the family" in any event.

On the financial end, Mr. Sweeny stated that the Department of Public Welfare estimated that the cost of the assumption of liability by the State for the care of all the mentally ill in Pennsylvania would amount to a net of $5,000,000. This figure is based on a cost of 83 cents per day per patient, to which should be added the maintenance cost of the institution. The operating and maintenance of the State institutions per biennium is $15,250,000. The population in the State institutions is 22,000; the population in the county institutions is 10,000.

The State today pays out approximately $2,000,000 to the counties on the basis of $2 per week per patient. Under the 1938 Acts this will be eliminated.

The contention is made, however, that in addition to this cost the State will lose approximately $6,500,000 which it receives every biennium from the counties, which represents the $3 per week per county patient in state institutions. However, approximately $1,000,000 of this income has already been lost to the State by the taking over of the Philadelphia Hospital.

But it seems to me that this is quite different from the statement in the Governor's budget message that it will cost the State $11,500,000 to assume its obligations under the 1938 Mental Health Acts. In any event I reiterate that in my opinion the cost is no excuse for the State to shirk its solemn obligation.

The Act of September 29, 1938, P. L. 53 is the principal Act. It vests in the Commonwealth title to "all buildings acquired or erected by any county, city or institution district for the care, maintenance and treatment of mental patients, the personal property within such buildings or incidental thereto, and any and all other grounds and lands connected therewith or annexed thereto . . . except that where any such buildings for mental patients are operated in conjunction with buildings dedicated to the care and maintenance of indigent persons who are not mental patients, the buildings used for the care of such persons, the land actually occupied by such buildings, the lands or yards presently set apart for the use of the indigent persons cared for in such buildings, and the lands necessary for ingress and egress . . . shall remain vested in the county, city or institution district as theretofore."

The Act also makes provision for setting aside to the institution district such farms or woodlands in connection with buildings dedicated to the care and maintenance of the indigent persons who are not mental patients as the Department of Welfare and the authorities of the institution district may agree upon. In case of their failure to agree, provision is made for appeal to the courts.

Provision is also made for auxiliary structures and for facilities furnishing light, heat, power, water, laundry, kitchen, sewage treatment services and coal supply used in common for buildings devoted to mental patients as well as buildings devoted to indigent persons, so that the Commonwealth shall thereafter continue to furnish such facilities to the institution district at actual cost.

Within one year after transfer of such property to the Commonwealth occurs, under the Act, the Commonwealth may abandon the property as a state mental hospital, in which event if no substantial improvements (in excess of $250,000) have been made, the property shall revert to the institution district.

After the Act goes into effect it will be unlawful for any county, city or institution district to operate or maintain any institution for the care of mental patients, but any general hospital may maintain, or set apart wards or departments for the temporary care of mental patients under licensure of the Department ot Welfare.

After a survey by the Department of Welfare a report shall be made to the Governor setting forth the findings and recommendations of the Department of Welfare with respect to the institutions deemed necessary and suitable, as well as those deemed unnecessary or unsuitable for the care, maintenance and treatment of mental patients. The Governor shall then, by proclamation, set forth which institutions shall be operated and managed by the Commonwealth as state mental hospitals and which, if any, shall be closed. After the taking over, each such institution shall be managed and operated by the Department of Welfare as a state mental hospital.

When the Commonwealth assumes control and management of any institution the terms of all officers and employes and of the local management of the institution ceases and the officers and employees thereupon become employees of the Commonwealth, subject to removal by the Secretary.

Where an institution has been closed with the approval of the Governor the institution and its grounds may be turned over to the Department of Property and Supplies for its use for any other state purpose unless it has theretofore been abandoned under previous provisions of the Act.

The Act of October 11, 1938, P. L. 62, makes the Commonwealth responsible for the care and treatment of insane, feeble-minded, and epileptic persons who are returned to this Commonwealth by the authorities of another state, instead of placing the cost on the county from which they originated, as is presently the law.

The Act of October 11, 1938, P. L. 63, embodies the amendments to the original Mental Health Act of the Commonwealth made at the special session of 1938, imposing the costs for the care of mental patients upon the Commonwealth.

Under the Act of November 29, 1938, P. L. 92, the administrative code was amended so as to create boards of trustees for every county mental institution taken over by the Commonwealth under the provisions of the Act of September 29, 1938, P. L. 53, and gives to those boards of trustees, when appointed, the same powers as those residing in the existing boards of trustees of existing institutions.

Mr. President, I have appended to this statement a brief resume of the three acts because many questions were asked at the hearings. Certain institutions asked what would be done with combined institutions which most only took care of mentally ill but also indigent; what would be done in the case of two institutions being run under the same heating plant or the same laundry plant. Appended to this statement you will find a resume of those acts which will indicate that the Department of Welfare should make a report to the Governor and the Governor, after reading the report and recommendations which must set forth which institutions they think should be operated, should make proclamation of the institutions which will be operated, and those that will not be operated will be taken over by the state for state purposes and if there are no state purposes available they will be returned to the county and after institutions have been operated within the first year, if the state abandons an institution, it goes back to the county which built the institution.

With respect to the operation of the two kinds of institutions on one ground there is a provision made for the Department of Welfare and the institution to agree upon the division of the ground and upon an arrangement for the furnishing of heat by the State to the local institution

for the other home upon a cost basis so that all of those situations in my opinion have been covered by the act and the counties can not be hurt in the operation of the institutions themselves.

QUESTION OF PERSONAL PRIVILEGE

Mr. COX. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. COX. Mr. President, on Thursday, February 27, the following editorial appeared in the Pittsburgh Press. The editorial is entitled "A Chance to Save Money."

A CHANCE TO SAVE MONEY

"SENATOR ANTHONY CAVALCANTE has introduced in the Legislature a bill to repeal the law requiring publication of the annual lists of mercantile licenses, made by appraisers of the Auditor General, in at least two newspapers in every Pennsylvania county.

"Since there is only one paper in some counties, it has been impossible to comply strictly with the requirements.

"Last year these official advertisements were published in 130 papers at a cost of $141,582, and the year before the cost was $142,109. Thus there is a biennial expense of nearly $300,000 for these lengthy publications of names.

"Senator Cavalcante says this is unnecessary and serves no useful purpose. We are inclined to agree with him. If any useful object is attained by this particular official advertisement, we have never heard it explained.

"There are many other forms of public advertising, and most of them probably serve a good purpose.

"But while looking into the matter of the mercantile licenses, the state administration and Legislature might well make a study of the entire subject of official publications. If any money is wasted thereon, it should be saved. And newspapers, which chronically yell about economy and taxes, should be the first to welcome such savings—even though they might come out of their own tills."

Mr. President, I have read this editorial for two purposes, first, I want to call attention with pride to the fact that three great daily papers which we have in Pittsburgh, the Pittsburgh Post-Gazette, the Pittsburgh Sun-Telegraph and the Pittsburgh Press, have always been in the front in the fight for efficiency and economy in government and, secondly, to bring again to your attention the bill introduced by the gentleman from Fayette, Mr. Cavalcante, which I feel sure we are all in accordance with.

Mr. President, you will recall the Committee on Military Affairs presented to this body and this body passed a bill setting up an appropriation which would build a much needed auditorium at Indiantown Gap, the gentleman from Fayette provided that that money would come out of savings from this fund and I feel, with the Pittsburgh Press, there are many other forms of efficiency and economy in our publications which are well deserving of the greatest study.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Warren will state his question of personal privilege.

Mr. CHAPMAN:

WHAT'S WRONG WITH THE UNITED STATES

On the horizon, we hear the din of martial music signifying the near advent of war and every state of our great Union vieing for ways and means of aid to keep the Nation safe from threats of aggression. Pennsylvania, the Keystone of them all, must stay in the forefront. Known as "the arsenal of the nation," Pennsylvania must live up to that reputation.

Despite efforts made to move industry to the solid South through cheap power, free sites and cheap labor, Pennsylvania still marches on. Figures recently made public by our Department of Commerce show a gain in the number of industries and in payrolls in our State. These must be increased and the great advantages of Pennsylvania to manufacturing must be ever kept before the people of this State and efforts continued to attract in an ever increasing number of industries.

Located in touch with the Atlantic seaboard and with the great port of Philadelphia ever expanding her dock facilities, Pennsylvania is most strategically situated. The goal now should be to secure by all possible means methods whereby the products of Pennsylvania factories and farms can be moved to the seaboard and to the cities and strategic points in the East. The various methods of transportation must be looked into and expanded. Our rivers and highways must be second to none. Germany with its terror inspiring war machine has not in any way overlooked the use of her streams and highways.

Like ancient Rome, Germany is building roads. Not puny two-lane roads but heavy hard sufaced arteries that bind to Berlin the various portions of the Hitlerized nation and the territories conquered. Men of the nations under the Hitler heel are forced to work like slaves in road building, at farming and at the forge to make more complete the Hitler machine. We must take heed from the lessons to be learned from the dictators.

Already with more miles of hard surfaced roads than any state in the Union these roads must be scanned for possible war use. Routes from the western end of the State, routes from the northern border to the southern, routes that tie sources of supply to manufacturing plants should be studied and built. The turnpike from Irwin to Carlisle should be extended from the Ohio border to Philadelphia, should be rushed to completion with no delay; Route No. 6 from the Ohio border to Port Jervis should be rebuilt and widened to a six-lane highway over which farm and manufactured products could be moved rapidly and safely. Grades should be eliminated. Route No. 6 is an important route carrying traffic from Cleveland to New England. The great submarine, airplane and munitions factories in the New England states must be maintained and given supplies. The great airbase at Hartford being built by the United States will need supplies and ammunition. Cleveland, Erie, Sharon, Warren, Kane, Scranton must all have unimpeded highway routes —fast, safe routes—to uphold the hands and fulfill the needs of the great population in the East. Delay should not be countenanced. Surveys should be started at once and work rushed. It is only one of our contributions to the nation's defense.

Our rivers must also be given attention. Movement of supplies and freight must not be impeded. Pittsburgh with more tonnage being moved through the port than through the Panama Canal must be given aid. The great flood control program under way on the State's streams must be furthered and at once. While distinctly a national movement, it should have all possible aid from

this State. Devastating floods causing millions in damages and slowing down the wheels of industry must be halted. One flood with its millions of losses in property and time costs more than the entire flood program under way in the State. In this we must not be provincial, but allow our minds to drift beyond our state borders and insist that the rivers of the nation be curbed and floods halted.

More dams are needed on the Allegheny River to make it of further use to the people of that valley. Admirable factory sites nestling safely among the hills are available if means of water transportation were at hand. The latent plan of linking the Ohio River and the Great Lakes via the French Creek Valley at Franklin should be carried out.

Improvement of highways and rivers will cost millions. Certainly, but the great manufacturing territory of Western Pennsylvania must be given aid. It may be the fate of the nation that is waiting on our action.

Erie's great General Electric plants turning out guns, shells and other munitions of war must be given such an outlet that speed in delivering its products is accelerated. Warren County is turning out guns of various types. Huge electric turbines are being built and so across the State plants large and small are at work. Such aid should be extended that their raw materials and finished products could be moved with speed. We saw during the World War the railroads becoming so congested that trucks were pressed into service. There are thousands of trucks now where hundreds existed then. Our roads should present the picture of lines of trucks moving speedily and without obstruction from all parts of the State.

As I view the situation it is time that petty political feuds be forgotten. There will be time enough for political battles to rage when the guns of the aggressor nations are silenced. The big job now is to silence the guns of the dictators and then let the big guns of politics resume their reverberations. But until that time comes Pennsylvania must take up the initiative on behalf of the United States and unite behind a program that will keep the people at home employed and satisfied and at the same time give unsparingly to the cause of defense.

Our factories are doing their best to fill the demands. Our laboring men are turning their sweat into products; our young men are in the camps learning the rudiments of war; our women are clicking needles to make the victims of the catastrophe that has been loosened warm and I ask you if we legislators, elected by the people should hesitate to pass legislation that will bring to our state strength? Let our roads be improved with speedy methods to make them real ribbons of concrete, binding the East, West, North and South. Let our rivers become filled with barges carrying raw and finished goods. Let our air fields be expanded with State aid if necessary. In fact let us carefully weigh the problems that confront us and act like men loving our country, acting for its best interests. Speed, I take it, is necessary. Months hence it may be too late.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege touching upon the collective integrity of this Senate and the House of Representatives.

The PRESIDENT. The gentleman from Fayette may proceed.

Mr. President, Mr. William Scott of Bradford Woods, Pennsylvania, has written a piece of poetry entitled, "The Plight of Man." The first verse reads as follows:

"Born in debt the son of man
"Hath neither where to lay his head
"Nor how to earn his bread;
"Because the earth is owned outside and in
"By parasites who toil not,
"Neither do they spin."

Mr. President, on June 24, 1937, the General Assembly, under the authority conferred upon it by the Constitution and the soverign people of this Commonwealth, enacted a law. That law was approved by the Governor of this Commonwealth on June 24, 1937, at PL 2003, article 15-A, Section 2504-a. In that law, Mr. President, we find this proviso. May I state parenthetically that that law pertains to the Department of Public Assistance.

The Employment Board shall first "prepare and conduct examinations for employment, which shall be practical in their character, and, so far as may be possible, shall relate to those matters directly bearing on and which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed, but no applicant shall be required to have had any scholastic education in social service work, nor to have had any other special scholastic education or special training or experience."

Mr. President, when that legislation and kindred legislation was being considered by the General Assembly at that session, many of us were aware and state for the information of our collegues that all of the bills pertaining to public assistance, such as the ripping out of the poor boards and the establishment and centralization of the distribution of relief here at Harrisburg, was being propelled or pressured through the General Assembly by a special group of citizenship that were not so much interested in altruism as they were in greed and self-interest, and no sooner had they succeeded in driving through the General Assembly these various laws pertaining to public assistance, creating the Department of Public Assistance, that this group, like a pack of hungry wolves waiting for the kill, rushed pell mell to the Capitol Building to root their snouts in the public trough for big salaries. We called attention to the members of this body at that time who this pack of wolves represented, who they were.

At that time, Mr. President, we pointed out that they were a group of individuals who regarded themselves as specially trained by some power here within the state to administer all those state functions which were altruistic in nature. This group we have referred to repeatedly as the social welfare workers, but I think more appropriately should be called the flat heels I think several days ago we pointed out how, instead of being a benefaction to the welfare of this Commonwealth, many people were satisfied that they had become a canker on the body politic.

Now, Mr. President, I have asked the privilege of speaking on the question of personal privilege, touching on the collective integrity of this Senate and the House of Representatives. I did that because I feel that when the General Assembly, acting conformably with the Constitution, enacts legislation, then it is the duty of all the departments of the State, state employees and citizens, to obey the mandate of that law and not to flaunt it, not

to disregard it, not to trample it under foot, and if it is not desirable, to bide their turn and see that the proper representatives be sent to the General Assembly who will correct any inaccuracies or any deficiencies in these acts.

Mr. President, when this particular act that I have referred to, the act approved June 24, 1937, P. L. 2003 came up for enactment, it was very carefully and calmly considered and it was determined by the collective judgment of the General Assembly that in all employment by the Department of Public Assistance, no applicant for a position should be required to have any special training, especially that kind of training that the flat heels said was necessary in order to be employed in the Department of Relief. We put that right in the Act of Assembly and I have read it to the members of this body.

Mr. President, I think the integrity of the General Assembly of this Commonwealth is being impeached, is being flaunted, is being disregarded by somebody connected with the Employment Board of the Department of Public Assistance. Let me read for the information of the members of this body, the following letter, on the letter-head of the Commonwealth of Pennsylvania, Employment Board of the Department of Public Assistance, Harrisburg, February 20, 1941.

Mr. Fred Theodore Baker
119 Coffey Street
Uniontown, Pennsylvania

Dear Mr. Baker:

A verification of your application for the Clerical Series in the Department of Public Assistance shows that, whereas you claimed two years attendance at the Wharton Business College, the Director of that College stated that there is no record of your attendance.

In the attesting certificate to your application, you certified that the application contained no intentional misstatement or omission of fact, and that you knew that penalties could be imposed for any infraction of this certificate, to the extent of your removal from employment and disqualification from future examinations.

I regret to inform you that the Employment Board, by resolution adopted February 18th has cancelled your eligibility effective February 18, 1941, for any positions for which you may have qualified and for future tests conducted by the Board for a period of three years.

A copy of this letter is being sent to the Secretary of Public Assistance and to the Chairman of the Fayette County Board of Assistance.

Very truly yours,
RUTH GLENN PENNELL,
Secretary of the Employment Board

Now, Mr. President, this gentleman, Mr. Baker, is one of my constituents. He took the civil service examination, and the records of the employment board will show that he made a very high mark. I am not interested in where he got his education. The thing that I am satisfied of is that like all good Americans, in school or out of school, he has gotten himself a training and education sufficient to pass the civil service examination given him by this Commonwealth of Pennsylvania, and passed it very highly, and he is on the eligible list for employment.

Mr. President, on December 16, 1940, this young man who has dependents was on W.P.A., employed as timekeeper or a cost clerk at a salary of $90.00 per month, and when he received the letter from the Department of Public Assistance that he had been appointed to the job mentioned in this letter, he immediately handed in his resignation to the W.P.A. and took unto himself the job offered by the Department of Public Assistance at $85.00 per month. He did that because the civil service job appeared to him to be just a little more permanent than a job on the W.P.A. Mark you, gentlemen, what state of mind this American citizen should have today in the face of this letter and in the face of the procedure taken by the Department of Public Assistance and the Employment Board.

Mr. President, I have in my office at Uniontown several more cases just like this one, where individuals have creditably and highly passed the civil service test given to them and their names were placed on the eligible list and after they had been given jobs, assigned to positions, they then received similar letters of this kind, that some flat heels in this set-up had gone through the files, examined the application and the statements made therein, and found that here was one fellow who did not have the blessing of a Mr. Pray or a Mr. DeSchweinitz or some social welfare agency here in the State of Pennsylvania, and they proceeded to apply the acid test to check up where he got his education and whether he had any education.

I say to you, Mr. President, and members of this Senate, that in view of the Act of Assembly that we have solemnly passed and which was approved by the Governor, what right does the Department of Public Assistance or any flat heel in it have to set aside this Act of Assembly and require these employes to possess any particular kind of education? Was it not our intention that any American who could take the examination and receive a good and proper mark was entitled to be employed, whether he was a flat heel or not?

Mr. President, I trust I am not mistaken in my position that the action of the Department of Public Assistance or the employment board, as recited here today, is a direct impeachment, a direct disregard of the integrity of this General Assembly, and that we should do something about it.

Mr. President, I have been asked by the gentleman from Washington, what I recommend. I am recommending, Mr. President, that the following resolution be adopted unanimously.

RESOLUTION

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE offered the following resolution which was twice read.

In the Senate, March 3, 1941.

Whereas, The Act of the General Assembly approved June 24, 1937, P. L. 2003, Article XXV-A, Section 2504-A Inter Alia provides "The Employment Board shall—

> 1. Prepare and conduct examinations for employment, which shall be practical in their character, and, so far as may be possible, shall relate to those matters directly bearing on and which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed, but no applicant shall be required to have had any scholastic education in social service work, nor to have had any other special scholastic education or special training or experience. In written examinations, the identity of each applicant shall be unknown to the examiners," and

Whereas, It has come to the attention of the Senate of the Commonwealth of Pennsylvania that Civil Service Employees who have passed all Civil Service requirements

provided by law are required to have had certain scholastic education, or special training and experience contrary to the provisions of the foregoing Act of the General Assembly, now be it therefore,

Resolved, That the Clerk of the Senate do forthwith obtain from the Employment Board of the Department of Public Assistance all such cases similar to that mentioned in a letter dated February 20, 1941, addressed to Mr. Fred Theodore Baker, 119 Coffee Street, Uniontown, Penna., and signed by Ruth Glenn Pennell, Secretary of the Employment Board.

On the question,

Will the Senate agree to the resolution?

Mr. GELTZ. Mr. President, I object. Immediate consideration was not asked for.

Mr. CAVALCANTE. Yes, it was, Mr. President.

Mr. GELTZ. Mr. President, the gentleman from Fayette moved for unanimous adoption, but he did not ask for immediate consideration.

The PRESIDENT. The Chair understood that he asked for immediate adoption.

Mr. CAVALCANTE. Mr. President, I ask for immediate adoption of the resolution.

Mr. GELTZ. I object, Mr. President.

MOTION TO SUSPEND THE RULE

Mr. CAVALCANTE. Mr. President, since there has been objection, I move that the rules of this Senate be suspended and that we immediately proceed to the consideration of this resolution.

Mr. HALUSKA. Mr. President, I second the motion.

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. It has been moved by the gentleman from Fayette, Mr. Cavalcante, seconded by the gentleman from Cambria, Mr. Haluska, and also the gentleman from Westmoreland, Mr. Dent, that Rule No. 39 be suspended and immediate action be taken on the resolution as read.

The question is as to the suspension of Rule No. 39 which would permit immediate consideration of this resolution.

Mr. CAVALCANTE. Roll call, Mr. President.

The yeas and nays were required by Mr. CAVALCANTE and Mr. REED, and were as follows, viz:

YEAS 16

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Reed,
Coleman,	Frey.	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Stiefel,

NAYS 32

Bartlett,	Edmonds,	Mallery,	Thomas,
Becker,	Farrell,	Miller,	Tyler,
Carr,	Geltz,	Scarlett,	Wade,
Chapman,	Heyburn,	Shapiro,	Walker,
Crider,	Homsher,	Snowden,	Watkins,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Deitrick,	Kephart,	Tallman,	Wilson, T. B.,
Ealy,	Letzler,	Taylor,	Ziesenheim,

So the question was determined in the negative.

The PRESIDENT. The motion falls.

The resolution is referred to the Committee on Welfare, Public Assistance and Pensions.

HOUSE MESSAGE

RESOLUTION DIRECTING PRINTING OF ADDITIONAL COPIES OF REPORT SUBMITTED BY JOINT STATE GOVERNMENT COMMISSION

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on State Government.

In the House of Representatives, February 26, 1941.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by The Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly.

Ordered, That the Clerk present the same to the Senate for its concurrence.

TIME OF NEXT MEETING

Mr. BARTLETT offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 3, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 10, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, March 10, 1941, at 9 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

JUDICIARY GENERAL COMMITTEE BE GRANTED THE USE OF THE SENATE CHAMBER

Mr. WALKER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 3, 1941.

Resolved, That the Committee on Judiciary General of the Senate of Pennsylvania be granted the use of the Senate Chamber for a public hearing on Senate Bill No. 172, to be held on March 4, 1941, at 2:00 p. m.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, March 4, 1941 at 11:00 o'clock, a. m.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:50 o'clock, p. m. until Tuesday, March 4, 1941 at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, March 3, 1941

The House met at 9 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall, offered the following prayer:

Our God, we beseech Thee to guide our nation in the way of righteousness, truth, and peace, so that we may never fail in the blessing which Thou hast promised to that people whose God is the Lord. Teach us as a state, how to live lives that will meet the tests of this hour in which we find ourselves. Make us ever mindful of the fact that where there is unity of both mind and heart, there is such power that the forces of evil cannot overcome nor destroy. May we never be ashamed of the acts we perform as citizens, as Representatives, as Thy children. May our tongues utter truth and speak the finest that is in each of us as we together endeavor to make this Commonwealth a fit place in which to live and worship.

Hear our humble prayer, O Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, February 26, 1941.

The Clerk proceeded to read the Journal of Wednesday, February 26, 1941, when, on motion of Mr. McDERMOTT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. HARKINS and LEYDIC.

HOUSE BILL No. 613.

A Joint Resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania by adding thereto Section Six A.

Referred to the Committee on Constitutional Amendments.

By Messrs. GYGER and LEDIC.

HOUSE BILL No. 614.

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. FALKENSTEIN. HOUSE BILL No. 615.

A Joint Resolution proposing an amendment to section two, article five of the Constitution of the Commonwealth of Pennsylvania, by reducing the term of office of Supreme Court judges from twenty-one years to six years, and making them eligible for reelection.

Referred to the Committee on Constitutional Amendments.

By Mr. D'ORTONA. HOUSE BILL No. 616.

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "An act to Consolidate, Revise, and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

Referred to the Committee on Judiciary Special.

By Mr. SKALE. HOUSE BILL No. 617.

An Act to further amend clause (i) of section two and to repeal clause twenty-two of section twenty-three of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by abolishing the requirement relative to the sale of food by licensed retail dispensers of malt or brewed beverages; and permitting articles of food to be furnished free by any retail dispenser.

Referred to the Committee on Liquor Control.

By Mr. SKALE. HOUSE BILL No. 618.

An Act to add subsection (c) to section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," prohibiting any public body or public agency from demanding or accepting a bond or judgment note from an indigent person for expenses of his support, maintenance, assistance or burial, before such expenses are incurred, and staying proceedings on all judgments entered on behalf of such public bodies or agencies.

Referred to the Committee on Welfare.

By Messrs. EDWIN F. THOMPSON and JEFFERSON.

HOUSE BILL No. 619.

An Act imposing joint and severable liability upon cities of the first class, for damages, caused by arrests or imprisonments by police authorities in certain cases.

Referred to the Committee on Cities—First Class.

By Mr. SKALE. HOUSE BILL No. 620.

An Act to further amend the fourteenth paragraph of section two, to repeal clause sixteen and to further amend clause thirty of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34, P. L. 15), entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the

premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by abolishing the requirement relative to the sale of food by restaurant licensees; and by permitting restaurant licensees to furnish free articles of food to their customers.

Referred to the Committee on Liquor Control.

By Mr. KOLANKIEWICZ. HOUSE BILL No. 621.

An Act to amend the title and the act, approved the twenty-third day of May, one thousand nine hundred and twenty-three (P. L. 351), entitled, "An act to require the teaching of the Constitution of the United States in the public and private schools," extending the provisions thereof to include the teaching of the history of democracy, the study of the United States Government and the Constitution of Pennsylvania.

Referred to the Committee on Education.

By Mr. McDOWELL (By Request)
HOUSE BILL No. 622.

An Act to further amend section four hundred and four of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the adoption and enforcement of rules and regulations restricting the right of professional employes to engage in occupations and employments, including certain activities of married female professional employes, in addition to their employment as professional employes.

Referred to the Committee on Education.

By Mr. BURRIS. HOUSE BILL No. 623.

An Act to amend the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding thereto article nine A, providing a general procedure for local option referendums.

Referred to the Committee on Elections.

By Mr. MELCHIORRE. HOUSE BILL No. 624.

An Act requiring the approval by the General Assembly of all rules and regulations prescribed or adopted by the Pennsylvania Liquor Control Board.

Referred to the Committee on Liquor Control.

By Mr. MELCHIORRE. HOUSE BILL No. 625.

An Act to amend clauses (a) and (b) of section two hundred one and section four hundred fifteen of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," as reenacted and amended, further regulating the licensing of importers; and prohibiting the board from importing liquor from any source other than from licensed manufacturers having a manufacturing establishment in this Commonwealth.

Referred to the Committee on Liquor Control.

By Mr. HABBYSHAW. HOUSE BILL No. 626.

An Act making an appropriation, from the Motor License Fund, to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

By Messrs. ECKELS and McKINNEY.
HOUSE BILL No. 627.

An Act to amend clause (c) of section four of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," imposing the construction, reconstruction and maintenance of certain structures on the Commonwealth.

Referred to the Committee on Highways.

By Mr. SCHWAB. HOUSE BILL No. 628.

An Act defining and prohibiting unfair sales; providing remedies for violations thereof and establishing penalties therefor.

Referred to the Committee on Judiciary General.

By Mr. WOODSIDE. (By request) HOUSE BILL No. 629.

An Act to add section three and one-tenth to the act, approved the twentieth day of June, one thousand nine hundred and one (P. L. 582), entitled "An act to provide for the registration of labels, trade-marks, trade-names, stamps, designs, devices, shopmarks, terms, brands, designations, descriptions, or forms of advertiement, and protect and secure the rights, property and interest therein of the persons, copartnerships or corporations adopting and filing the same, and providing penalties for the violations of the act," providing for the cancellation of the registration of labels, trade-marks, trade-names, devices, shopmarks, designations and forms of advertisement, in certain cases.

Referred to the Committee on Judiciary General.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 630.

An Act limiting in certain cases the right of appeal to the court of common pleas from decisions of magistrates, aldermen and justices of the peace.

Referred to the Committee on Judiciary General.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 631.

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Referred to the Committee on Municipal Corporations.

By Mr. VAN ALLSBURG. HOUSE BILL No. 632.

To further amend subsection (b) and the penalty clause of section one thousand two hundred seven of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring magistrates to report fines and penalties collected to the county commissioners and making the same available for inspection by cities, boroughs, incorporated towns and townships; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. BRETH and TARR.
HOUSE BILL No. 633.

To further amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by revising the provisions of said act relating to the issuance of licenses; further defining legal hunting and trapping without a license; providing for the sale and purchase of deer hides in certain cases; providing additional protective measures; further controlling shooting during big game season; authorizing appropriations to provide adequate game food and cover and prescribing methods; providing additional conservation activities; eliminating the right to kill elk or bear destroying property; reducing fees and penalties in certain cases and repealing certain sections.

Referred to the Committee on Game.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 39. (HOUSE BILL No. 634.)

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof; including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth; the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," eliminating the provisions of said act which require appeals to the courts to be first lodged with the Department of Justice and provided for notice of appeals to the Attorney General.

Referred to the Committee on Ways and Means.

SENATE BILL No. 40. (HOUSE BILL No. 635.)

An Act to further amend paragraph (e), of section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State govern-

ment, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing petitioners for refunds to appeal from decisions of the Board of Finance and Revenue to the Court of Common Pleas of Dauphin County.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. O'BRIEN. (Concurrent) RESOLUTION No. 44.

In the House of Representatives, March 3, 1941.

Whereas, Newspaper reports have flatly asserted that there are teachers in the public school system of the Commonwealth who openly advocated the destruction of our democratic form of government; and

Whereas, These newspaper articles state that these teachers are instilling such pernicious doctrines in the minds of our school children; and

Whereas, Such statements, if true, are cause for great alarm among the sober-minded citizens of the Commonwealth; and

Whereas, If such practices do exist they should be immediately eradicated; therefore be it

Resolved, (if the Senate concur), That the Speaker of the House appoint a proper committee of the House, and the President pro tempore of the Senate appoint a proper committee of the Senate to jointly investigate the activities of teachers in the school system to determine whether or not such pernicious instruction is now being given in the public school system of the Commonwealth; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the sum of $10,000 or so much thereof as shall be necessary is hereby appropriated to such joint committee for the purposes of paying the traveling expenses of such committee, and all other expenses it incurs in carrying out the provisions of this resolution.

Referred to the Committee on Rules.

By Messrs. SCHWAB and MALLOY

(Concurrent) RESOLUTION No. 45.

In the House of Representatives, March 3, 1941.

Whereas, Under existing law, the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May, 1941; and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales, to authorize adjournment or further adjournment; therefore, be it

Resolved, (if the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth, if the county commissioners and the court of common pleas of such counties consent thereto, to adjourn or further adjourn any tax sale which, under existing law is required to be held prior to the first Monday of May, 1941; and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale, and to provide by law for the holding of such adjourned tax sales at a future date, saving the lien of all taxes assessed against real estate which was to be sold at such sales.

Referred to the Committee on Municipal Corporations.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 263 and 262

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Feburary 27, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 263, Printer's No. 15, entitled, "An Act Transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money."

House Bill No. 262, Printer's No. 42, entitled, "An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first one thousand nine hundred and forty-one and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-nine."

In signing the relief appropriation, I affixed the following statement to the bill over my signature:

"House Bill No. 262, now before me for approval, contains a radical departure from the method by which Pennsylvania has been providing funds to the State Treasurer for administrative expenses in disbursing relief.

"For the first time a lump sum is granted under the bill itself, instead of means being provided to distribute the moneys from month to month on a basis of current needs.

"If it was the intention of those who prepared Section 3 of this bill to insure that the appropriation of $180,000 would finance all the Treasurer's relief expenses from now until the end of the fiscal year, no such guarantee appears in the bill. The sum is made available in full at once, and the methods and time of its use left to the discretion of the Treasurer.

"Not only do we regard this as a bad business practice, but the amount fixed is a much greater sum than in my opinion should be required to perform the duties.

"Rather than raise the issue at this time, however, and thereby possibly delay the distribution of relief checks, I have this day approved the bill."

ARTHUR H. JAMES.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 10, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, March 10, 1941, at 9 o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

UNEMPLOYMENT COMPENSATION

A communication from the General Stenographic Bureau, Pittsburgh, requesting the State Legal Department to stay judgment under the provisions of the Unemployment Compensation Insurance legislation.

Referred to the Committee on Labor.

UNION OF DEPARTMENTAL EMPLOYES

A communication addressed to the Speaker from the Pennsylvania Federation of Labor, Harrisburg, requesting a public hearing before action is taken on the subject of "Union of Departmental Employes."

Referred to the Committee on State Government.

OLD AGE PENSION

A communication addressed to the Speaker from Franklin Savacool, Telford, protesting against administration of Old Age Pension.

A communication addressed to the Speaker from John Gallagher, Philadelphia, protesting against administration of Old Age Pension.

Referred to the Committee on Welfare.

RESOLUTIONS RE-REFERRED

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Labor, House Resolution No. 36.

The SPEAKER. The resolution is re-referred to the Committee on Labor.

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Insurance, House Resolution No. 42.

The SPEAKER. The resolution is re-referred to the Committee on Insurance.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 312, entitled:

An act to amend clause (e) of section five of the act, approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation," by providing for furnishing artificial limbs to children over ten years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1, entitled:

An Act to further amend paragraphs six and nineteen, and to eliminate paragraph seven, of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith, "fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 402, entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, line 1, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 1, page 2, line 3, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 2, page 2, line 9, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, line 16, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The fourth section was read and agreed to.
The fifth section was read.
On the question,
Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 8, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The sixth section was read.
On the question,
Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 6, page 3, line 13, by striking out the word "Force" and inserting in lieu thereof "Corps."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended
It was agreed to.
The seventh section was read.
On the question,
Will the House agree to the section??

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments

The amendments were read by the Clerk as follows?

Amend sec. 7, page 3, line 15, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 7, page 3, line 19, by striking out the word "Force' and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eighth section was read.
On the question,
Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 8, page 4, line 3, by striking out the word 'Force" and insert in lieu thereof "Corps".

Amend sec. 8, page 4, line 9, by striking out the word 'Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The ninth section was read and agreed to.
The tenth section was read.
On the question,
Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 10, page 4, line 23, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 10, page 4, line 28, by striking out the word "Force" and insert in lieu thereof "Corps".

Amend sec. 10, page 5, line 2, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendments? ? ''
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The eleventh section was read and agreed to.
The twelfth section was read.
On the question,
Will the House agree to the section?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 12, page 5, line 19, by striking out the word 'Force' and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The thirteenth and fourteenth sections were separately read and agreed to.

On the question,
Will the House agree to the bill on second reading as amended?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following new section.

The amendment was read by the Clerk as follows:

Amend bill, page 6, by inserting after line 14, the following section: "Section 15. The provisions of this act shall become effective immediately upon final enactment."

On the question,
Will the House agree to the amendment?
It was agreed to.
The title was read.
On the question,
Will the House agree to the title?

Messrs. MATTHEW J. WELSH and O'NEILL. Mr. Speaker, we desire to offer the following amendment.

The amendment was read by the Clerk as follows.

Amend title, page 1, line 3 of title, by striking out the word "Force" and insert in lieu thereof "Corps".

On the question,
Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 374, entitled:

An Act to add clause (e) to section four of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "An act defining the term 'fiduciary'; prescribing the nature and kind of investments which may be made by such fiduciaries; validating certain investments heretofore made by such fiduciaries; and repealing acts and parts of acts inconsistent herewith," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 4), page 2, line 9, by inserting after the word "may" the following: "with the approval of the court of common pleas".

Amend Sec. 1 (Sec. 4), page 2, line 13, by striking out the words "to the same extent".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 183, entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1 (Sec. 702), page 3, line 2, by inserting after the word "aforesaid" the following: "Provided, That no such question shall be submitted at any election unless the resolution of the board of supervisors authorizing the same shall be published once in a newspaper of general circulation published in the county in which the township is situated. If within thirty (30) days after date of publication, taxpayers of the township whose property valuation, as assessed for taxable purposes within the township, shall amount to thirty-five per centum (35%) of the total property valuation, as assessed for taxable purposes within the township shall sign and file with the chairman of the board of supervisors a written protest against submitting such question at any election, then the board of supervisors shall not certify any resolution to the county commissioners as provided in this clause."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys, and participation in the sport of bowling on Sundays.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 481, entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulations of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 382, entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Surplus Commodities Stamp plans therein.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 208, entitled:

An Act to further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports, changing the necessary favorable vote in referenda on the creation, addition of territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making appropriations.

The first section was read.

On the question,

Will the House agree to the section?

Mr. REAGAN. Mr. Speaker, I desire to interrogate the author of this bill, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. Mr. Speaker, I shall.

Mr. REAGAN. Mr. Speaker, when a district, or when twenty-five men petition for a district, are they to be occupiers or owners?

Mr. MOUL. Mr. Speaker, they are owners.

Mr. REAGAN. Then, Mr. Speaker, when the vote is held on the district as to whether the district will be formed or not, who will vote, the occupiers or the owners?

Mr. MOUL. Only owners, Mr. Speaker. This is determined by the act as it now stands. This bill, House Bill No. 208, has certain amendments to change certain portions of the present act, but the amended portion under House Bill 208 does not affect the status of those who vote in the referendum. It still applies to owners.

Mr. REAGAN. Mr. Speaker, will the gentleman kindly state whe nthe occupiers have a voice in this matter.

Mr. MOUL. Mr. Speaker, the occupiers have no voice insofar as voting is concerned. However, if House Bill 208 is enacted as it stands, the occupier will have to be consulted before they can enter the farm which he occupies and make certain changes or alterations on the farm. That applies only to the cases where they are starting new work on the farm. It does not apply to those which are already in operation.

Mr. REAGAN. Mr. Speaker, on page fifteen where it says that supervisors may require contributions in money, services, and materials or otherwise, is this required of the occupiers or the owners.

Mr. MOUL. Mr. Speaker, is the gentleman referring to six?

Mr. REAGAN. Mr. Speaker, eleven.

Mr. MOUL. Mr. Speaker, that portion pertains to occupiers of the land, and "occupiers" as we define them in the new act take in both owners and renters or tenants. In other words, when we are setting up a new program for a particular farm, it will require that the occupier,—and occupier is both the renter and the tenant, it will require that the occupier be consulted and that he consent to the program they have in mind. I might add in this connection the reason for that is this; I'm not a lawyer, but I believe our legal friends tell us that if the tenant has an agreement with the landlord, it would be impossible to go in on a farm without consulting that tenant in cases where he has a lease which has some time to run. In other words, the tenant has some rights on that farm and without his consent, it would be impossible to enter that farm.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MOUL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 466, Senate Bill No. 79, Printers No. 6, was passed over at the request of Mr. ACHTERMAN.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 225, entitled:

An Act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, are we now on third reading of this bill?

The SPEAKER. The bill has been agreed to on third reading.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. Mr. Speaker, I shall.

Mr. TURNER. Mr. Speaker, I would like to ask whether it would not be better, in view of the fact that I requested that this bill be passed over, that the bill be not read for the third time, so that if there be amendments, it will not be necessary to go back to third reading.

Mr. ACHTERMAN. Mr. Speaker, it was my intention to ask that the bill be passed over but unfortunately I was unable to be recognized by the Chair in time to do so.

The SPEAKER. If there is no objection the Chair withdraws its decision that the bill has been agreed to on third reading and it will be passed over.

RESOLUTION No. 29

Mr. SHEPARD. Mr. Speaker, I desire to call up House Resolution No. 29, Printer's No. 45.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

Whereas, the present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is $5.85 for families of one person, increasing to $9.75 maximum for families of three persons or more, and

Whereas, recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, the report of the survey of the Pennsylvania Department of Public Assistance, published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania," shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, the Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, the present inadequate shelter allowances make it impossible to carry out the provisions of the law, therefore be it

Resolved, that the House of Representatives hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowances to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, that a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the members of the Pennsylvania Board of Public Assistance

On the question,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

CONGRATULATIONS

Mr. TARR offered the following privileged resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 3, 1941.

Whereas, The Hon. John M. Burns of Fayette County, was noted for his defensive play while wearing moleskins for Duquesne University; and

Whereas, A good offense is still the best defense; and

Whereas, Utilizing said strategy, he has succeeded in having Miss Helen Marie Zoretic, also of Fayette, to say "yes"; and

Whereas, Such news has just been flashed by teletype to the Members of the House of Representatives; therefore be it

Resolved, That the Chief Clerk of the House of Representatives serve a copy of this resolution personally on the Hon. John M. Burns, and send a copy to the blushing bride-to-be, as a fitting token of the good wishes of the membership of the House upon the announcement of their engagement.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, March 4 at 11 a. m. in Room 329.

Cities—Second Class, Tuesday, March 4, at 10:30 a. m. in Room 521.

Sub-Committee on Dairy Industries, Tuesday, March 4 after the session in Room 329.

Judiciary General, Tuesday, March 4 at 10 a. m. in Room 246.

Liquor Control, Tuesday, March 4 at 12:30 p. m. in Room 325.

Motor Vehicles, Tuesday, March 4 at 11 a. m. in Room 324.

Welfare, Tuesday, March 4 at 12 noon in Room 246.

Special Committee on Sewing Projects, Monday, March 3 at close of session in Room 246.

A meeting of the Investigating Committee Investigating the Reasons for Gas Explosions in Philadelphia, Monday, March 3 immediately after the close of session in Room 325.

ADJOURNMENT

Mr. HERING. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 4, 1941, at 1 p. m.

The motion was agreed to, and (at 9:52 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941, 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, MARCH 4, 1941. No. 17.

SENATE

TUESDAY, March 4, 1941

The Senate met at 11:00 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Our Heavenly Father, we are greatly concerned about the well-being and destiny of our beloved country in these times, not entirely concerning an aggressor from abroad but more specifically from the enemies of our government from within our own borders.

There are those among us whose philosophy of government differs widely from ours. There are those among us who believe in the complete divorcing of Thee from life and government; those who believe in the regimentation of the people in their government and making them mere chattels of the all-powerful state; who deny the freedom of speech and press and the right of peaceful assembly and the right to worship Thee whatsoever and so many other ideals foreign too our democracy and representative government.

During these fruitful years of national existence Thou hast been close to us, within us, and while our faithfulness to Thee could have been much better, yet we recognize Thy name on our currency, Thy name is held in reverence in our churches and schools, our courts, our public institutions and the consciousness of our people apprehend Thee and withal Thy name remains inseparable with that of our country.

What then, O Father God, must be the problem to be squarely faced sooner or later? Is it not whether we shall or shall not defend our ideals of life and living? Must we not decide as true Americans that the American way shall remain true?

Let us awake unto the dangers lying so close to all of us e'er it be too late as the pages of the sad history have been and are being written so surely in Europe. May our faith in Thee be reawakened and our allegiance to Thee be fortified through a more definite spirit of dependence upon Thee. Thou shalt never fail and those who put their trust in Thee shall renew their strength daily. May this be the prayer of our entire nation today. In Thy Holy Name we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. CRIDER and Mr. LETZLER, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. James asked and obtained leave of absence for the Senator from Delaware, Mr. HEYBURN.

Mr. Thomas asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 4, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 4, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Alice P. Hillegas, Pittsburgh, 503 Peoples East End Building.

J. P. Renshaw, Pittsburgh, Arrott Building.

CHESTER COUNTY

Everett J. Hoopes, Downingtown.

DAUPHIN COUNTY

Miss Jean Poffenberger, Harrisburg.

DELAWARE COUNTY

Mrs. Frances Louise Hecht, Millbourne.

Miss Mary Pension, Media.

ERIE COUNTY

Arthur A. Obert, Lawrence Park Twp., c/o General Electric Co., 2901 East Lake Road, Erie.

PHILADELPHIA COUNTY

Miss Catherine V. Noe, Phila., 3d and Huntingdon Sts.
Frederick Alfred Riegel, Phila., 743 West Hunting Park Avenue.
J. A. Rodrigues, Phila., 335 South 4th St.
Solis Sidney Stoloff, Phila., 3112 West Huntingdon St.

SOMERSET COUNTY

Thomas F. Lansberry, Somerset.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 4, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Beatrice M. Reuscher, Pittsburgh, 3968 Forbes St., Oakland, March 5, 1941.

PHILADELPHIA COUNTY

Miss Anne Drysdale, Phila., 1420 Walnut St., March 5, 1941.
Joseph Marciano, Phila., 813 South 11th St., March 5, 1941.

ERIE COUNTY

John J. Galbo, Erie, March 6, 1941.

YORK COUNTY

Harvie L. Stubbs, Delta, March 5, 1941.

SCHUYLKILL COUNTY

H. B. Shoener, Orwigsburg, March 6, 1941.

ERIE COUNTY

Willard M. Eisert, Wesleyville, March 7, 1941.

PHILADELPHIA COUNTY

H. S. Boyd, Phila., 916 Walnut St., March 7, 1941.
Wm. J. Rhodes, Phila., 1973 West 71st Ave., March 7, 1941.
John A. Shedwick, Phila., 521 North 40th St., March 7, 1941.

BERKS COUNTY

Harry I. Focht, Reading, March 9, 1941.

CHESTER COUNTY

Miss Lorraine Taylor, Oxford, March 9, 1941.

PHILADELPHIA COUNTY

Earl H. Markee, Phila., 3322 North Broad St., March 2, 1941.

YORK COUNTY

J. Harold Trattner, York, March 10, 1941.

PHILADELPHIA COUNTY

Thomas J. Gavaghan, Phila., 2615 West Lehigh Ave., March 11, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EDMONDS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Barr,	Ealy,	Letzler,	Shapiro,
Bartlett,	Edmonds,	Mallery,	Snowden,
Becker,	Farrell,	McCreesh,	Stiefel,
Carr,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Tyler,
Coleman,	Homsher,	Mundy,	Wade,
Cox,	James,	Reed,	Walker,
Crider,	Jaspan,	Ruth,	Wilson, H. I.,
Crowe,	Kephart,	Scarlett,	Wilson, T. B.,
DiSilvestro,	Lanius,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 3, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 10, 1941 at 4:30 o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, March 10, 1941, at 9 o'clock.

BILLS INTRODUCED

Messrs. McGINNIS and EDMONDS read in their places and presented to the Chair Senate Bill No. 266, entitled:

An Act to further amend clause (i) of section four hundred ten, of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

Which was committed to the Committee on Insurance.

Mr. EDMONDS. Mr. President, this and the succeeding two bills relate to technical amendments to the Insurance Code.

They also read in their places and presented to the Chair Senate Bill No. 267, entitled:

An Act to further amend section three hundred and three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance

rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

Which was committed to the Committee on Insurance.

They also read in their places and presented to the Chair Senate Bill No. 268, entitled:

An Act to further amend section three hundred one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

Which was committed to the Committee on Insurance.

Mr. MILLER. Mr. President, I rise in my place and present to the Chair the following bill, and ask the indulgence of the Senate for just a moment to make a few brief remarks.

Mr. President, while this bill is not a tax exemption bill, it does, however, provide for the redemption of properties taken through tax sales. I might say, Mr. President, in my county of Luzerne there are eleven thousand properties now which have been taken over in tax sales, and with the coming of the next advertised sale four thousand more will be added. We in Luzerne County believe, with the defense program as set up, there are many persons who are desirous of seeing enacted into law some method whereby they may redeem their properties, and this bill simply provides that by payment of costs established by the courts, and by taking advantage of the twenty per cent deferred payment plan, these properties may be redeemed. In that way it will bring into the county additional taxes that will not come in through that source, for the reason that the counties themselves retain the properties.

Mr. President, I ask that the Senate study the bill, and I trust the members may see the logic of it.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 269, entitled:

An Act authorizing the reduction of real property purchased by political subdivisions at tax sales, upon the payment of the amount charged against the same and costs, by installment payments; and prescribing the procedure therefor.

Which was committed to the Committee on Judiciary General.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 270, entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

Which was committed to the Committee on County Government.

Mr. JASPAN. Mr. President, this bill I am about to introduce on behalf of my colleague from Philadelphia, Senator Stiefel, and myself, increases salaries of the Common Pleas judges, and the Orphan's Court judges of the City of Philadelphia from fourteen thousand to sixteen thousand dollars per annum, and the salaries of judges of the Municipal Court, from ten thousand dollars to fourteen thousand dollars.

Messrs. STIEFEL and JASPAN read in their places and presented to the Chair Senate Bill No. 271, entitled:

An Act to further amend section four and to amend section seven of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the court of Common Pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by increasing salaries of certain judges.

Which was committed to the Committee on State Government.

Mr. TAYLOR read in his place and presented to the Chair Senate Bill No. 272, entitled:

An Act making an appropriation to the Harrisburg Hospital, Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 273, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital, Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 274, entitled:

An Act making an appropriation to the Children's Industrial Home of Harrisburg, Pennsylvania.

Which was committed to the Commiteee on Appropriations.

Mr. COX read in his place and presented to the Chair Senate Bill No. 275, entitled:

An Act making an appropriation to the Ohio Valley General Hospital, McKees Rocks, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 276, entitled:

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 277, entitled:

An Act authorizing the Board of Finance and Revenue to compromise claims of the Commonwealth against political subdivisions for unpaid loans, taxes, penalties and interest where such political subdivisions are financially distressed.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 278, entitled:

An Act providing for the abatement of penalties and interest on certain delinquent municipal loans taxes due to the Commonwealth from various political subdivisions; preserving the Commonwealth's claim for such taxes; and imposing duties upon the Department of Justice and the Department of Revenue.

Which was committed to the Committee on Judiciary General.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 279, entitled:

An Act making an appropriation to the Philalelphia Psychiatric Hospital, Ford Road and Monument Avenue, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 280, entitled:

An Act making an appropriation to the Woman's Hospital of Philadelphia, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 281, entitled:

An Act making an appropriation to the Home for Veterans of Grand Army of the Republic and Wives, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DiSILVESTRO. Mr. President, these bills are better known as the rotten-egg bills.

Messrs. DiSILVESTRO and JASPAN read in their places and presented to the Chair Senate Bill No. 282, entitled:

An Act to further amend section one of the act, approved the eleventh day of April, one thousand nine hundred and thirteen (P. L. 58), entitled "An act supplementary to an act, entitled 'An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof,' approved the eleventh day of March, Anno Domini one thousand nine hundred and nine; providing for the denaturing by kerosene of all eggs unfit for food, within the meaning of said act; and providing penalties for the violation thereof," providing for the licensing by the Department of Agriculture of persons, copartnerships, associations and corporations, engaged in the business of breaking eggs and separating the egg content from the shell and using or disposing of the contents thereof for any purpose; authorizing the Department of Agriculture and its agents and assistants and local public health enforcement agencies to take samples of eggs for the purpose of analysis; and providing penalties.

Which was committed to the Committee on Agriculture.

They also read in their places and presented to the Chair Senate Bill No. 283, entitled:

An Act to further amend section three, and to amend sections four, five and six of the act, approved the eleventh day of March, one thousand nine hundred and nine (P. L. 13), entitled "An act for the protection of the public health, by prohibiting the sale, offering for sale, exposing for sale, or having in possession with intent to sell, of eggs unfit for food, as therein defined, and prohibiting the use of such eggs in the preparation of food products; providing penalties for the violation thereof, and providing for the enforcement thereof," by further regulating sale of incubator eggs; modifying penalties; conferring powers on citizens and public health enforcement agencies of the Commonwealth; and conferring powers and duties on the Department of Agriculture.

Which was committed to the Committee on Agriculture.

Messrs. MALLERY and ZIESENHEIM read in their places and presented to the Chair Senate Bill No. 284, entitled:

An Act to amend section 901 of, and to add sections 901.1, 901.2, 901.3, 901.4, 901.5, 901.6, 901.7 and 901.8 to, the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by regulating the dismissal of employes and subordinate officers of the city.

Which was committed to the Committee on Municipal Government.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, about two weeks ago I spoke on a current subject and during my brief discussion I used the word "dive." At that time, if I recall, my colleagues and the Presiding Officer asked me to explain the word "dive." To the best of my knowledge I did.

Yesterday afternoon, Mr. President, a new word was brought into this hall by my colleague from Fayette County, Senator Cavalvante, who talked on a current subject and he read into the record a certain communication, and he referred to certain employes of this Commonwealth as flat heels.

Therefore, Mr. President, I should like the Senator from Fayette to explain and magnify that word "flat heel" so that we might be acquainted with the term.

The PRESIDENT. Will the gentleman from Fayette furnish the gentleman from Cambria with the desired information?

Mr. CAVALCANTE. Mr. President, I should have had prior notice so that I could have consulted the various books on that subject. The best elucidation, probably,

is the term that a flat heel is a person that believes in the science of statisticology. That, Mr. President, is about the only and the best answer I know of.

The PRESIDENT. If it would be "flat foot" it would be comparatively easy.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President and members of the Senate, about two months ago I introduced a number of bills and several resolutions with reference to the public assistance law. One of the resolutions on which I asked unanimous consent, was pertaining to the practice being used by the Department of Public Assistance, making and compelling every relief recipient to assign his life insurance policy before relief can be granted, down to the amount of five hundred dollars.

Mr. President, the gentleman from Allegheny, Mr. Geltz, according to the record, agreed with me that I had a just cause but because he thought the resolution deserved consideration and further study he objected to immediate consideration of my resolution.

Therefore, Mr. President, since that happened about three weeks ago I should like to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether or not he has read my resolution after they had sent it to committee and whether he gave it study?

Mr. GELTZ. I have not, Mr. President.

Mr. HALUSKA. Mr. President, I threatened last week the next time I rose to my feet I would ask for the discharge of that committee. I dislike that and I have no intention today of going through with that threat.

Mr. President, I think I have a very important resolution in committee and once again I am going to ask the chairman of that committee if possible to give that resolution some consideration today. I believe, Mr. President, I have been courteous, I have been patient, I believe you have all been, but at the same time we do have thousands upon thousands of persons who daily are being called upon to do away with their life savings, just because Mr. Russell has inaugurated such a rule, and I am asking the chairman of the Committee on Public Assistance, Welfare and Pensions, as I understand he has a committee meeting today, to bring up that resolution and give us here in this Senate an opportunity to either vote yes or no upon that resolution. How you vote is no affair of mine, but I do believe, with all due courtesy, that this body should have the opportunity to express their feelings so that Mr. Russell might know just how we feel about this most important issue.

Mr. President, we are going now into the eighth week of our session and very little, if anything, has been accomplished. I think, Mr. President, we will be here in October, the way we are going, and I hate to think that sometime in the late fall, when it is time to go hunting that I will be called upon to take up the time of this body and speak on relief and other bills I have introduced.

Mr. President, I have not had the pleasure of having one of my bills come out of committee. I am going to speak briefly on one important bill which I think, Mr. President, should receive consideration. It is America's cleanest entertainment, America's greatest sport, and that is bingo.

Mr. President, I have introduced a bill to place a license on all places where bingo is played.. That bill is in a committee controlled by the gentleman from Allegheny, Mr. Walker, and up to the present time I doubt whether he himself has even read the bill.

Mr. President, when we go back and look at the facts we find that happened in Delaware State, and that is apt to happen in Pennsylvania. We have more folks playing bingo in the Commonwealth of Pennsylvania than any other form of entertainment that I know of. Mr. President, we either believe in bingo or we do not. We either say it is lawful or it is unlawful, we are going to say it shall be legalized or we are going to say the law shall be enforced. I assure all my colleagues that we will all have an opportunity to vote for or against bingo.

Mr. President, we can not play a Doctor Jekyl and Mr. Hyde. Let us not kid ourselves. We can not go back home and put on a saintly look and come up here and be the opposite, or vice versa.

Mr. President, I have people in my county who are opposed to the legalization of bingo, but my people know where I stand. I have the courage of my convictions, I am fooling no one, I am aware of the fact that I can not serve two masters, and I have the courage to come up here and tell them by my vote what I believe in and what my convictions are.

Mr. President, I know of men in this body, who would find no fault in going to a hotel room and playing poker but who would find fault in legalizing bingo. Let us not kid anybody.

Mr. President, I am going to introduce a resolution, if my bill does not come out, asking that the Commonwealth of Pennsylvania enforce the laws of our state, to arrest every person that conducts a bingo game and arrest every person that partakes in that game. You will have an opportunity to say then, I am for the liberals or I am for the church people; you will have an opportunity to vote your convictions, and I say if our present laws do not have sufficient teeth to enforce the law, then we should pass an amendment and make it possible for the state police to enforce our laws. Let us not kid them. We believe in the great clean sport or we do not. It might sound funny, it might sound like a joke, but do not kid yourselves. We have thousands upon thousands of persons who live for that alone. We have churches, the Eagles, the Moose, fire companies, Legionnaires, fairs—yes, Mr. President, fairs above all—carnivals, circuses, and bingo in private homes, and I wonder how many of you, if you were put to the acid test, would stand up and vote "no."

It is an important bill, Mr. President, and I do not think that bill should die in committee. I am asking my good friend from Allegheny, Mr. Walker, to bring the bill out, let it come out of committee, let each and every man here vote his convictions.

Mr. President, I have only one alternative, which is to introduce a resolution and thereby get their votes, and at

the same time tell the people back home whether or not you believe in its legalization or you believe in repealing the act.

QUESTION OF PERSONAL PRIVILEGE

Mr. COX. Mr. President, I rise to a question on personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. COX. Mr. President, last week the gentleman from Philadelphia, Senator Stiefel, and myself presented a resolution to the Senate calling on the Secretary of Public Assistance to make certain changes in the regulations of that department as applied to the healing arts group.

Mr. President, we have received from Mr. Russell a rather lengthy letter which I do not wish to take the time to read but I would like to ask unanimous consent to have permission to have it spread on the record.

The PRESIDENT. Is there any objection to the request of the Senator from Allegheny. The Chair hears none. It is so ordered.

The letter is as follows:

February 28, 1941.

"The Honorable Charles A. P. Bartlett Chairman, Welfare Committee,
Senate of Pennsylvania
Harrisburg, Pennsylvania

"Dear Senator Bartlett:

"Thank you for your inquiry as to the Senate Resolution now before your Committee which was introduced on February 25, 1941 by Senators Stiefel and Cox.

"I am pleased to inform you that the request that the allocations to physicians participating in the Medical Care Program be raised had already been complied with through action of the State Board of Public Assistance on February 14, 1941.

"The responsibility of providing medical care to assistance recipients is a matter of law. This assistance is provided through a special service program operating on policies approved by the State Department and the State Board of Public Assistance, but largely administered by a State Healing Arts Committee and sixty-seven County Healing Arts Committees.

"This program recognizes the principle of a free choice of physician on the part of the assistance recipient, and depends upon the members of the Healing Arts professions for policing and control of volume. The Healing Arts professions originally accepted the principle that bills for services rendered would be prorated in accordance with the money made available in each county on the basis of an allocation of fifteen cents per person per month, and eleven cents per person per month in Philadelphia and Allegheny County.

"Due to the fact that the volume of services was expanded by inclusion of nursing care, dental care, provision of drugs and hospital clinic care, the proration of bills presented for services rendered declined steadily. The basis of allocation was raised to a flat twenty cents per person per month for the entire caseload, but during 1941 the volume of services continued to increase and prorations became steadily greater.

"This situation was thoroughly studied and reviewed by members of the staff of Public Assistance and many separate and joint conferences were held to attempt to find a solution to the problem.

"On February 14, 1941 the State Healing Arts Committee met with the State Board of Public Assistance, and the presentation of the problem resulted in the adoption of the following resolution by the State Board:

'Whereas, On the present basis of twenty cents per person per month, prorations in the Medical Program have dropped to thirty-five and thirty cents for many counties; and

'Whereas, Such prorations have caused dissatisfaction among the Healing Arts groups and withdrawal of many practitioners; and

'Whereas, It is maintained that the ceiling of volume in the Medical Program may be presented by a morbidity of not more than 12% as against 9% at present; and

'Whereas, It is recommended by the State Healing Arts Advisory Committee that allocations be based on thirty-five cents per person per month and made on a basis of a revised seasonal variation having less spread; and

'Whereas, It is recommended by the State Healing Arts Advisory Committee that the Dental Program be reorganized as recommended by the State Dental Society with dental expenditures limited to 15% of total allocations;

'Therefore, be it resolved: That the State Board of Public Assistance approve allocations based on thirty-five cents per person per month and made on a revised seasonal variation having less spread, for a trial period of six months, beginning March 1, 1941, with the understanding that, if this plan does not succeed in improving prorations, consideration will be given to a complete revision of the Medical Program as to its nature and extent; and

'Be it further resolved, That the State Board of Public Assistance approve the revision of the Dental Program as recommended by the State Dental Society, and outlined in the minutes of January 6, 1941, meeting of the State Healing Arts Advisory Committee, with the provision that expenditures for dental care shall not exceed fifteen per cent of total allocations in any county in any month."

"On the basis of the new allocation of thirty-five cents for person per month the problem of prorations should be solved unless the volume of services under this program continues to rise. The State Board intends to review the experience with this new basis of allocation of funds after six months. If proration then continued to be a problem, the State Board considers that some drastic revision in the organization of this program will have to be attempted.

"In regard to the prompt payment of bills, excellent service is being given the participants in the Medical Care Program in the payment of invoices once these invoices have reached the State Department. There have been serious delays in the receipt of such invoices, since each month all invoices in a particular county must be reviewed and approved by a local volunteer Healing Arts Committee. In some counties there has been great difficulty in getting these County Healing Arts Committees to handle the invoices promptly. The State Healing Arts Committee has promised to require more prompt action on the part of the local committees, and, if this is not forthcoming, to replace them.

Sincerely yours,

HOWARD L. RUSSELL, Secretary"

Mr. COX. Mr. President, I might say very briefly the contents of this letter are to this effect; in the past there has been set aside for the Healing Arts Group, consisting of physicians, nurses and various other healing groups, an appropriation of twenty cents per person on public assistance. The doctors, the physicians, have always felt that they were willing to assume one half of the burden of the physical care of indigent people and on that basis they got their fees, so that they would assume one half of that cost.

This appropriation of twenty cents per person has never been sufficient and as a result of that appropriation has had to be prorated, so that during some months during the winter physicians received as little as thirty cents for an office visit and sixty cents for a visit at the home of a sick person.

Mr. President, that of course was ridiculous and as a result of that thousands of physicians in Allegheny County and the Commonwealth of Pennsylvania have made no charge whatsoever for their service to indigent people.

Now that the great cloud of the depression seems to be lifting and we have more money, I think it is only fair to those physicians that the Commonwealth of Pennsylvania once again assume one half the burden.

INTERROGATION

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. Yes, Mr. President.

Mr. WALKER. Mr. President, I would like to ask the gentleman from Cambria if the bill to which he referred previously as a bingo bill is Senate Bill No. 14.

Mr. HALUSKA. No, Mr. President. To clarify that, the thought my colleague from Allegheny has pertaining to that bill, I say no, because I introduced Senate Bill No. 14 and I later found it was a direct revenue raising bill and I introduced Senate Bill No. 133, which is in your committee, Mr. Walker.

Mr. WALKER. Mr. President, do I understand then the answer to my question is "No"?

Mr. HALUSKA. On Senate Bill No. 14, Mr. President?

Mr. WALKER. Mr. President, the question is as to Senate Bill No. 14. Is that the bill the gentleman from Cambria referred to in his discussion on bingo?

Mr. HALUSKA. No, Mr. President, that is not the bill. Senate Bill 133 is the bill I was referring to.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Montgomery will state his question of personal privilege.

Mr. EDMONDS. Mr. President, I want to say just a word with reference to the very interesting statement given to us by the gentleman from Allegheny, Mr. Cox, a few moments ago.

I do not know whether I am telling the gentleman from Allegheny something which may be new to him but Mr. Russell stated yesterday that a little while ago the State Board of Assistance had increased the ratio for the M.D.'s from twenty cents to thirty-five cents, I have had several letters from physicians since that time stating that the increase in the allowance did away therefore in very large measure with the injustice to which the Senator from Allegheny has referred. Mr. President, I mention this because that information was brought out in one of our hearings last week, which probably the Senator from Allegheny, Mr. Cox, did not attend.

Mr. COX. Mr. President, I wish to thank the gentleman from Montgomery for his statment and to mention that that information is contained in the letter which I asked be spread on the record. Inadverently I forgot to indicate that and that was the real reason I got up to indicate that Mr. Russell had the situation well in hand.

Of course you gentlemen appreciate this is for a temporary period of time, I believe a test period of about six months, and we hope in six months the thing here works out.

Mr. President, my point is this: when the Legislature adjourns this time it will be another year or two years before we meet again. That is a long period of time to wait if there is not a sufficient appropriation and this resolution prepared by the gentleman from Philadelphia, Mr. Stiefel, was prepared very, very carefully after exhaustive study of this matter, and we would like it to be considered, to be brought out on the floor of the Senate for the purpose of showing Mr. Russell that it is the unanimous desire of this body that the Healing Arts group receive fair treatment.

Thank you, Mr. President.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. Mr. President, a few moments ago one of the Senators used a term that is quite foreign to me and therefore I desire to ask the gentleman from Fayette if he will please explain to me what the science of statisticology covers.

The PRESIDENT. Will the gentleman from Fayette furnish the desired information?

Mr. CAVALCANTE. Mr. President, I have already defined the term "flat heel". I said a flat heel is a person that practices the science of statisticology.

Mr. President, the science of statisticology is an art, is a science that has been spawned by the minds of public trough parasites. I want to repeat that: that the science of statisticology is an art spawned in the minds of public trough parasites. It is the art of measuring human hunger and misery by remote control, based upon rules predicated on geneological statistics, based upon the tenets not of the God that we cherish and love but a figment of the minds of public trough parasites, a god that takes a definite form, a statistical god, and in conjunction with geneological statistics the flat heel then proceeds to measure human hunger and misery by remote control, based upon those statistics and in the name of that statistical god that has become such a potent figure in their imagination.

The PRESIDENT. That is a very elucidating definition.

BILL RECOMMITTED

Mr. CHAPMAN. Mr. President, I move that Senate Bill No. 9 on third reading, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such

certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics.

be recommitted to the Committee on Public Health for the purpose of amendment.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 34, as follows:

An Act to amend section twelve of the act approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws 705) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violations of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office" by imposing additional duties on the Fire Marshal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws 705) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violations of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office" is hereby amended to read as follows

Section 12 (a) The Fire Marshal his chief assistant and inspectors may examine all buildings upon which any fire-escapes may be erected shall see that it is kept in good order and repair and no person shall at any time place any incumbrance of any kind whatsoever upon any of said fire-escapes or passageways constructed or intended for the escape of persons from the premises in case of fire Any owner or occupant of buildings or premises failing to comply with the orders of the authorities above specified shall be deemed guilty of keeping and maintaining a nuisance detrimental to life and property and on conviction before any magistrate be fined twenty-five dollars or in default of such payment imprisoned in the county prison not more than thirty days

(b) The Fire Marshall shall cause to be made a periodic inspection of all fire-hydrants at intervals of not more than ninety calendar days apart and if he finds any such fire-hydrant to be defective he shall immediately order its repair or replacement

(c) All acts or parts of acts inconsistent with this act are hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, when this bill was first introduced in the Senate I felt by the time it got some real action there might be a real bill made of this subject which is plaguing Philadelphia.

Mr. President, I was afraid the provisions in the act were a little too strenuous as far as the fire marshal was concerned, because in Philadelphia the fire marshal who inspects fire plugs and finds them defective can be asked to repair them—but that requires money—and unless the city council gives him the money he would be out of a job without being able to carry out the duties imposed upon him. Mr. President, with the bill in its present condition, as amended, we might just as well not pass the bill. I think there will have to be found a medium between the two extremes and I would like to suggest to the sponsor of the bill, the gentleman from Philadelpha, Mr. McCreesh, that he request that Senate Bill No. 34 be recommitted to committee for the purpose of amendment.

SENATE BILL No. 34 RECOMMITTED

Mr. McCREESH. Mr. President, I move that Senate Bill No. 34 be recomitted to the Committee on Municipal Government.

Mr. President, I have great faith in the chairman of that committee and I do hope we will get out a good bill.

On the question,

Will the Senate agree to the motion?

It was agreed to.

MOTION TO RECOMMIT SENATE BILL No. 66

Mr. MILLER. Mr. President, I move that Senate Bill No. 66, on third reading, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

be recommitted to the Committee on Military Affairs for the purpose of further study and amendent.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I am going to be frank about this bill. I introduced Senate Bill No. 66 because it was prepared by the legislative committee of the American Legion in this state and it simply puts into law the mandate of the American Legion adopted at their convention.

Mr. President, the bill has been out on the floor of this Senate and then it was recommitted, then it was reported out again, and it is now on the Calendar for final action.

The truth of the matter is this, and I am not impugning the integrity of my colleague from Luzerne, Mr. Miller, at all—the truth is there is opposition to this bill and the opposition is very formidable but those who are opposed to the bill apparently do not wish to face a decision on the floor of the Senate and the bill is absolutely marked for pickling or slaughtering in that committee.

Mr. President, I am a member of the committee and I know I will continue to fight to the end in order to see that there is final action, but I do reluctantly stand by to see a bill moved back to committee for reasons that are not definitely the proper reasons; when the reasons are known why the bill is asked to go back to committee then the members of this Senate ought to be told plainly and openly on the floor of the Senate so that when they vote to send a bill back they know what they are sending it back for.

Mr. President, this bill is not being sent back to committee for amendment or further study or further con-

sideration. A decision has been taken and there was action taken in the Caucus relative to this bill. I would not state the definite action taken, what it was, but I do say that action was taken and you know what your intentions are relative to this bill.

I repeat again, Mr. President, this bill contains a mandate passed upon and adopted by the American Legion of this state at one of their conventions. It is no more nor less than their mandate and you are now asking that this bill be sent back for the purpose of killing it and because you do not have the courage to vote on it on the floor of the Senate.

I oppose, Mr. President, the recommittal of this bill.

Mr. MALLERY. Mr. President, I rise to enlighten the Senator from Fayette as to what took place in the Republican caucus on this bill, because I feel somewhat responsible for the step that is proposed to be taken to refer Senate Bill No. 66 back to the Committee on Military Affairs.

Mr. President, one question, and I think it is a serious question, that was raised by one of the members of the Republican Caucus was whether this Legislature can enact any bill requiring an elected official to do or perform a duty presently performed by a member of a private corporation. That is one thing I think should deserve some consideration.

In the second place, Mr. President, I personally am in favor of this bill if it is limited to adding additional duties to the party holding the position of grave marker but I think this is of the utmost importance and it is something that the members of the Senate should always keep in mind, especially during this session.

Mr. President, there is a great possibility that our country might be involved in war. I pray to God it will not, but it seems to me that now is the time above all times that we adhere not only to the policy and advocacy of economy in government but we practice it.

Now, Mr. President, in our own county a friend of mine held the position of grave marker. I think he received a salary of one hundred fifty dollars a month for those arduous duties. He has had time during the time that he held this office—he resigned last year—to compile a very worthwhile history of all men, residents of Blair County, who had ever served in the armed forces.

I know, Mr. President, in our county that man is adequately compensated. I think we might well add some additional duties to that job but I ask this Senate to be mighty careful in adding to the cost of our local government during this session of the Legislature.

Mr. MILLER. Mr. President, I feel in view of the remarks offered by the gentleman from Fayette that I should reply to certain statements he made.

As chairman of the Committee on Military Affairs, to which this bill will, I trust, be referred, I might say that several of the Senators, members of the Committee on Military Affairs, have requested that it be referred to the committee in order that further amendments might be placed in the measure.

I would like to dispel from the mind of the gentleman from Fayette that the purpose of recommitting Senate Bill No. 66 is to pickle the bill because if I might be permitted to use the pronoun "I" I state that I represent as the legislative chairman the American Legion, Department of Pennsylvania, I feel there are amendments that will tend to help the bill, I want to say in appreciation of the efforts of the gentleman from Fayette, who at my suggestion presented the bill, that I will stand shoulder to shoulder with him—he is also a member of the Committee on Military Affairs—in seeing that the bill is given consideration and it is my earnest hope that Senate Bill No. 66 will be reported out from committee again on the floor of the Senate for action.

Mr. CAVALCANTE. Mr. President, assuming what the gentleman from Luzerne has stated is beyond question I offer the following motion.

MOTION TO AMEND MOTION TO RECOMMIT SENATE BILL NO. 66

Mr. CAVALCANTE. Mr. President, I offer an amendment to the motion introduced by the gentleman from Luzerne to recommit Senate Bill No. 66, that if the motion is carried that the committee, after it has amended or corrected the bill, shall within thirty days return the bill to the floor of this Senate.

On the question,

Will the Senate agree to the motion?

Mr. MILLER. Mr. President, I can not see that a motion such as has been introduced by the Senator from Fayette can bind the Committee on Military Affairs. Mr. President, I can not speak for the committee but I wish simply to state as a member of the Committee on Military Affairs and as its chairman, as I stated before, I will stand shoulder t shoulder with the Senator from Fayette in seeing that Senate Bill No. 66 is considered and I will vote to have it brought forth on the floor of the Senate. I think the amendment to the motion made by the gentleman from Fayette is somewhat out of line.

Mr. CAVALCANTE. Mr. President, I insist upon my amendment to the motion and ask a roll call.

The PRESIDENT. Was there a seconder to the motion of the gentleman from Fayette.

Mr. REED. Mr. President, I second the motion.

The PRESIDENT. It has been moved by the gentleman from Fayette and seconded by the gentleman from Washington that the original motion of the Senator from Luzerne be amended as follows. Will the Senator from Fayette repeat his motion?

MOTION REPEATED

Mr. CAVALCANTE. Mr. President, if the motion to recommit Senate Bill No. 66 is carried the committee to which the bill is recommitted, after it has been corrected and amended and considered, the committee shall return the bill to the floor of the Senate within thirty days.

And the question recurring,

Will the Senate agree to the motion?

Mr. THOMAS B. WILSON. Mr. President, will the Chair please state to the Senate what the proposition is we are now voting on.

The PRESIDENT. The question before the Senate, on which a roll call has been asked, is as to the amendment to the motion, submitted by the gentleman from Fayette and seconded by the gentleman from Washington.

Mr. THOMAS B. WILSON. Mr. President, the first proposition is as to whether or not the amendment to the motion submitted by the gentleman from Fayette is to be adopted as a motion; is that right?

Mr. CAVALCANTE. Mr. President, we are not voting on the original motion.

Mr. THOMAS B. WILSON. Mr. President, we are to vote on the question as to whether or not the Senate shall adopt the amendment to the motion submitted by the Senator from Fayette; is that correct?

The PRESIDENT. The Senate must first dispose of the motion to amend, introduced by the gentleman from Fayette. The procedure would then be to consider the motion of the gentleman from Luzerne.

Mr. THOMAS B. WILSON. Mr. President, to meet this new system of government, with regard to this bill?

The PRESIDENT. Roll call has been requested by the gentleman from Fayette.

The Clerk will call the roll.

(During the calling of the roll.)

Mr. SHAPIRO. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Mr. COX. Mr. President, I would like my vote to be recorded as "no".

The PRESIDENT. The vote of the gentleman from Allegheny, Mr. Cox, will be so recorded.

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The vote of the gentleman from Philadelphia will be so recorded.

Mr. COLEMAN. Mr. President, I desire to change my vote from "aye" to "no".

The PRESIDENT. The vote of the gentleman from Lackawanna will be so recorded.

Mr. McCREESH. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The vote of the gentleman from Philadelphia, Mr. McCreesh, will be so recorded.

Mr. McGINNIS. Mr. President, I desire to explain my vote.

The PRESIDENT. The gentleman may proceed.

Mr. McGINNIS. Mr. President, I feel when a discussion is carried on on the floor of this Senate, if some specific amendment is discussed to be redrafted, this body has the right to send a bill back to committee with instructions to draft that specific amendment and return it. However, on the general proposition to send a bill back to committee for further study I feel this body has no right to tie the hands of that committee.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. REED and were as follows, viz:

YEAS 10

Barr,	DiSilvestro,	Lanius,	Reed,
Cavalcante,	Haluska,	McQuiddy,	Ruth,
Dent,	Jaspan,		

NAYS 35

Bartlett,	Edmonds,	McCreesh,	Taylor,
Becker,	Farrell,	McGinnis,	Thomas,
Carr,	Frey,	Miller,	Tyler,
Chapman,	Geltz,	Scarlett,	Wade,
Coleman,	Homsher,	Shapiro,	Walker,
Cox,	James,	Snowden,	Wilson, H. I.,
Crider,	Kephart,	Stevenson,	Wilson, T. B.,
Crowe,	Letzler,	Stiefel,	Ziesenheim,
Ealy,	Mallery,	Tallman,	

So the question was determined in the negative.

The PRESIDENT. The motion falls. The question before the Senate is on the adoption of the motion of the Senator from Luzerne, to recommit Senate Bill 66 to the Committee on Military Affairs.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I understand a motion to recommit is not debatable and I am not going to debate it, but for the purpose of guiding me on my vote on that motion, I should like to interrogate the gentleman from Luzerne, Mr. Miller.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, I understand this motion is to recommit this bill for the purpose of amendment.

Mr. MILLER. Yes, Mr. President, for further study and amendment.

Mr. SHAPIRO. Mr. President, may I be informed as to what part of this bill is to be amended and what amendment is under consideration?

Mr. MILLER. Mr. President, I can not answer as to what the amendments are that are under consideration, but there is a certain portion of the bill, found on page two, beginning at line 25, that seems objectionable to a certain extent.

Mr. SHAPIRO. Mr. President, I should like to further interrogate the gentleman from Luzerne.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be further interrogated.

Mr. MILLER. Yes, Mr. President.

Mr. SHAPIRO. I understand this bill as now framed enlarges the duties of certain registrars in connection with grave digging for veterans, and I understand further that is the only amendment to the bill, and I understand in connection with this additional work the costs of compensation for the additional services are to be fixed by the Salary Board which fixes the salary of the particular individual in the first instance in any office. Is that correct?

Mr. MILLER. That is correct, Mr. President.

Mr. SHAPIRO. Mr. President, I can see nothing that has been brought to this floor which indicates there can be any amendments that will help this bill, and I want to say very frankly to the gentleman I am informed the purpose of sending this bill back to committee is for the purpose of killing it.

Mr. President, as far as I am concerned, I should like to ask the gentleman from Luzerne to make that question clear, because while I am not willing to tie the hands of the committee and set a precedent of sanding back bills to committee with strings attached, I am opposed to a bill being on third reading and being sent back to committee for the purpose of amendment, when the real purpose is to kill it; and I should like to have that clear in my mind.

Mr. MILLER. Mr. President, if the reporter will refer to my remarks, when I previously spoke on this subject, I think I stated to the effect I would like to dispel from the mind of the Senator from Fayette that the purpose of recommitting this bill is for the purpose of pickling it, so to speak, and I still make that statement. I have no knowledge from any Senator within this body that they are desirous to having this bill killed, and I want to say again I have an obligation to perform in my official capacity, representing the veterans' organization, and I will stand shoulder to shoulder with the Senator from

Fayette in order that this bill again be brought out on this floor for action.

Mr. REED. Mr. President, I would like to interrogate the gentleman from Luzerne.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. REED. Mr. President, is there anything that would interfere with amending the bill on the floor of this Senate?

Mr. MILLER. Mr. President, I do not know whether the amendments have been prepared.

Mr. REED. Mr. President, why not let the bill remain in the Senate on the Calendar until such amendments are prepared and introduced the amendments in the open forum of this Senate?

Mr. MILLER. Mr. President, I prefer to stand by my original motion, to have the bill referred to the Committee on Military Affairs for further study and amendment.

Mr. REED. Mr. President, may I further interrogate the gentleman from Luzerne?

The PRESIDENT. Will the gentleman from Luzerne permit himself to be further interrogated?

Mr. MILLER. Yes, Mr. President.

Mr. REED. Mr. President, is it then the purpose to have this bill returned to committee for amendment or for further study?

Mr. MILLER. Both, Mr. President.

Mr. THOMAS B. WILSON. Mr. President, I should like to interrogate the sponsor of this bill, the gentleman from Fayette.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE . I will, Mr. President.

Mr. THOMAS B. WILSON. Mr. President, may I ask this question, if this bill is going back to committee for consideration, which is asked in good faith, on page two, at the bottom of the page, where the words "family relations" occur, a duty is put on these men to advise veterans with regard to family relations, what is the meaning of that term? As I understand it there has been considerable talk among members of the Senate, on both sides of the house, as to what the meaning of that phrase is.

Mr. CAVALCANTE. Mr. President, for the information of the gentleman from McKean—not Tioga—the federal law provides certain benefits for the orphans and widows of veterans, and the expression "family relations" referred to the rights of orphans and widows of veterans as they are related to the federal acts providing for benefits for them; it does not refer to desertion or non-support, it does not refer to divorce or anything else. We made that very specific in the act.

Mr. THOMAS B. WILSON. Mr. President, the bill does not say so, does it?

Mr. CAVALCANTE. Mr. President, I think it does.

Mr. THOMAS B. WILSON. Mr. President, the bill is not specific in saying what family relations they are to be advised on.

Mr. CAVALCANTE. Mr. President, may I take the liberty of reading the amendment?

The PRESIDENT. The gentleman may proceed.

Mr. CAVALCANTE. Mr. President, the amendment reads: "The veterans' grave registrar shall also perform service officers, duties in assisting war veterans in securing their rights as such in matters relating to their person, property and family relations." Very plain, Mr. President, assisting them as veterans in all matters relating to person, property and their family relations.

Mr. President, we have many, many veterans at this very moment lingering in hospitals for the demented and otherwise, who have nobody to assist their children and their widows in protecting their interests under the federal acts, and this would place some duty upon the grave registrar to assist the wives and the children of those demented war veterans and disabled war veterans.

Mr. THOMAS B. WILSON. Mr. President, I did not rise to in any way enter into any controversy with the gentleman from Fayette, but merely to say this question has been raised and there has been objection to the bill until it was clarified.

Mr. President, it is very easy to get up on this floor and say that bill is being sent back to committee to kill it. It has been made on the floor of this Senate in the last few days in regard to a great many bills when the statements had no basis in fact at all. There is no basis in fact in saying this bill is being sent back to committee to be killed, and I think some of the Senators should be stopped when they criticise the action of other Senators in asking that the bill be clarified in order to be properly considered before it is finally passed.

Mr. EDMUNDS. Mr. President, in order that those who are interested in this bill may know the point of view of those who are going to vote for recommittal, I want to call attention to these facts: I am a member of the Committee on Military Affairs and I am interested in what this bill wants to accomplish.

Mr. President, I call attention to the fact that it says, "The veterans' grave registrar shall also perform service officers' duties." Mr. President, the position of a grave registrar is an official position, service officers are Legion officers, and Mr. President, it seems to me there ought to be some clarification before you take the duties of a private official of a private corporation and put them into the public law. Second, what shall they do? They are to look after the veterans, the Senator from Fayette has stated that, and we are all in favor of that but the phrase "person, property and family relations" is a very broad series of terms, and it might mean that they should engage in law suits or perform divorces or something of that sort, which I think would be rather annoying under present conditions.

Third, in the last part of the amendment it is provided that their compensation is to be fixed by the salary board, but there is nothing about expenses being under the jurisdiction of the salary board or the county commissioners.

Mr. President, on those few points I think the bill needs clarification, and therefore I shall vote to return it to the committee for that purpose.

Mr. MILLER. Mr. President, I would like to make a correction in the statement made by the Senator from Montgomery whereby he states that a service officer is a legion officer. A service officer is an officer who handles the functions of all veterans organizations, it is not a distinct legion function. I would just like to clarify that point.

Mr. CAVALCANTE. Mr. President, I would like to clarify two points raised in the bill.

First, Mr. President, I think there is a misconception of the status of a war veteran, especially a disabled war

veteran who is receiving compensation or pension from the government.

Now, Mr. President, if we will here pause and consider well, we will know that war veterans who receive a pension, or who are at this time lingering in some government hospital for the demented or disabled, are considered wards of the government and anything that we do relative to them is not anything that we are doing because of something being done by any private corporation. We are doing these things for the wards of the government and not for a private corporation.

Now, Mr. President, there is another point I want to clarify that has been made on the floor of this Senate relative to this bill. When this bill was first in committee and considered, there was objection made or discussion had on the point mentioned by the gentleman from McKean, and the bill was then referred back, I think, to a subcommittee with instructions to amend the bill so as to eliminate the objection made in committee.

Mr. President, it has been stated on the floor of this Senate that this bill was reported and that particular objection or point was not covered. Now, I call your attention, Mr. President, and also the members of this Senate to the fact that this bill has two printer's numbers. If you will turn to the same bill under printer's number 9, you will find that the amendments to cover the very objection mentioned were taken care of; the amendments were put in the bill and I think that the objection primarily to the point raised by the gentleman from McKean was properly raised, because in the original bill, lines 25, 26, 27, 28 and 29 read as follows:

"The veterans' grave registrar shall also perform service officers' duties in assisting war veterans in securing their rights as such and in other matters relating to their person, property and family relations."

Mr. President, it was thought at that time that that might mean the service officer would have to go out and assist the veterans in matters of divorce and in matters of desertion and non-support and everything else, and the amendment was made and the word "and" was stricken out and the word "other" was stricken out, and the objection made or the argument made was answered by that amendment.

So, Mr. President, I say to you today that argument does not hold water, that this bill has been clarified by that amendment, and the matters that the registrar will be under duty to take of are matters that are related solely to those benefits and those rights which belong to the veterans under the federal acts and the state acts.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, my point of order is that the vote on the motion with the suggested amendment carried with it the motion to recommit.

The PRESIDENT. The point of order is not well taken, and the Chair clearly stated that at the time.

The question before the Senate now is on the motion made by the Senator from Luzerne to recommit Senate Bill No. 66 to the Committee on Military Affairs for further study and amendment.

POINT OF INFORMATION

Mr. THOMAS B. WILSON. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from McKean will state his point of information.

Mr. THOMAS B. WILSON. Mr. President, may I ask what we are voting on? Are we voting on the original motion made by the Senator from Luzerne to recommit Senate Bill No. 66?

The PRESIDENT. That is right.

Mr. THOMAS B. WILSON. Mr. President, that motion is unattached or unaccompanied by any direction to the committee as to what it shall do?

The PRESIDENT. That is correct. The motion stands alone.

The yeas and nays were required by Mr. CAVALCANTE and Mr. REED and were as follows, viz:

YEAS 37

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Homsher,	Mundy,	Wade,
Cox,	James,	Ruth,	Walker,
Crider,	Kephart,	Shapiro,	Wilson, H. I.,
Crowe,	Letzler,	Snowden,	Wilson, T. B.,
			Ziesenheim,

NAYS 8

Cavalcante,	DiSilvestro,	Jaspan,	Reed,
Dent,	Haluska,	Lanius,	Stiefel,

So the question wass determined in the affirmative.

The motion prevails. Senate Bill No. 66 is recommitted to the Committee on Military Affairs.

BILL RECOMMITTED

Mr. KEPHART. Mr. President, I move that Senate Bill No. 176 on third reading, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

be recommitted to the Committee on Municipal Government for the purpose of further amendment.

Mr. CHAPMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Roll call, Mr. President, I wish to be recorded as voting "no".

Mr. SHAPIRO. Mr. President, I desire to explain my vote on Senate Bill No. 176.

The PRESIDENT. If there is no objection, the gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, section 3 of this bill requires that the determination of the ordinance in question shall be made by the court. I have called the attention of the sponsor to the fact that the word really should be "interpretation" instead of "determination." The bill requires amendment, and for that reason I intend to vote that it be sent back to the committee.

QUESTION OF PARLIMENTARY RECOMMENDATION

Mr. CAVALCANTE. Mr. President, I rise to a question of parliamentary recommendation.

The PRESIDENT. The gentleman from Fayette will state his question.

Mr. CAVALCANTE. Mr. President, I would like to recommend to this body that we abolish the rule that permits amendments to bills on the floor of the Senate, and adopt a rule that all amendments shall hereafter be made in committee.

The PRESIDENT. The motion is out of order.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and Mr. REED, and were as follows, viz:

YEAS—36

Barr,	Edmonds,	McGinnis,	Tallman,
Bartlett,	Farrell,	Miller,	Taylor,
Becker,	Frey,	Mundy,	Thomas,
Carr,	Geltz,	Reed,	Tyler,
Chapman,	Homsher,	Ruth,	Wade,
Cox,	James,	Shapiro,	Walker,
Crider,	Kephart,	Snowden,	Wilson, H. I.,
Crowe,	Letzler,	Stevenson,	Wilson, T. B.,
Ealy,	Mallery,	Stiefel,	Ziesenheim,

NAYS—9

Cavalcante,	DiSilvestro,	Jaspan,	McCreesh,
Coleman,	Haluska,	Lanius,	McQuiddy,
Dent,			

So the question was determined in the affirmative.

The PRESIDENT. The motion prevails and Senate Bill No. 176 is recommitted to the Committee on Municipal Government.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 198, as follows:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of January one thousand nine hundred and forty by any foreign corporation not authorized under the laws of Pennsylvania to hold the same the title to which real estate has been heretofore conveyed by such foreign corporation to a citizen of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasibly as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Homsher,	Mundy,	Wade,
Crider,	James,	Reed,	Walker,
Crowe,	Jaspan,	Ruth,	Wilson, H. I.,
Dent,	Kephart,	Shapiro,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	Ziesenheim,

NAYS—1

Cavalcante,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 152, entitled:

An Act authorizing and directing the Department of Military Affairs to compile, edit, publish, and distribute books, listing the names of the veterans of the wars and expeditions, in which the United States has engaged; authorizing said department to procure and accept a Federal Works Progress Administration grant; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I spoke yesterday concerning information received from the Department of Public Welfare in connection with mental institutions. You will remember I referred to the fact the Department had stated if these mental institutions were taken over the state would lose not only the cost of five million dollars to operate these institutions, but would incur a loss in receipts of six and one half million dollars which it receives from the various counties for the care of county patients in state institutions.

Mr. President, I have always stated I doubted those figures were correct, but before making any attack on the figures in the budget, I felt we should try to get that

information, and I am convinced now the procedure which I have adopted is the proper procedure, because the information which I have received does not bear out the Governor's estimated figures set forth in the budget, nor does it bear out the information given to us by the Department of Welfare.

The figures were furnished to me at my request by the Department of Revenue, which receives this money, and here are the figures:

For the year 1940

Allentown	$256,467.70;
Danville	307,888.46;
Farview	139,529.80;
Harrisburg	287,142.84;
Norristown	530,510.56;
Philadelphia	856,906.90;
Torrance	280,828.96;
Warren	333,891.92;
Wernersville	72,024.26;

making a total of $3,035,191.40.

Mr. President, these are the amounts that are billed, not the amounts received. These figures that I have just read represent the total amounts billed by the Commonwealth of Pennsylvania to the various counties for patients in state institutions.

The amount collected, however, is $1,987,372.87.

The counties which have practically paid in full are Allentown, Danville, Farview, Harrisburg, Torrance, Warren and Wernersville. The counties which have not paid in full are Norristown, which of its $530,510.56, has paid only $191,380.89, and Philadelphia which of its $856,906.90, has paid $5,458.50.

That does not reflect, Mr. President, the true picture as far as Philadelphia is concerned, however, because Philadelphia owes the state approximately $1,389,238. May I add to that, Mr. President, that since the state has already taken over the institution at Philadelphia, it certainly owes it if not legal, the moral obligation to carry it out in full, to relieve the county of the payment of this three dollars per week per patient, and if you remove that item from this total sum, you will find that all the state will lose by taking over these institutions will be the cost of five million dollars to maintain the patents and operate the institutions, and $2,200,000 per annum or $4,400,000 per biennium, which it would lose in receipts that it would otherwise get.

The total, therefore, Mr. President, is not $11,600,000, but the total is $9,400,000.

BILLS INTRODUCED

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. STIEFEL and FREY read in place and presented to the Chair Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first and second class and school districts of the first class; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

Which was committed to the Committee on Judiciary General.

Mr. FREY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY read in place and presented to the Chair Senate Bill No. 286, entitled:

An Act to amend the fourth paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," prescribing the manner in which money shall be drawn from the city treasury.

Which was committed to the Committee on Municipal Government.

He also read in place and presented to the Chair Senate Bill No. 287, entitled:

An Act to amend part of section one of the act, approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 449), entitled "An act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators," re-apportioning the thirty-eighth and forty-fifth Senatorial Districts.

Which was committed to the Committee on Senatorial Apportionment.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT The gentleman from Allegheny will state his question of personal privilege.

Mr. McGINNIS. Mr. President, we have with us today a distinguished former Senator, the Senator from Armstrong County, Mr. Sipe. I am sure we who know him would not feel at home, after having him in our midst, without hearing a word from him.

MOTION TO EXTEND COURTESY OF THE FLOOR TO EX-SENATOR SIPE

Mr. McGINNIS. Mr. President, I therefore move that former Senator Sipe be extended the courtesy of the floor.

The PRESIDENT. Hearing no objection, the former Senator from Armstrong, Mr. Sipe will proceed. The Chair has no doubt he will tell us the present status of the Butler Sanitarium.

Mr. SIPE. Mr. President, and members of the Pennsylvania Senate, young and old, it is a great pleasure for me to come down here to the Senate of the sovereign State of Pennsylvania and to renew my acquaintance with the old members of the Senate, and make the acquaintance of the new members of the Senate.

My relationships with the Senators when I had the honor of being a member of this august body will always remain among the most cherished recollections of my life. Yes, it was a great pleasure for me to be a member of this body; I was happy here when in your midst and now that I am out of the Senate I am still happy. In other words, it was a pleasure to be a member of the Senate, a pleasure to be in it, and I find it an equal pleasure to be out of it.

Mr. President, I should not like if I were a member of the Senate in this session, to be on any of these committees. It seems to me from what I have been hearing here yesterday and today that these committees have entirely to much studying to do. You know, Mr. President, that excessive and skull breaking study is a dangerous thing; it will break down the constitution of the most robust Senator.

As to the Butler Sanatorium, I have been asked by your adorable Excellency and by many members of this body whether the institution is closed or open. Coming from the buckwheat fields of Butler County, I can assure you that the institution still remain locked and barred, and from all that I have been able to learn, it has most excellent prospects of remaining locked and barred, but I feel sure that no member of this body can blame that on me.

So, in closing, Mr. President, I repeat I had happy days here among you, I am glad to come down and look you in the faces again, and that I am still happy although not a member of this august and sacred body.

QUESTION OF PERSONAL PRIVILEGE

Mr. CARR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Butler will state his question of personal privilege.

Mr. CARR. Mr. President, I ask unanimous consent to read an advertisement headed "Sipe Congratulates," which appeared in the Butler Eagle, November 6, 1940 and which reads as follows:

"I congratulate Jacob W. Carr on his election and hope he will have a successful term. While his lack of legal training will handicap him as a battling senator, yet he will never disgrace the people of his district by getting drunk on the floor of the Senate, as some Senators do."

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, March 5, 1941, at 11:00 o'clock, a. m.

Mr. SNOWDEN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:46 o'clock, p. m., until Wednesday, March 5, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 4, 1941.

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Gracious God, thou who art the Father of us all, we praise thee that thou hast bound humanity in a great unity of life so that each must lean on the strength of all, and depend for his comfort and safety on the help and labor of his brothers.

We invoke thy blessing upon all the men and women who have helped provide for our needs and our desires. Grant us wisdom to deal justly with those who labor to make our lives more comfortable.

Speak to our souls, O God, and bid us strive for the coming of thy kingdom of justice when thy merciful and saving will shall be done on earth. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. ELLIOTT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

The Clerk of the Senate being introduced presented extracts from the Journal of the Senate which were laid upon the table.

BILLS INTRODUCED AND REFERRED

By Mr. ROSENFELD. HOUSE BILL No. 636.

An act to amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments, and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties, "as amended, redefining the powers and duties of the registration commission and its employes; revising the provisions regulating the filing of removal notices and the cancellation of registrations; changing the provisions and times for registration, change of party enrollment and the cancellation of registrations; imposing duties on certain city officers; revising the procedure on appeals to the courts; providing for the manner of reckoning time; and imposing additional penalties.

Referred to the Committee on Elections.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 637.

An act for safeguarding persons and property, and promoting the welfare of the public; creating an electrical administrative board of the Commonwealth of Pennsylvania, and prescribing its duties and authority; establishing minimum standards for electrical equipment and its installation; providing for State-wide inspection of installations of electrical equipment; providing for the appointment of electrical inspectors for carrying out the provisions of this act; and prescribing their qualifications, duties, rights and authority; making it unlawful to undertake or perform the installation of electrical equipment without applying for inspection therefor except as otherwise provided; providing for the licensing by the electrical administrative board of persons, firms, or corporations engaged in the business of electrical contracting and electrical journeymen employed by them in the work of installing, maintaining, altering or repairing electrical equipment; making it unlawful to undertake or perform the installation of electrical equipment without a license

except as otherwise provided; providing penalties for the violation of this act, and repealing all statutes and parts of statutes in conflict with this act.

Referred to the Committee on Professional Licensure.

By Mr. BAKER. HOUSE BILL No. 638.

To amend section one of the act, approved the twenty-eighth day of May, one thousand eight hundred and fifty-eight (P. L. 622), entitled "An act regulating the rate of interest," by reducing the lawful rate of interest to four per centum per annum.

Referred to the Committee on Banking.

By Messrs. RONALD L. THOMPSON and MIHM. HOUSE BILL No. 639.

Requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine", at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and makin · an appropriation.

Referred to the Committee on Military Affairs.

By Messrs. DAVID P. REESE and WOODSIDE. HOUSE BILL No. 640.

Establishing certain public roads and streets, and certain roads and streets not yet in existence in the City of Harrisburg and the County of Dauphin as a state highway; and providing for their laying out, opening, construction and maintenance by the Department of Highways subject to certain terms and conditions.

Referred to the Committee on Highways.

By Mr. MUIR. HOUSE BILL No. 641.

Making an appropriation for the purpose of reconstruction, preservation and maintenance of public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. WOLF and PAUL A. BRUNNER. HOUSE BILL No. 642.

Authorizing the formation of county and state associations of tax collectors; and providing for payment by the counties of the costs of meetings and expenses of delegates thereto.

Referred to the Committee on Counties.

By Mr. EDWIN A. LEE. HOUSE BILL No. 643.

An act to further amend sections one and two of the act approved the thirty first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," declaring McKinley's Birthday, the twenty-ninth day of January, legal holiday.

Referred to the Committee on Banking.

By Mr. JAMES. HOUSE BILL No. 644.

An act to further amend section 1302 of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

Referred to the Committee on Townships.

By Mr. HARKINS. HOUSE BILL No. 645.

An act to further amend article four, section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), as amended by the act, approved the seventh day of May, one thousand nine hundred and thirty-five (P. L. 143), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto", by requiring all contracts of county commissioners over five hundred dollars to be made with the lowest and best bidder, after due notice published.

Referred to the Committee on Counties.

By Mr. SHAFFER. HOUSE BILL No. 646.

An act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

Referred to the Committee on Highways.

By Mr. GOODWIN. HOUSE BILL No. 647.

An Act relating to the bonds to be given by county officers, their deputies, clerks and assistants, in counties af the second class, the amount and conditions thereof, the sureties for such bonds, the payment of the premiums therefor and the recording and custody thereof.

Referred to the Committee on Counties.

By Mr. REYNOLDS. HOUSE BILL No. 648.

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, twelve hundred and seventy-eight) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto" providing roads to be county roads as soon as so determined and maintenance of such roads within the limits of boroughs and cities.

Referred to the Committee on Highways.

By Mr. OWENS. HOUSE BILL No 649.

To further amend subsection (c) of section seven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by providing for the granting of a real estate brokers license to certain persons without examination.

Referred to the Committee on Professional Licensure.

By Mr. MIHM. HOUSE BILL No. 650.

To amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (Pamphlet Laws, seven hundred twenty), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public

utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

Refered to the Committee on Highways.

By Messrs. YESTER and POWERS.

HOUSE BILL No. 651.

To amend section three of the act approved the twenty-third day of March, A. D. one thousand eight hundred and sixty-five (Pamphlet Laws 607) entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

Referred to the Committee on Counties.

By Mr. BENTLEY. HOUSE BILL No. 652.

An Act authorizing any county, city, borough, town, township, poor district, school district or institution district to execute a special warranty deed for any real property which it has acquired at any sale for the nonpayment of taxes or municipal claims.

Referred to the Committee on Municipal Corporations.

By Mr. BENTLEY. HOUSE BILL No. 653.

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

Referred to the Committee on Cities—Second Class.

By Mr. BENTLEY. HOUSE BILL No. 654.

An Act authorizing counties, cities, boroughs, towns, townships, school districts, poor districts and institution districts, at any sale of real property for the nonpayment of taxes or municipal claims to take title jointly in proportion to their tax claims; provide for the management of such real property and for the re-sale and conveyance of their interests to a purchaser.

Referred to the Committee on Municipal Corporations.

By Mr. BENTLEY. HOUSE BILL No. 655.

An Act to amend section nine of the act, approved the twenty-third day of May, one thousand nine hundred and seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," providing for examinations in the use of firearms to be given applicants for positions on the police force in cities of the second class.

Referred to the Committee on Cities—Second Class.

By Mr. BENTLEY. HOUSE BILL No. 656.

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

Referred to the Committee on Cities—Second Class.

By Mr. BENTLEY. HOUSE BILL No. 657.

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

Referred to the Committee on Municipal Corporations.

By Mr. BENTLEY. HOUSE BILL No. 658.

An Act to amend the act, approved the thirtieth day of March, one thousand nine hundred three (P. L. 106), entitled "An act authorizing and empowering the city treasurers of the several cities of the second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes, assessed and levied, are delinquent and remain unpaid," by adding thereto section nine and one-tenth authorizing the devestiture of mortgages, judgments and charges against properties sold at such sales in cities of the second class by common pleas court.

Referred to the Comittee on Judiciary General .

By Messrs. KOMOROFSKI and GALLAGHER.

HOUSE BILL No. 659.

An Act to amend General Rule twenty-three of article twelve of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and saftey of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," providing that each anthracite coal mine shall be equipped with a water spraying system for the alleviation of the dust condition in the underground working places.

Referred to the Committee on Mines and Mining.

By Mr. LEVY. HOUSE BILL No. 660.

To amend section two hundred twenty-two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the

Executive Department thereof and the administrative departments, boards commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, providing that State employes may accumulate their authorized leaves of absence and take such accumulated leaves at one time.

Referred to the Committee on State Government.

By Mr. VOLDOW. HOUSE BILL No. 661.

To add section forty-three to article four of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by regulating the opening of safety deposit boxes of a decedent.

Referred to the Committee on Judiciary General.

By Messrs. HIRSCH and KLINE.
HOUSE BILL No. 662.

Providing for the creation, maintenance and operation of a county employes retirement system in counties of the fourth class; and imposing certain charges on counties.

Referred to the Committee on Counties.

By Mr. McDOWELL. HOUSE BILL No. 663.

Authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred forty-one; evidenced by tax anticipation notes secured by and payable from current revenues, levied, assessed, collectible, and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on and the repayment of such loans; and making an appropriation.

Referred to the Committee on Ways and Means.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 664.

To amend section seventy-six of the act approved the sixteenth day of June, one thousand eight hundred and thirty-six (P. L. 755), entitled "An act relating to executions," by providing for the filing of a transcript of the judgment with testatum writs of execution and permitting defenses to be interposed in counties to which such writs are directed in certain cases.

Referred to the Committee on Judiciary General.

By Messrs. WEISS and MAXWELL.
HOUSE BILL No. 665.

Prescribing presumptions of authority and rules of evidence, where payments are made on account of the prinicipal of mortgages in certain cases.

Referred to the Committee on Judiciary General .

By Mr. GERARD. HOUSE BILL No. 666.

To amend section one of the act approved the twenty-sixth day of August, A. D., one thousand nine hundred thirty-two, entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments,", by including counties.

Referred to the Committee on Municipal Corporations.

By Mr. LOVETT. HOUSE BILL No. 667.

An Act creating an independent board to be known as The Regulatory Board of Review; conferring powers and duties on said Board, describing procedure on appeals to said Board and to the courts of common pleas; and making an appropriation.

Referred to the Committee on State Government.

By Mr. RILEY. HOUSE BILL No. 668.

An Act to amend article thirty-one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the laws relating thereto," by adding thereto section 3210.1; providing for exonerations of sewer assessments and the satisfaction of sewer liens and the discharge of properties covered thereby.

Referred to the Committee on Cities—Third Class.

By Mr. RILEY. HOUSE BILL No. 669.

An Act providing for the support and promotion of aviation training through public school districts of the Commonwealth; authorizing school districts to acquire real estate for such purpose; conferring powers and imposing duties on the Superintendent of Public Instruction; and making an appropriation.

Referred to the Committee on Education.

By Messrs. KOMOROFSKI and GALLAGHER.
HOUSE BILL No. 670.

An Act to add General Rule twenty-three A to article twelve of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," providing for the installation, in anthracite coal mines, of water sprinklers or other suitable dust removal devices.

Referred to the Committee on Mines and Minning.

By Messrs. HIRSCH and FINNERTY.
HOUSE BILL No. 671.

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and re-

organizing the conduct of the executive and administration work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments boards and commissions shall be determined" as amended by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Referred to the Committee on Professional Licensure.

By Messrs. SARRAF and STOCKHAM.

HOUSE BILL No. 672

An act to create and provide for the Fund of the State Board of Examiners for Licensure of Nurses covering all license fees recording fees and other moneys received or collected under the laws administered by the State Board of Examiners for Licensure of Nurses and regulating the handling and disposition thereof.

Referred to the Committee on State Government.

By Messrs. SARRAF and STOCKHAM.

HOUSE BILL No. 673.

To further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purpose or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended establishing a Fund of the State Board of Examiners for Licensure of Nurses by adding clause twenty-one to section three hundred two of said act.

Referred to the Committee on State Government.

By Messrs. SARRAF and STOCKHAM.

HOUSE BILL No. 674.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by making certain changes in the name qualifications powers and duties of the State Board of Examiners for the Registration of Nurses and providing for the election of a Director of Nursing Education who shall also be Secretary and Executive Officer of the Board and an Assistant Director of Nursing Education who shall also be Assistant Secretary and Assistant Executive Officer of the Board and other officers and employes thereof.

Referred to the Committee on State Government.

By Messrs. SARRAF and STOCKHAM.

HOUSE BILL No. 675.

An Act providing for and regulating the State Licensing and registration of nurses of several classes the biennial recording of licenses regulating nursing imposing penalties and repealing certain existing laws.

Referred to the Committee on State Government.

By Messrs. FINNERTY and HIRSCH.

HOUSE BILL No. 676.

To further amend the act approved the nineteenth day of June one thousand nine hundred and thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties "by changing the provisions as to fees charged apprentices and students prohibiting advertising of prices by registrants requiring all barber shops to be registered and transferring the administration of several provisions of this act to the State Board of Barber Examiners.

Referred to the Committee on Professional Licensure.

By Mr. HUNTLEY. HOUSE BILL No. 677.

Making an appropriation to the Department of Labor and Industry, for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. EDWIN F. THOMPSON and JEFFERSON.

RESOLUTION No. 46.

In the House of Representatives, February 4, 1941.

Whereas, The Honorable George E. Jones and the Honorable Charles A. Auker, members of this House from Blair County, have filed their brief with the Members of this

House, in order to show that so called "Rugg" books should be barred from our schools; and

Whereas, It is difficult to comprehend the true significance of the excerpts from such books referred to in said brief; and

Whereas, It would enlighten the Members of this House considerablly if it were possible for them to examine the contents of said books; therefore be it

Resolved, That the Honorable George E. Jones and the Honorable Charles A. Auker be directed to make available to the Members of this House, if at all possible, a copy of each of the "Rugg" books in question, by leaving the same in the office of the Speaker for the convenience of the Members of this House.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

LIQUOR LICENSES

Communications addressed to the Speaker from
The Philadelphia Federation of Churches
B. Topham, Philadelphia
Mrs. William P. Brimes, Philadelphia
Mr. George H. Peace, Philadelphia

protesting against passage of House Bill No. 156 and 259.

Referred to the Committee on Liquor Control.

UNIONS

A resolution from Steel City Industrial Union Council opposing recommendation of Joint State Government Commission and statements of Secretary of Labor and Industry Lewis G. Hines, relative to the forming of unions by state employes.

Referred to the Committee on State Government.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. FINNERTY for the remainder of the week on account of illness.

REPORTS FROM COMMITTEES

Mr. STINE, from the Committee on Judiciary General, reported as committed, House Bill No. 475, entitled:

An Act to further amend section seven of the act approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (P. L. 212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments", as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

Mr. O'BRIEN, from the Committee on Motor Vehicles, reported as committed, House Bill No. 570, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605, and 606, and to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623, to 638, both inclusive, to article VI, and to further amend Section 713 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees; and imposing additional penalties.

Mr. KENEHAN, from the Committee on Cities-Second Class, reported as committed, House Bill No. 238, entitled:

An Act requiring cities of the second class A, having fire departments, to allow members of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

Mr. VOLDOW, from the Committee on Judiciary General, reported as amended, House Bill No. 603, entitled:

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn.

Mr. NORMAN WOOD, from the Committee on Agriculture, reported as amended, House Bill No. 498, entitled:

An Act to add section three to the act, approved the second day of May, one thousand eight hundred ninety-nine (P. L. 163), entitled "An act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," by authorizing the use of barb wire fences by authorizing the use of barb wire fence under certain circumstances.

Mr. MARKS, from the Committee on Judiciary General re-reported as amended House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor and for other cognate purposes; and making an appropriation.

BILLS ON SECOND READING

BILL PASSED OVER

There being no objection House Bill No. 466, Senate Bill No. 79, Printer's No. 6, was passed over at the request of Mr. ACHTERMAN.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 312, entitled:

An Act to amend clause (e) of section five of the act approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation," by providing for furnishing artificial limbs to children over ten years of age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act to further amend paragraphs six and nineteen, and to eliminate paragraph seven, of section twelve hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 303), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class; increasing the percentage of state-aid for all districts; and providing additional state-aid through an equalization fund created by this act to be maintained from state appropriations.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HARKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of a public hearing and possible amendment.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 225, as follows:

An Act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "State Council of Defense Act"

Section 2 Establishment of State Council of Defense The Governor is hereby authorized and empowered in time of emergency or public need in the nation or the State to create by proclamation a State Council of Defense hereinafter designated as the "Council" for the general purpose of assisting in the coordination of the State and local activities related to national and State defense Whenever he deems it expedient the Governor may by proclamation dissolve or suspend such council or re-establish it after any such dissolution or suspension

Section 3 Organization of Council (a) The council shall consist of the Governor (who shall be chairman) the Lieutenant-Governor the State Treasurer the Auditor General the Secretary of Internal Affairs the Adjutant General the Speaker of the House of Representatives and the President pro tempore of the Senate and their respective successors in office and three citizens of Pennsylvania one to be appointed by the Governor one by the Speaker of the House of Representatives and one by the President pro tempore of the Senate

(b) The council may employ an executive director and such technical clerical stenographic and other personnel and fix their compensation and may make such expenditures within the appropriation therefor or other funds made available to it as are necessary to carry out the purposes of this act

(c) The members of the council shall serve without compensation but may be reimbursed for their actual and necessary traveling and other expenses incurred in connection with attendance upon meetings of the council

(d) The council shall be provided with appropriate office space furniture equipment supplies stationery and printing in the same manner as other State agencies are supplied

Section 4 Powers and Duties The council shall have the following powers and duties

(a) To adopt amend and repeal rules regulations and by-laws governing its procedure and activities

(b) To cooperate with the Advisory Committee to the Council of National Defense through its Division of State and Local Cooperation or with any similar Federal agencies hereafter created and with any departments or other Federal agencies engaged in defense activities

(c) To cooperate with similar councils of defense in other states

(d) To cooperate with local defense councils

(e) To supervise and direct investigations and report to the Governor with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters in so far as they are or may be related to defense

(1) Industrial materials and facilities

(2) Production and manufacturing facilities

(3) Agriculture food supply and land use

(4) Transportation facilities

(5) Labor supply and training labor relations and human resources professions trades and skills

(6) Consumers and consumer protection

(7) Housing and related facilities

(8) Health hospitals and sanitation facilities

(9) Welfare

(10) Educational facilities

(11) Recreational areas and facilities

(12) Finance

(13) Civil liberties but without limitation the protection thereof maintenance of law and order and measures to guard against sabotage and subversive activities

(14) Civil defense including police mobilization coordination for fire protection and disaster relief

(15) Any other type of activity directly or indirectly related to defense

(f) To create committees either within or without its membership to aid it in the discharge of its powers and duties

(g) To require and direct the cooperation and assistance of State and local governmental agencies and officials

(h) To make full investigations as to all questions directly or indirectly relating to the powers or duties vested in it by this act or by any other law

(i) To do all acts and things not inconsistent with law for the furtherance of defense activities

Section 5 Utilization of Existing Services and Facilities In order to avoid duplication of services and facilities the council and the local and district councils of defense established under the authority of this act are directed to utilize the services and facilities of existing officers

offices departments commissions boards bureaus institutions and other agencies of the Commonwealth and of the political subdivisions thereof All such officers and agencies shall cooperate with and extend their services and facilities to the council and to the local and district councils of defense as they shall request

Section 6 Local Councils of Defense Each political subdivision of the Commonwealth may establish a local council of defense by the proclamation of the executive officers or governing body thereof Local councils of defense if and when established shall cooperate with and assist the council and shall perform such services as may be requested by it Local councils may act jointly with other such councils In so far as applicable local councils shall have the same power and duties within their respective jurisdictions as are vested in the council Such local councils shall terminate or cease activity whenever the council is dissolved or suspended

Section 7 District Councils of Defense In cooperation with local officials the council is authorized to establish district councils of defense in critical areas of the Commonwealth of special importance in defense activities Such district councils shall act as coordinating agencies under the supervision and direction of the council and in cooperation with local governmental agencies

Section 8 Authorization for Appropriation The sum of twenty-five thousand ($25,000) dollars or so much thereof as may be necessary is hereby appropriated to the council from the General Fund for the payment of expenses necessary to effectuate the purposes of this act Payments out of such appropriation shall be made by the State Treasurer upon requisition of the chairman of the council and the warrant of the Auditor General

Section 9 Separability of Provisions If any provision of this act or the application of such provision to any person or circumstance is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 10 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I do not desire to oppose the passage of this bill, although I believe it does need amendments. I have asked the sponsor of this bill, Mr. Achterman, to permit amendments as to the make up of the Council of Defense. I have no personal reason to oppose the gentleman named, or the officers named, in the bill as members of the Council of Defense. I have always had the most pleasant relations with them, but having had something to do with the origin of the program for state Councils of Defense, it would seem to me that the Council as appointed in this state should be streamlined with the National Council of Defense. What are the agencies that will have something to do with defense, and the advancement of our National Defense promulgated in Pennsylvania? One would be the Adjutant General, another would be the Attorney General, another would be the Secretary of Commerce dealing with industries; another would be the Secretary of Labor dealing with labor, another would be the Secretary of Health because the health problem is an important problem in this state, another would be the Secretary of Public Instruction, dealing with public instruction. Public instruction is interested in vocational training and the restraining of people who take part in our defense program. Agriculture also has a place in the defense program. Highways have a very important place in the defense program. It seems to me that the President pro tempore of the Senate, and the Speaker of the House would be proper members of that Council because they would bring to the work of the Council the legislative viewpoint, and should it be necessary to prepare legislation at some future session, or some special session of the Legislature, they would be there with first hand knowledge of the workings of the Council and the problems of that would be presented.

It also seems to me that a Council of Defense should have a very substantial representation of citizens of the state, because there are a great many worthwhile citizens who may have particular knowledge, may have particular information that would be of service in the program for national defense.

Therefore, Mr. Speaker, I offered amendments to this bill for the purpose of changing the personnel, not with any intent of depriving any of our state officers of the opportunity to serve, but to make it more effective, but the sponsor of the bill has seen fit to refuse the amendments. If I wanted to try to insert them, I would have to go back through the process of getting the bill back to second reading before being able to insert them.

I am, therefore, going to vote for the bill but I do think it would be a more effective Council if it were streamlined with the National Council of Defense.

Mr. ACHTERMAN. Mr. Speaker, I feel perhaps it would be proper for me to explain the reasons why I refused to concur in the amendments that the gentleman from Delaware suggested. The particular legislation before us now, and I believe I am breaking no confidence in saying that this legislation has been framed as it has been discussed and finally approved by the Governor and the Speaker of this House, not only in relation to the legislation but also as to the personel that was to compose the Council. I can appreciate what the gentleman has said in relation to this great mass of people who could very properly be included in this State Council. As a matter of fact I can think of many different types of individuals engaged in various occupations that could quite properly be included until you got the Council so large that it would be unable to function. The bill gives the Council the power to call in any agency of the state and request and require their cooperation. I believe what the gentleman desires to obtain by this amendment can be obtained in the present measure and it is for those reasons that I do not agree with the gentleman from Delaware.

Mr. BROWN. Mr. Speaker, I do not rise to oppose this bill but there is a glaring defect in the draftmanship which I call to the attention of the majority floor leader and I hope it will be amended. I'm hardly in favor of what the bill purports to do, that is, setting up a Council.

On page four, line twelve, paragraph fifteen, the bill has these words, "To require and direct the cooperation and assistance of the state and local governmental agencies and officials".

I only oppose the draftmanship of this bill. It does not seem to me to make very good logic to say that you can direct cooperation. The other part of the bill on page three dealing with the duties of the commission Council says, "to cooperate with similar counsels of defense in other states." And, "to cooperate with local defense Councils" and yet when it gets over here where it has to do with local governmental agencies, agencies that

are set up under the Constitution, and are governmental divisions of the state, the bill uses language with which I cannot agree.

I do not see how this Council, or any other commission so far as that is concerned, can "direct" the cooperation of certain state and local governmental agencies. Therefore, it seems to me a very grave question of draftmanship. While I'm going to vote for this bill I hope that before the bill reaches final passage that section will be amended so as to use the word "require" the cooperation rather than "direct" cooperation, whic I feel is not only misleading but cannot be done in certain governmental functions according to law, and thereby might lead us into dubious ways on account of innocent wording in a very pertinent paragraph of the bill. I hope before the bill reaches final passage the section I referred to will be amended.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	Gallagher,	Marks,	Royer,
Allmond,	Gates,	Maxwell,	Rush,
Auker,	Gerard,	McClanaghan,	Sarge,
Baker,	Gillan,	McClester,	Sarraf,
Balthaser,	Gillette,	McDermott,	Scanlon,
Baugher,	Goodwin,	McDowell,	Schwab,
Bentley,	Greenwood,	McFall,	Serrill,
Bentzel,	Gross,	McGrath,	Shaffer,
Boies,	Gryskewicz,	McIntosh,	Shaw,
Boney,	Gyger,	McKinney,	Shepard,
Boorse,	Habbyshaw,	McLanahan,	Simons,
Bower,	Haberlen,	McLane,	Skale,
Bradley,	Haines,	McMillen,	Snyder,
Breth,	Hall,	McSurdy,	Sollenberger,
Bretherick,	Hamilton,	Melchiorre,	Sorg,
Brown,	Hare,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,
Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Weiss,
D'Ortona,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wolf,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, L. H.,
Finestone,	Leonard,	Regan,	Wood, N.,
Fisher,	Lesko,	Reynolds,	Woodring,
Fiss,	Levy,	Rhea,	Woodside,
Fleming,	Leydic,	Riley,	Wright,
Fletcher,	Lichtenwalter,	Rooney,	Yeakel,
Flynn,	Longo,	Rose, S.,	Yester,
Foor,	Lovett,	Rose, W. E.,	Young,
French,	Lyons,	Rosenfeld,	Kilroy,
	Malloy,		Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 81, as follows:

An Act to amend section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation and making the rights and remedies herein provided for exclusive.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 Section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing

his shares The demand of the shareholders shall state the number and class of the shares owned by him [Any] Unless a shareholder [failing to file] files such written objection [or make] and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

C The rights and remedies at law or in equity of any shareholder who desires to object to or to dissent from any merger or consolidation shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Gallagher,	Marks,	Royer,
Allmond,	Gates,	Maxwell,	Rush,
Auker,	Gerard,	McClanaghan,	Sarge,
Baker,	Gillan,	McClester,	Sarraf,
Balthaser,	Gillette,	McDermott,	Scanlon,
Baugher,	Goodwin,	McDowell,	Schwab,
Bentley,	Greenwood,	McFall,	Serrill,
Bentzel,	Gross,	McGrath,	Shaffer,
Boies,	Gryskewicz,	McIntosh,	Shaw,
Boney,	Gyger,	McKinney,	Shepard,
Boorse,	Habbyshaw,	McLanahan,	Simons,
Bower,	Haberlen,	McLane,	Skale,
Bradley,	Haines,	McMillen,	Snyder,
Breth,	Hall,	McSurdy,	Sollenberger,
Bretherick,	Hamilton,	Melchiorre,	Sorg,
Brown,	Hare,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,
Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Weiss,
D'Ortona,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wolf,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, L. H.,
Finestone,	Leonard,	Regan,	Wood, N.,
Fisher,	Lesko,	Reynolds,	Woodring,
Fiss,	Levy,	Rhea,	Woodside,
Fleming,	Leydic,	Riley,	Wright,
Fletcher,	Lichtenwalter,	Rooney,	Yeakel,
Flynn,	Longo,	Rose, S.,	Yester,
Foor,	Lovett,	Rose, W. E.,	Young,
French,	Lyons,	Rosenfeld,	Kilroy,
	Malloy,		Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 481, as follows:

An Act to amend section eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall [not be taken nor deemed to] repeal existing municipal ordinances [nor to] and prevent municipalities from enacting and enforcing new ordinances

[for the further protection of the public health Provided That this] inconsistent with the provisions of this act This act shall be considered as establishing uniform requirements and regulations [and that nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such additional requirements in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances]

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from York, Mr. Moul permit himself to be interrogated.

Mr. MOUL. Mr. Speaker, I shall.

Mr. HOLLAND. Mr. Speaker, we sympathize with the objections made by the farmers as to overlapping inspection as well as laws that do not conform to the regulations of the state. However, I have a telegram from Dr. Alexander, Director of Public Health of the City of Pittsburgh, who asked whether you would be kind enough to hold over this bill until Monday and until he has an opportunity of speaking with you regarding amendments that he thinks are important. Would you consent to hold this bill on the postponed calendar until then?

Mr. MOUL. Mr. Speaker, may I ask a question before answering that one?

The SPEAKER. The gentleman will proceed.

Mr. MOUL. Mr. Speaker, is Dr. Alexander the same gentleman who during the session of 1937, when we considered a bill of similar nature asked at that time that that bill be held over?

Mr. HOLLAND. Mr. Speaker, I am not positive. I am not really well acquainted with that time. I know that in 1939 he was very active when bills of similar nature were presented in this House, and he did make requests time and time again.

Mr. MOUL. Mr. Speaker, did I understand the gentleman from Allegheny to say in the 1939 session?

Mr. HOLLAND. Mr. Speaker, I did. He sent a wire direct to me.

Mr. MOUL. Mr. Speaker, I want to go back to my question again. In the 1937 session of the Legislature we had a bill of similar nature. The question I asked pertained to the session of 1937. Was Dr. Alexander the gentleman who asked that a bill of similar nature be held over at that time.

Mr. HOLLAND. I cannot answer that question, Mr. Speaker. I am really not well acquainted with what was done at that time.

Mr. MOUL. Mr. Speaker, one more question before answering the gentleman; did I understand him to say that during the 1939 session of the Legislature there was a request made of a similar nature?

Mr. HOLLAND. Mr. Speaker, there was.

Mr. MOUL. Mr. Speaker, what was the result of the request in 1939?

Mr. HOLLAND. Mr. Speaker, I think the bill was not passed. It was dropped from the calendar.

Mr. MOUL. Mr. Speaker, in answer to the gentleman's question as to whether we would be willing to hold it over, I would like to request that we proceed to vote on the bill at this time, and after the interrogation, I will be glad to give the reasons for so stating.

Mr. HOLLAND. Mr. Speaker, in asking for a postponement of the bill until Monday, I do not think I am asking anything that should not be granted. All I am really trying to do is to cooperate with the farmers and the large milk dairies throughout the State in trying to solve the problem that they too are trying to solve. I regret as much as anyone else does that there are overlapping inspections, and overlapping laws and I think they should be corrected. There is also a question of health that enters into it, and I believe that we people in the cities, who after all are the big users of milk, should be given some consideration.

When Dr. Alexander took office in the city of Pittsburgh, there was a considerable number of deaths due to the use of raw milk. Dr. Alexander was one of the first to insist on the pasteurization of milk with the result that complaints of illness of infants were cut down to a very very small amount. Our mortality rate in the city of Pittsburgh has decreased to a minimum and I feel that we should be given some consideration.

MOTION TO POSTPONE

Mr. HOLLAND. I move, Mr. Speaker, that this bill be placed on the postponed calendar to permit these people to come and talk the matter over with the sponsors of the bill. I feel and I believe that these corrections can be made to the satisfaction of the farmers as well as the users.

On the question,

Will the House agree to the motion??

Mr. MOUL. Mr. Speaker, I rise to oppose the motion. During the 1937 session of the Legislature we had the same type of bill and at that time we had a request from the same gentleman. At that time we granted the request and after a delay of some two or three weeks, we finally came to the point where we are today. We eventually decided to vote on the bill and when we did, the majority of the House voted in favor of the bill. In view of the fact that we are now at the same place, it seems that there is not any particular reason why we should hold the bill over again and probably rehash the same information we heard in 1937, and in the end come to the point where we are going to vote on the bill at any rate.

I ask the members of the House to vote against the motion to postpone the bill, so that we can proceed to direct action on the bill itself. Mr. Speaker, I ask the Members of the House to vote "no" on the motion made by the gentleman from Allegheny.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring.

Shall the bill pass finally?

Mr. MOUL. Mr. Speaker, I regret that there seems to be some misunderstanding on the part of some members of the House, and I think probably a few words might help to clear up some of that misunderstanding.

The bill we have before us is a bill that will establish uniform regulations insofar as sanitation of milk on the farms is concerned. For probably twenty years the farmers of Pennsylvania have gradually been subjected,

to more and more regulations from various types of inspectors. Some of them come as city inspectors, some of them come as inspectors of milk dealers, some of them call themselves municipal inspectors, some call themselves other types of inspectors, but in the end they always said that they were state inspectors.

In some instances farmers were subject to two different types of inspectors. The same farmer was subjected to a municipal inspector and a dealers' inspector. In each case the gentleman who came to the farm said he was a state inspector. We also have had conditions existing in certain sections where farmers were subjected to regulations because the milk was shipped into districts other than those in the immediate territory where the farms were located, so that in the end the sum total of the past twenty years has been that gradually the farmers have been subjected to more and more difficulty in the way of regulations, changes in his barns, changes in his cooling system, changes in the way he handles his milk. There is no uniformity in the handling. One inspector comes out to the farm and says, "You should have the windows on the right side of the barn." The next inspector, after the farmer proceeds to put the windows on the right side of the barn, may come out and say, "You should have the windows on the other side of the barn; you may tear these out if you want to but at any rate before you can ship milk to my plant, I am the state inspector, you will have to put the windows over here." The next inspector may come along and say "The windows should be on the south side." Then again you may have one inspector come in and say that the gutter in the rear of the stable should be here. The next inspector may come in and say, "That is all wrong," after the farmer has spent five hundred dollars in carrying out the wishes of the previous inspector. The next inspector comes along and says that he is a state inspector and makes a request entirely the reverse of the previous inspector. The inspectors have regulations whereby they have made the farmers turn around their cows. In other words the barn faces in one direction and the next inspector may come out and state that the farmer should face it in the other direction. As far as the cooling system is concerned one inspector may come in and say, "You must have this type of cooling system." Another inspector may come in and say, "You should have this type." Therefore in the end you have a multiplicity of inspection. This multiplicity of inspection is driving the farmer to a point where he doesn't know where he stands. He is not objecting to regulation, but he would like to have uniform regulations and know whether it is of one kind or another.

This bill, if it becomes a law, states that we shall have uniform inspection throughout Pennsylvania. It does not say that it shall not be the highest that we have in Pennsylvania; it does not even say it could not be higher than the highest at the present time, but it says that whatever that regulation is it shall be uniform. That is all we are asking for in this particular bill. We are asking that this situation be clarified.

There is one other point. The gentlemen seems to be worried about the health of certain cities of Pennsylvania. If I thought today as a sponsor of this bill that there would be any chance whatsoever of changing the high standards now maintained by any municipality in the state of Pennsylvania, I would be the last to sponsor such a bill, but the condition under which you milk is produced on the farm is not the most important factor insofar as the bacteria in your bottle of milk is concerned. In other words, the bacteria that you get in a bottle of milk that is delivered on your door step in the city may get there from many, many places.

I do not know just how much of the milk that is delivered in bottles in Pennsylvania is pasteurized, but I am told that the great majority of the milk that is delivered is pasteurized, and for those of you who fear for the health of the citizens in the municipality, when your milk is pasteurized, it is not pasteurized before it is milked on the farm, nor before it is cooled on the farm, nor even before it is transported to the city. It is pasteurized after it reaches your plant, and if that pasteurization is any good, and we are told it is, then there can be no bacteria carried from the farm into that bottle as it is finally delivered to your doorstep. If there is bacteria that is harmful in your bottle of milk that is delivered to your doorstep, in a bottle of pasteurized milk, that bacteria must have gotten into the milk bottle after the milk was pasteurized in the plant. Bacteria could have been put in the milk while delivered, and I believe you will find if you will check the records of your health departments where pasteurized milk is delivered to your doorstep, when you have epidemics due to milk, epidemics of typhoid or any other type that is carried through the milk, you will find there always has been some unsanitary condition after it left the pasteurizing machines. You will never hear them say that it happened on the farm. So I do not know but that in a great majority of instances you will find if there is any danger, that danger lurks in the bottles from the handling after it is pasteurized, and not on the farm.

Then again, in the case of raw milk, your raw milk is delivered to your doorstep not on the basis of the way it is produced, but it is delivered on your doorstep according to the bacterial content of that bottle of milk. If you have the proper test on the bacterial content of that milk then you will not only catch any bugs that might have come in from the farm, if you have any there, but you will also catch the bugs that get in the milk after it passes the pasteurization machines.

Therefore, I can see no reason for anyone's being afraid this will lower the standards of sanitation in regard to the milk that is delivered to your doorstep, and I am certain that the farmers of Pennsylvania are not going to object, regardless of how high the sanitary standards may be set, but they certainly will be very glad to know for once in twenty years, what those standards actually are.

I want to urge you all to vote for this bill in its present form.

Mr. AUKER. Mr. Speaker, I agree with most of what the gentleman from York has said, to the effect that the farmer is over-inspected, but I believe that there are some very apparent defects in this bill and it will not by any means correct the situation he desires to correct.

I would, therefore, like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, will the gentleman from York answer me if he thinks the state inspection is of as high a standard as municipal inspection of milk.

Mr. MOUL. Mr. Speaker, I do not quite understand the gentleman's question. Will he repeat it, please?

Mr. AUKER. Mr. Speaker, I will phrase my question differently.

Is state inspection of milk on as high a standard as the inspection of milk set up by municipalities, throughout the state in most of our cities?

Mr. MOUL. Mr. Speaker, perhaps the gentleman can answer that question better than I can. The Department of Health might be able to give that information.

However, I will say this, that it wouldn't make any difference what the regulations are today, when this act becomes a law. We are asking them to set up a set of standards that are high; we are asking for a set of standards that will meet the requirements. Any regulations that might be in existence today would not necessarily have to be the ones that would continue.

You will note in this bill it says specifically that this applies only to those that are inconsistent with present regulations. If the gentlemen are correct in their statements that the state at present has no regulations or that they are inferior, then they should not fear this bill, because as long as the state puts in no new regulations that are inconsistent herewith, they would not be affected.

Mr. AUKER. Mr. Speaker, will the gentleman point out to me just what part of the act provides for the statement he just made?

Mr. MOUL. Mr. Speaker, section 18, page 2, beginning with line 9, reads as follows:

> "The provisions of this act and the regulations made thereunder shall repeal existing municipal ordinances and prevent municipalities from enacting and enforcing new ordinances,"

I repeat, "new ordinances, inconsistent with the provisions of this act."

Mr. AUKER. Mr. Speaker, if this act becomes a law, would not the standard that is set up by the state for milk inspection on a farm become enforced to the exclusion of all municipal inspection?

Mr. MOUL. Mr Speaker, in case the municipality would set up regulations contrary to the standards to be set up, it would. If, however, the municipality wanted to enforce the regulations that would then be in existence under the new act or the act as amended, then they could go on enforcing those regulations just the same as they would today.

Mr. AUKER. Mr. Speaker, will the gentleman from York state just what standards are to be set up by the state under this act?

Mr. MOUL. Mr. Speaker, in any act that we pass we never attempt to set up in detail the way a Department is supposed to handle it. We take for granted that the Department of Health in this instance, would have competent men to take care of this work, and I am sure that the gentleman would not want to say at this time that the Department of Health does not employ men who are competent to handle such problems.

Mr. AUKER. Mr. Speaker, will the gentleman from York state whether or not he has any assurance the specific department which would handle this inspection would set up standards as high as those which exist in the municipalities.

Mr. MOUL. No, Mr. Speaker, I certainly do not. That is up to the regulating body.

Mr. AUKER. Mr. Speaker, then will the gentleman from York state whether he has any assurance that the high standards as set up by the municipal authorities will be maintained?

Mr. MOUL. Mr. Speaker, the gentleman from the other side of the House should be able to convince the Department of Health along any lines that he might wish, and he certainly would be in better shape than any of the members on this side of the House.

Mr. AUKER. Mr. Speaker, may I make a statement at this time?

The SPEAKER. Has the gentleman from Blair finished his interrogation?

Mr. AUKER. Mr. Speaker, I may wish to interrogate the gentleman later.

The SPEAKER. Has the gentleman from Blair finished with his interrogation for the moment?

Mr. AUKER. For the moment, Mr. Speaker, I have.

The SPEAKER. The chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, in my experience as a member of this house, which has been comparatively brief, I find it is really hard to change the minds of any of the Departments of this state unless you pass a law to make them change it. That is why I am so much concerned about this bill. I am very much afraid if this bill goes through that state inspection, which we all know is not as high as the highest standards of municipal inspection set up for the protection of the children and the people who live in those municipalities, will be the ones that will be enforced and the high inspection that is now set up by the municipalities will be thrown to the four winds, and all the work that has been done during the past years by various municipalities throughout the State in order to set up these standards of milk inspection, which have been promulgated in order to protect the health of their inhabitants and the children in these municipalities, will be thrown to the four winds and will have gone for nought.

Mr. Speaker, I would ask again to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York, permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. MOUL. Mr. Speaker, I shall, with one provision, that is that I would like to interrogate the gentleman first. I have but two questions that I would like to ask him.

Mr. SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKER. I will yield myself to interrogation, after I interrogate the gentleman, if I may.

Mr. MOUL. All right, Mr. Speaker.

Mr. AUKER. Mr. Speaker, I would like to ask the gentleman from York whether or not there is anything in this bill that would prevent the inspection that is now enforced by the distributors of milk in the municipalities?

Mr. MOUL. Mr. Speaker, I see nothing in the bill that would do so.

Mr. AUKER. Mr. Speaker, will the gentleman from York answer me whether or not the inspection that is set up by distributors is not one of the most arbitrary inspections of all three bodies of inspectors that are inspecting farmers?

Mr. MOUL. Mr. Speaker, did I understand the gentleman in the first question to speak of distributors? I

understood the gentleman to be speaking on the distribution of milk.

Mr. AUKER. Mr. Speaker, on milk dealers.

Mr. MOUL. Then the second question seems to be a different one.

Mr. AUKER. Mr. Speaker, I will repeat my question: Is not the inspection set up by the distributors of milk in the various municipalities in the state one of the most rigid, and one of the most arbitrary inspections of the different inspections as set up by the state and the municipal authorities and the milk distributors?

Mr. MOUL. Mr. Speaker, I still do not know exactly what the gentleman means. If he means the inspection in so far as the farmer is concerned, I would say, yes. If that is what he means I will say that this bill will very definitely eliminate that and will cause it to be uniform. If on the other hand the gentleman's question pertains to the distribution from the time it leaves the plant until it gets to the doorstep then my answer is, No this bill will not affect that. I would like further to add, if the gentleman is insinuating he would like to regulate the distributor, he can go beyond this bill as far as I am concerned. This bill does not regulate it, but if he wants to do so I have no particular objection.

Mr. AUKER. Mr. Speaker, will the gentleman from York admit that milk inspection on farms as set up by milk distributors is arbitrary in many instances?

Mr. MOUL. Mr. Speaker, yes, that is what I said. I hoped I had made that plain.

Mr. AUKER. Mr. Speaker, will the gentleman from York admit that this bill will not correct that particular situation?

Mr. MOUL. No, Mr. Speaker, I maintain that this bill will correct that particular situation.

Mr. AUKER. Mr. Speaker, will the gentleman from York point out to the Members of the House just how this bill will correct this particular situation?

Mr. MOUL. Mr. Speaker, as I stated on two occasions before, it provides for uniform inspection, one inspection that will apply to farmers in the Pittsburgh area and one for those in Philadelphia, York, Lackawanna, Luzerne, and all of the other sixty-seven counties of the state.

Mr. AUKER. Mr. Speaker, the gentleman has still not answered my question. May I ask him if he would point out where in the bill it abolishes the inspection of farms by milk distributors?

Mr. MOUL. Mr. Speaker, I cannot answer the gentleman in any plainer language.

Mr. AUKER. Mr. Speaker, will the gentleman point out just in what part of the bill that is corrected?

Mr. MOUL. Mr. Speaker, will the gentleman from Blair please state his question again?

Mr. AUKER. Mr. Speaker, will the gentleman point out just in what section of the bill it repeals or prohibits the inspection of farms by milk distributors?

Mr. MOUL. Mr. Speaker, it does so in that it provides for uniform regulation, and if we have uniform regulation for all inspectors, regardless of whether they be dealer inspectors, or municipal inspectors, city inspectors, state inspectors or any other inspectors, they will use the sheet that shows what the uniform regulation will be. I cannot explain it any more plainly than that. They will all use the same regulation; it will be set forth as to what they will do, and if they follow that sheet it does not matter whether it is a dealer's inspection or what it is, he will have to follow the sheet.

Mr. AUKER. Mr. Speaker, will the gentleman from York state whether or not this will prohibit milk distributors from inspecting farms from which they now purchase milk and set up arbitrary standards so that they could refuse to buy milk from those farms?

Mr. MOUL. Mr. Speaker, absolutely, that is exactly what we are trying to do in this bill. The answer is absolutely, yes.

Mr. AUKER. That is all, Mr. Speaker, of my interrogation. If the gentleman wishes to interrogate me I shall be glad to be interrogated at this time.

The SPEAKER. Does the gentleman from York desire to interrogate the gentleman from Blair at this time?

Mr. MOUL. Mr. Speaker, I was going to but I do not want to burden the House with any long discussion on insignificant questions, but did I understand the gentleman to say that there were no regulations in the Department of Health at the present time?

Mr. AUKER. Mr. Speaker, no, I did not say that. I know that there are regulations at the present time in the Department of Health requiring inspection of milk and produce of farms.

Mr. MOUL. Mr. Speaker, I thought that the gentleman said a while ago they were in such a shape that they were terrible, they were not doing anything about it, and if that be the case they probably would not make any new regulations, and then this bill would not apply because they would not be doing anything inconsistent therewith.

The second question I would like to ask the gentleman from Blair is this: does the gentleman believe in relieving the farmers from this terrible burden of multiplicity of inspection?

Mr. AUKER. I do, Mr. Speaker, and I also believe in protecting the health and the high standards of inspection as pertaining to milk distribution in our cities.

Mr. MOUL. Mr. Speaker, would the gentleman care to tell this House how in any other way it might be possible to relieve the farmers of that terrific burden?

Mr. AUKER. Mr. Speaker, I believe there is a middle ground that can be reached in this particular problem. I believe that if the motion of the gentleman from Allegheny, Mr. Holland, had prevailed, that would have given a chance for the state authorities and the city authorities to sit around a table and talk over the situation and arrive at a bill that would be all-encompassing and not be a hodge podge, which I believe this bill will be.

Mr. Speaker, I have sought by this interrogation to point out what I believe to be some very glaring inconsistencies in the bill, that it will not correct the situation that it is designed to correct, that it will just simply be more or less of a makeshift and will not protect the farmers from some very arbitrary inspections which they now suffer at the hands of some very arbitrary dealers. I will grant that not all dealers are arbitrary. I know that not all municipal authorities are arbitrary. There are some very bad faults on both sides. I believe that an opportunity by all means, ought to be given to the municipal authorities to be heard on this bill, to see it some method can not be arrived at that will correct the situation in its entirety, so that it will be satisfactory to the farmers, the state and the municipal authorities. I have no recourse under this

bill, and I imagine that most of my leagues who are from the cities, if they see it as I do, they will have no recourse but to vote against this bill to protect the high milk standard of inspection that now exists in the various cities and municipalities of the state.

I, therefore, ask the members of the House to vote against this bill.

Mr. WOODRING. Mr. Speaker, I will not tire the Members of the House with a long discourse. However, I rise in support of this Bill. I think we have spoken too much already about it. I do want to state that I am in full accord with what my co-sponsor has stated, that the farmers of the state of Pennsylvania need relief and they need it now. They have needed it for some years.

Every time this question comes before this House it is kicked around, and the farmers do not get the relief which is their due. I know from personal experience and observation that countless farmers all over the state of Pennsylvania have had to do just exactly what Mr. Moul has suggested, they have had to build and rebuild, they have had to repair and re-repair their milk sheds, under the guise of standards.

The dealer inspector comes in and lays down one set of specifications, and the farmer accedes to his suggestion and rebuilds. Then a municipal inspector comes along and has another set of standards, and the farmer rebuilds again. So on, Mr. Speaker, until the poor farmer doesn't know where he stands or what the standards are.

This bill is simply an attempt by the House of Representatives of this Commonwealth to standardize those regulations. If, as has been suggested, a hearing is desired there will be ample time afforded to those people wanting a hearing after the bill has passed our House and before the Senate finally passes upon it. The only opposition that has come to my ears on this proposed bill is that of the municipalities, and in that respect I would like to point out that it is not real opposition but it is the mere statement of a suspicion. The municipalities throughout the state feel that perhaps they are going to be deprived of some opportunity to inspect their milk and exact the health standards that they desire.

In that connection I would like to refer the Members of the House, and call their attention to the original act which this bill 481 proposes to amend. The act of 1935 P. L. 589. Section five reads as follows:—mind, this section is not amended or repealed, but it reads as follows:

> "The secretary" meaning the Secretary of Health "may constitute as his agent for the purpose of issuing permits for the sale of milk or milk products, the Department of Health, Board of Health, or Health Officer of any municipality."

In other words the municipalities under the proposed change will still have all the rights of inspection which they have had in past years, ever since the act of 1935 was enacted.

The only thing this proposed bill will do is that it will standardize the regulations for milk production on the farm, so that the farmer will not have to be hard put as they have been in the past.

I urge the support of all of the Members of the House for this bill. I especially ask the rural members to support it because it is necessary to help the farmers. I urge the support of the urban Members of the House as well, because I think it is a necessary enactment for the continued flow of a most vital commodity for the health and the welfare of all our people.

Mr. NAGEL. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Auker.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKER. I shall, Mr. Speaker.

Mr. NAGEL. Mr. Speaker, for my information, I would like to know whether or not the gentleman from Blair knows whether there is any regulation regarding sanitation set up by the Health Department of the State?

Mr. AUKER. Mr. Speaker, I think I answered the gentleman from York on the same question, that there are standards set up by the Health Department of the State, but I feel confident and I feel sure that they are not as high, nor do we have any assurance under this bill that they will be as high, as the standards set up by the municipalities at present enforced in the various municipalities throughout the State. If we could have some assurance, if we could have some hope that the state would bring their standards of milk inspection up to the standard now maintained by the municipal authorities, I would withdraw all of my opposition to this bill, but until that is assured I certainly will oppose it.

Mr. NAGEL. Mr. Speaker, I would like to ask the gentleman from Blair, when he says he thinks that there are regulations in the State, whether or not he knows of any specific regulations set up by our Health Department.

Mr. AUKER. Mr. Speaker, I cannot now name specific regulations, in answer to the gentleman's question. I cannot name specific regulations that are set up by the state, but I do know that they are not as high as the standards set up by the municipalities.

Mr. NAGEL. Mr. Speaker, if the gentleman says he does not know anything regarding the state regulations, and yet knows that they are not as high as the regulations set up in municipalities, how did he arrive at such a conclusion?

Mr. AUKER. Mr. Speaker, my information was given to me by my own municipal authorities in Altoona, who have a very high standard and they should know as they are experts.

Mr. Speaker, I would like to interrogate the gentleman from Beaver, Mr. Nagel.

The SPEAKER. Will the gentleman from Beaver permit himself to be interrogated?

Mr. NAGEL. I shall, Mr. Speaker.

Mr. AUKER. Mr. Speaker, will the gentleman from Beaver tell me what are some of the specific regulations that are now set up by the state for the inspection of milk?

Mr. NAGEL. Mr. Speaker, I did not ask the question. I do not know. I asked for information.

Mr. AUKER. Mr. Speaker, I was just wondering if there are any.

Mr. NAGEL. Mr. Speaker, I want to say to the Members of this House that this is one of the most important pieces of legislation touching our rural districts. It is a matter, a serious matter, that our milk producers have been begging for relief from this terrible grievance. We have had occasions out among these producers, where a man may have his milk house in a certain place, and the state inspector will come along and tell him, "You will have to build a new one." He complies with that request, and within six months or a year another inspector comes along from a distributor and tells him he must move it to

another spot, and in certain cases have required him to pump water to this milk house where before he had running water; and perhaps move it a third time. This is exasperating when we know that they are not even receiving the cost of producing their milk, as testified to in one of the hearings in Pittsburgh by an expert. We know that this condition cannot prevail long.

I believe that those who oppose this bill are sincere in their efforts. They have my sympathy, but I believe they are deluded. I believe they are deceived by certain inimical interests that are working to promote their own selfish ends, and as far as waiting or as far as postponing action on this bill confronting this House, I think every member of the House is familiar with the fact that if and when this bill is passed by this House, it still does not become a law, as it must be referred to the other legislative body in this Assembly, and there receive action. If there is anything drastically wrong with the bill, why not take it up with the Senate and have it corrected there?

I want to say to our Members on this side of the House that when you go back to campaign or run for office, how can go out to your rural districts and ask them for a vote to return you to this House when you have voted against the bill? The same thing applies here on the other side of the House; many of you represent rural districts and farmers that are crying and shedding tears, and are accumulating mortgages on their farms just because of this great burden that most selfishly has been placed upon them. Consider that, Members, consider the people at home; let us give them a square deal. I am fair on this. I am not partisan on it. I have all confidence that if this bill becomes a law the administration in power that has appointed the personnel of our Health Department have appointed such persons as are competent and able to set up high standards in milk sanitation. There is no reason why you should oppose it. It is not a danger, but it is a benefit to the great industry in this Commonwealth of Pennsylvania. I ask every Member of the House to support this bill.

Mr. HOLLAND. Mr. Speaker, I believe that the question of overlapping inspection is one that we all agree on. I do not believe there is a Member of this House, whether he be from the city or from the rural districts that does not agree that this should be corrected. All we ask to do is to sit around a round table and prepare a bill that we know will work. This bill as it now stands, I admit, takes care of the farmers. We do not know how the health regulations will be made because we are not legislating, all we are doing is passing a bill, and I might say passing the buck to an administrative bureau to make rules and regulations.

I want to point out on page 2, section 18, lines 16 to 23 of the bill. By the deletion of lines 16 to line 23 you take away from every municipality the right to even issue permits to a milk dealer. You place it all on the state. There is no selfish interest in this. I am assured, and I know from experience, that the Director of Health of the city of Pittsburgh is not interested in any milk company. What he is interested in is protecting the health of the people of the city of Pittsburgh. We all know that before the municipalities passed the so-called drastic laws we had epidemics of dysentery, fever, summer complaints and colic. In our city that took great toll. If the people of the rural districts and the people of the city districts would only take time enough out to sit down, I know we would get a bill that every Member of this House could vote for. That is all I think these people want, who after all, are making their living by selling milk to the people in the city. The health of the people of Pennsylvania comes first and profits come second.

Mr. MOUL. Mr. Speaker, we are hearing the same argument we have heard every time one of these bills comes before the House. Every time we ask for uniform inspection somebody asks for delay. For twenty years the farmers have waited hoping that sometime the delay would cease and they would have an opportunity. Nobody today has asked us to delay it for any reason that has not been thrashed out previously at some previous session of the legislature.

The gentleman from Blair has been using the arguments that there should be delay; we shall just wait a little while. He says he does not know how it will come out, but if we would just sit down and wait, finally somebody will get an idea which will be better than this one, but we have waited for twenty years and at the moment this seems the best that we have.

Members of the House, it is a question of whether we want to do something for the farmer or whether we do not. Gentlemen on both sides of the House, we have come to the point where we must decide whether or not we are going to do the best for the farmer we know how at this particular moment. If we get smarter in the future, then I for one will be glad to vote for a bill that will do the job better, but this at the moment is the best, after twenty years of discussion, that we can arrive at. So I appeal to you if you want to do something for the farmer on this question, now is the time to do it.

Mr. ELY. Mr. Speaker, I speak on this question from the standpoint of a producer of milk over a period of twenty-three years. I agree with the gentleman from York as to the disadvantages of multiple inspection. The farmers for many years in our section have been under the inspection of New York city, New York state, and many of them New Jersey. I know fully the disadvantages of multiple inspection. But there is a point in this bill which has not been brought out in all the discussion which we have already had and which more than outweighs the advantages.

At the present time when a dealer in any market is at variance with his producer in regard to price he cannot go outside his own area and bring in milk because it is not inspected for that particular market. If this bill were to be passed he could go anywhere in the state and bring any milk into that market, break down the market and defeat his producer from securing a better price. Not only that, but it would open up a flow of out-of-state milk. At the present time there are farms as far away as Wisconsin bringing cream into Pennsylvania from those farms. If this bill is passed I can see no reason why milk should not be brought in from as far away as Wisconsin to break down any market in Pennsylvania where the dealer was at variance with his producer with regard to price. While I realize the advantages of this bill, the disadvantages to my mind far outweigh the advantages and I am compelled to vote "no" on this measure.

In my own particular locality it would not affect the farmers, it would not save them from multiple inspection, on account of the milk going into New York city where they would still be under the inspection of New York city, New York state, and in many cases New Jersey.

Members of the House, before we pass this bill let us consider these things very carefully. The disadvantages far outweigh the advantages of having uniform inspection.

Mr. GYGER. Mr. Speaker, as a Member actually engaged in the production of milk it has been brought out that the cities would probably not receive good milk. There are no people more interested in furnishing the cities with good milk than the producers themselves, because after all unless you have a satisfied buyer of milk you do not have a good market. I am sure the farmers are just as anxious to sell good milk to the cities as the cities are to receive it.

As far as this inspection is concerned I know of farmers who have had five different inspectors in one day, each with a different idea. The farmers do not object to inspection, and we do not object even if it is high, but we want it uniform so that when one inspector comes on the farm the things we do we want to know are right: we do not want to be told one thing one day and the next day told to do something else. The thing the farmer wants more than anything else is that he will know when he repairs things or builds things they will stay right, at least for twenty-four hours.

Mr. WOODSIDE. Mr. Speaker, there has been a lot of intelligent debate on this bill, and a lot of interrogations, but there is one question that has not been answered, about which I have some concern. That is whether the dirty farmer of the House will be prevented from milking his cow on this bill.

Mr. TURNER. Mr. Speaker, I would say that this vote will not preclude the "dirty farmer" from milking his cow, nor will it relieve him of multiple inspection, nor from placing the windows in his barn on the south, west, east or north, nor from moving his milkhouse from one part of the farm to another, for the simple reason that the gentleman from Delaware has no barn, and no cows.

I would like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker I am in hearty sympathy with my fellow farmers who find difficulty with multiplicity of inspection, but I find there is a tremendous multiplicity of inspection in all the Departments of state.

I would like to ask the gentleman from York, would it not be possible to set up uniform inspection insofar as the farmers are concerned and at the same time leave to the municipalities the opportunity, or the right to set standards so far as their milk is concerned?

Mr. MOUL. Mr. Speaker, will the gentleman please explain to me what he means by "standards"? Perhaps the answer to the question will depend upon what he says he means by "standards."

Mr. TURNER. Mr. Speaker, I would presume there are two questions as to standards. One would be the standard pertaining to bacteria, or as to the cleanliness of the product as delivered; the other one would be as to the content of butter fat.

Mr. MOUL. Mr. Speaker, we hope that under this setup nobody would attempt to lower any standards as far as cleanliness is concerned, and I for one, as I stated before, would be only too glad to vote for any bill, regardless of what it might be, if I were convinced that it is going to stop multiplicity of inspections in Pennsylvania. That is my one interest, and I know in saying that I speak for a great many more Members of the House who have the same problem before them. I certainly would be willing to vote for any such bill, but I have been a Member of this House, this is my third term, and I have never seen any other attempt except in this way to solve that particular problem. I think in view of that fact and in fairness to the farmers of Pennsylvania what we should do here today is to vote in favor of this bill, and then if within the next day or the next week or two weeks, before the bill is passed by the Senate and signed by the Governor, somebody can sell us the idea that they have something that we want. I think I can speak for the members that come from the sections that have farmers who are interested, I think I would be willing to substitute something else that will do the job.

Mr. TURNER. Mr. Speaker, I think the difficult position that many of us find ourselves in is that while we agree heartily on the question of multiplicity of inspection, and believe that the farmer should be relieved of that as far as possible to do so, yet on the other hand we are asked to vote for a bill which as I understand the interrogations would prohibit the municipalities from setting up their standards.

That raises a question in the minds of many of us, especially in my own county, where we have a large number of small municipalities, townships and boroughs, who have their own inspection, and who have their own licensing provisions. In the past when this measure was before the legislature we always received from our different municipalities a large number of protests against the passage of the act. They have explained to us the necessity for that sort of an inspection, and rather than vote on a measure which would prohibit them from having such inspection, no matter what my feelings may be towards the farmers as to the necessity of relieving them from this difficulty, I am compelled to vote "no" on this measure, because I know that in these municipalities in Delaware County they protest against the breaking down of the provisions they have now under the law of setting standards to determine the kind of milk they will have in their own communities.

Mr. ACHTERMAN. Mr. Speaker, I am rather surprised that the other side of this House should have such little faith in their own Department as to believe that the standards they would set would be so inferior to the standards now existing and created by the municipalities. I am rather surprised that they have no confidence that a Republican administration would not jeopardize the health of the citizens by letting down the bars.

In other words, the opposition, if we are to believe it, is based solely on a lack of confidence in their own Department. However, I might say that I have grave doubts that that is the reason that has actuated all of their opposition at the present time.

Let me read to the members of the House the reason why I doubt that opposition or the sincerity of it. I am

reading now from the history of the House Bills of 1939. Listen to it.

> "An act to amend section 18 of the act approved the second day of July, nineteen hundred and thirty-five (P. L. 589), entitled 'Milk and Sanitation Law,' requiring local ordinances in certain cases to conform to this act and the regulations made thereunder."

This bill was introduced by whom? By the gentleman from Blair, Mr. Auker, and also the gentleman from Blair, Mr. Jones. But when the same bill and the same act is introduced a few years later, these gentlemen are opposing it. Is there sincerity in that opposition, or is he opposed to it because he did not introduce this particular bill?

I submit to the Members of the House that the farmers of Pennsylvania certainly have a right to ask the Members of this House to sincerely oppose measures, rather than for facetious reasons or reasons of a personal nature, that is, because they do not receive the credit or the benefit. I am saying that that opposition should be voiced for substantial reasons, and not purely for the purpose of opposition. It is for those reasons, plus the fact that the farmers have been crying for this thing for years, that the membership of this House should support the measure and support it regardless of whether they are Republicans or Democrats. Vote your convictions here, which you know will be sustained and upheld by the farmers, and incidentally not destroy the high standard now existing in Pennsylvania.

Mr. HUNTLEY. Mr. Speaker, I did not realize that this was a partisan bill and I did not expect to speak on it, but since the partisan nature has been brought up I think it is time that I should ask the Members of the House to lay partisanship aside and discuss the bill on its merits.

I come from a county that is not an agricultural county, although we have a number of people in it that make a living on little mountain farms. They are in a good position to make their living with a few cows. Many of them have undertaken it but on account of this multiplicity of inspection which has cost them more than the profit they could possibly get out of having a few cows, they have virtually all gone out of business, and the big milk dealers get the most of their milk from out of the county as a result.

I feel this way about this bill. I would like to vote on both sides. I believe there are merits on both sides, but my experience is this, that the big boys think the farmers, especially the little farmers, are a bunch of clodhoppers because they do not have the money to carry it through, and it is always a case of putting off, putting off and putting off. We have learned on both sides of the house that this question has been agitated for the past 20 years so that it is about time for the farmer and for everybody who is a friend of the farmer, to come to the farmer's support and show the farmers they mean business. After the big boy gets everything out of what he calls clodhoppers he can get, it is time for us to show these big boys we now mean business and do something to solve the problem rightly. Therefore, for that reason I am going to vote for this bill.

Mr. AUKER. Mr. Speaker, I do not wish to prolong this argument but since the gentleman from Monroe, Mr. Achterman has seen fit to raise more or less a personal issue I feel I should answer him.

It is true that we did introduce more or less the same kind of a bill in 1930, but I will remind the gentleman from Monroe that that bill was called back on second reading, and never came up for further consideration in the House. There was nothing further said. The bill was introduced in 1939 to correct the very thing we are here trying to correct here, to wit, this multiplicity of inspection of farmers. When we found we could not get the various parties together and when we found there was no guarantee that the state would set up as high a standard for milk as was set up by the municipalities we did not push the bill. That is the reason why the bill did not come back, but not for any such petty motive as the majority floor leader has seen fit to inject into this discussion.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. BAKER, POLEN and FLEMING asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—155

Achterman,	Gillan,	Maxwell,	Rooney,
Balthaser,	Goodwin,	McClanaghan,	Rose, S.,
Baugher,	Greenwood,	McClester,	Rosenfeld,
Bentzel,	Gross,	McDermott,	Rush,
Boies,	Gryskewicz,	McDowell,	Sarge,
Boney,	Gyger,	McFall,	Sarraf,
Bower,	Habbyshaw,	McGrath,	Serrill,
Bradley,	Haberlen,	McIntosh,	Shaffer,
Breth,	Haines,	McLanahan,	Shaw,
Bretherick,	Hall,	McLane,	Shepard,
Brunner, P. A.,	Hamilton,	McMillen,	Simons,
Burns,	Hare,	McSurdy,	Skale,
Burris,	Harkins,	Melchiorre,	Snyder,
Chudoff,	Harris,	Mihm,	Sollenberger,
Cochran,	Heatherington,	Modell,	Sorg,
Cohen, M. M.,	Helm,	Monks,	Stank,
Cohen, R. E.,	Hering,	Mooney,	Stine,
Cook,	Herman,	Moran,	Stockham,
Corrigan,	Hersch,	Moul,	Tarr,
Croop,	Hewitt,	Muir,	Tate,
Cullen,	Hirsch,	Munley,	Thompson, E. F.,
Dalrymple,	Huntley,	Nagel,	Van Allsburg,
DiGenova,	Imbrie,	Nunemacher,	Vincent,
Dolon,	James,	O'Brien,	Vogt,
D'Ortona,	Jefferson,	O'Connor,	Voldow,
Duffy,	Jones, G. E.,	O'Neill,	Wagner,
Early,	Jones, P. N.,	Owens,	Watkins,
Elder,	Keenan,	Petrosky,	Weiss,
Elliott,	Kenehan,	Pettit,	Welsh, E. B.,
Falkenstein,	Kolankiewicz,	Polaski,	Welsh, M. J.,
Finestone,	Komorofski,	Powers,	Wilkinson,
Fisher,	Krise,	Prosen,	Williams,
Fiss,	Leisey,	Rapp,	Wolf,
Fletcher,	Lesko,	Rausch,	Wood, N.,
Flynn,	Levy,	Readinger,	Woodring,
Foor,	Lewis,	Reagan,	Woodside,
French,	Lichtenwalter,	Reese, R. E.,	Yeakel,
Gallagher,	Longo,	Reynolds,	Young,
Gates,	Lovett,	Riley,	Kilroy,
Gerard,	Lyons,		Speaker.
	Malloy,		

NAYS—32

Auker,	Dennison,	Knoble,	Royer,
Baker,	Dix,	Lee, E. A.,	Stambaugh,
Bentley,	Ely,	Leonard,	Taylor,
Boorse,	Fleming,	Marks,	Thompson, R. L.,
Brown,	Gillette,	McKinney,	Trout,
Cadwalader,	Harmuth,	Reese, D. P.,	Turner,
Cooper,	Holland,	Rhea,	Winner,
Cordier,	Kline,	Rose, W. E.,	Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KEENAN asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 382, as follows:

An Act authorizing counties cities boroughs incorporated towns and townships to appropriate money for the establishment or continuance of Federal Surplus Commodities Stamp plans therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The respective authorities of the several counties cities boroughs incorporated towns and townships of this Commonwealth are hereby authorized to appropriate from time to time as required such amounts as may be deemed advisable or necessary to aid in the establishment or continuance therein of Federal Surplus Commodities Stamp plans for the removal of surplus agricultural commodities set up by the Federal Government under the authority of Acts of Congress and rules and regulations duly adopted in accordance therewith

Section 2 The sums appropriated by the several counties cities boroughs incorporated towns and townships may be deposited in one fund in the name of trustees designated by the Secretary of the Department of Public Assistance Said trustees shall use the fund for the purchase of Federal Surplus Commodities Stamps from the Federal Government Upon withdrawal of any county city borough incorporated town or township from further participation in the Federal Surplus Commodities Stamp plan such county city borough incorporated town or township shall be reimbursed from the fund to the full extent of its contributions

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—187

Achterman,	Foor,	Longo,	Rose, W. E.,
Auker,	French,	Lovett,	Rosenfeld,
Baker,	Gallagher,	Lyons,	Royer,
Balthaser,	Gates,	Malloy,	Rush,
Baugher,	Gerard,	Marks,	Sarge,
Bentley,	Gillan,	Maxwell,	Sarraf,
Bentzel,	Gillette,	McClanaghan,	Serrill,
Boles,	Goodwin,	McClester,	Shaffer,
Boney,	Greenwood,	McDermott,	Shaw,
Boorse,	Gross,	McDowell,	Shepard,
Bower,	Gryskewicz,	McFall,	Simons,
Bradley,	Gyger,	McIntosh,	Skale,
Breth,	Habbyshaw,	McKinney,	Snyder,
Bretherick,	Haberlen,	McLanahan,	Sollenberger,
Brown,	Haines,	McLane,	Sorg,
Brunner, P. A.,	Hall,	McMillen,	Stambaugh,
Burns,	Hamilton,	McSurdy,	Stank,
Burris,	Hare,	Melchiorre,	Stine,
Cadwalader,	Harkins,	Mihm,	Stockham,
Chudoff,	Harmuth,	Modell,	Tarr,
Cochran,	Harris,	Monks,	Tate,
Cohen, M. M.,	Heatherington,	Mooney,	Taylor,
Cohen, R. E.,	Helm,	Moran,	Thompson, E. F.,
Cook,	Hering,	Moul,	Thompson, R. L.,
Cooper,	Herman,	Muir,	Trout,
Cordier,	Hersch,	Munley,	Turner,
Corrigan,	Hewitt,	Nagel,	Van Allsburg,
Croop,	Hirsch,	Nunemacher,	Vincent,
Cullen,	Holland,	Lichtenwalter,	Rooney,
Dalrymple,	Huntley,	O'Brien,	Rose, S.,
Dennison,	Imbrie,	O'Connor,	Vogt,
DiGenova,	James,	O'Neill,	Voldow,
Dix,	Jefferson,	Owens,	Wagner,
Dolon,	Jones, G. E.,	Petrosky,	Watkins,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Keenan,	Polaski,	Welsh, E. B.,
Early,	Kenehan,	Polen,	Welsh, M. J.,
Eckels,	Kline,	Powers,	Wilkinson,
Elder,	Knoble,	Prosen,	Williams,
Elliott,	Kolankiewicz,	Rank,	Winner,
Ely,	Komorofski,	Rausch,	Wolf,
Falkenstein,	Krise,	Readinger,	Wood, N.,
Finestone,	Lee, E. A.,	Reagan,	Woodring,
Fisher,	Leisey,	Reese, D. P.,	Woodside,
Fiss,	Leonard,	Reese, R. E.,	Yeakel,
Fleming,	Lesko,	Reynolds,	Yester,
Fletcher,	Levy,	Rhea,	Young,
Flynn,	Leydic,	Riley,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 402, as follows:

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Organization of Reserve Defense Corps Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania Reserve Defense Corps and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania Reserve Defense Corps shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania Reserve Defense Corps shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely

without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania Reserve Defense Corps upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania Reserve Defense Corps

Section 7 Enlistment Contract and Oath Every man enlisting in the Pennsylvania Reserve Defense Corps shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania Reserve Defense Corps for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania Reserve Defense Corps into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his discretion provide for an annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania Reserve Defense Corps during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania Reserve Defense Corps under the provisions of Public Resolution No 874 the 76th Congress of the United States approved October 21 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania Reserve Defense Corps The Governor shall have further authority and power to make available for the use of the Pennsylvania Reserve Defense Corps such uniforms arms and equipment as may be owned by the Commonwealth or as may be in possession of the Commonwealth for the purpose of such use. In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred dollars ($100.00) for each officer may be prescribed by the Governor

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania Reserve Defense Corps except as modified or changed by the provisions of this act

Section 13 Constitutionality The provisions of this act are severable and if any provision hereof shall be held to be unconstitutional the decision so holding shall not be construed to affect any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been contained therein

Section 14 Repeal The act approved the twenty-second day of June one thousand nine hundred and seventeen (P. L. 628) entitled "An act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged" and the act approved the twenty-fourth day of March one thousand nine hundred and thirty-seven (P. L. 106) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Militia for the defense of the Commonwealth during any war in which the United States may be engaged" are hereby repealed

Section 15 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 187

Achterman,	Foor,	Lichtenwalter,	Rooney,
Auker,	French,	Longo,	Rose, S.,
Baker,	Gallagher,	Lovett,	Rose, W. E.,
Balthaser,	Gates,	Lyons,	Rosenfeld,
Baugher,	Gerard,	Malloy,	Royer,
Bentley,	Gillan,	Marks,	Rush,
Bentzel,	Gillette,	Maxwell,	Sarge,
Boies,	Goodwin,	McClanaghan,	Sarraf,
Boney,	Greenwood,	McClester,	Serrill,
Boorse,	Gross,	McDermott,	Shaffer,
Bower,	Gryskewicz,	McDowell,	Shaw,
Bradley,	Gyger,	McFall,	Shepard,
Breth,	Habbyshaw,	McIntosh,	Simons,
Bretherick,	Haberlen,	McKinney,	Skale,
Brown,	Haines,	McLanahan,	Snyder,
Brunner, P. A.,	Hall,	McLane,	Sollenberger,
Burns,	Hamilton,	McMillen,	Sorg,
Burris,	Hare,	McSurdy,	Stambaugh,
Cadwalader,	Harkins,	Melchiorre,	Stank,
Chudoff,	Harmuth,	Mihm,	Stine,
Cochran,	Harris,	Modell,	Stockham,
Cohen, M. M.,	Heatherington,	Monks,	Tarr,
Cohen, R. E.,	Helm,	Mooney,	Tate,
Cook,	Hering,	Moran,	Taylor,
Cooper,	Herman,	Moul,	Thompson, E. F.,
Cordier,	Hersch,	Muir,	Thompson, R. L.,
Corrigan,	Hewitt,	Munley,	Trout,
Croop,	Hirsch,	Nagel,	Turner,
Cullen,	Holland,	Nunemacher,	Van Allsburg,
Dalrymple,	Huntley,	O'Brien,	Vincent,
Dennison,	Imbrie,	O'Connor,	Vogt,
DiGenova,	James,	O'Neill,	Voldow,
Dix,	Jefferson,	Owens,	Wagner,
Dolon,	Jones, G. E.,	Petrosky,	Watkins,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Keenan,	Polaski,	Welsh, E. B.,
Early,	Kenehan,	Polen,	Welsh, M. J.,
Elder,	Kline,	Powers,	Wilkinson,
Elliott,	Knoble,	Prosen,	Williams,
Ely,	Kolankiewicz,	Rank,	Winner,
Falkenstein,	Komorofski,	Rausch,	Wolf,
Finestone,	Krise,	Readinger,	Wood, N.,
Fisher,	Lee, E. A.,	Reagan,	Woodring,
Fiss,	Leisey,	Reese, D. P.,	Woodside,
Fleming,	Leonard,	Reese, R. E.,	Yeakel,
Fletcher,	Lesko,	Reynolds,	Yester,
Flynn,	Levy,	Rhea,	Young,
	Loydic,	Riley,	Kilroy, Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the queston was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 374, as follows:

An Act to add clause (e) to section four of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 540) entitled "An act defining the term "fiduciary" prescribing the nature and kind of investments which may be made by such fiduciaries validating certain investments heretofore made by such fiduciaries and repealing acts and parts of acts inconsistent herewith" by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures and prescribing the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 540) entitled "An act defining the term 'fiduciary' prescribing the nature and kind of investments which may be made by such fiduciaries validating certain investments heretofore made by such fiduciaries and repealing acts and parts of acts inconsistent herewith" is hereby amended by adding thereto after sub-section (d) a new sub-section to read as follows

Section 4

* * *

(e) In all cases where fiduciaries may hold in their hands any mortgage or mortgages they may with the approval of the court of common pleas accept from the owners of the mortgaged property a deed or deeds to such property in lieu of foreclosure of such mortgage or mortgages with the same effect as to the maintenance of the fiction of personality as though title were acquired by foreclosure and purchase by such fiduciary at sheriff's sale Provided That the deed or deeds so made shall recite that such deed is made to save the cost of foreclosure under the terms of this act. And provided further That nothing in this act shall relieve such fiduciaries from responsibility for their acts as in other cases

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 187

Achterman,	Foor,	Lichtenwalter,	Rooney,
Auker,	French,	Longo,	Rose, S.,
Baker,	Gallagher,	Lovett,	Rose, W. E.,
Balthaser,	Gates,	Lyons,	Rosenfeld,
Baugher,	Gerard,	Malloy,	Royer,
Bentley,	Gillan,	Marks,	Rush,
Bentzel,	Gillette,	Maxwell,	Sarge,
Boles,	Goodwin,	McClanaghan,	Sarraf,
Boney,	Greenwood,	McClester,	Serrill,
Boorse,	Gross,	McDermott,	Shaffer,
Bower,	Gryskewicz,	McDowell,	Shaw,
Bradley,	Gyger,	McFall,	Shepard,
Breth,	Habbyshaw,	McIntosh,	Simons,
Bretherick,	Haberlen,	McKinney,	Skale,
Brown,	Haines,	McLanahan,	Snyder,
Brunner, P. A.,	Hall,	McLane,	Sollenberger,
Burns,	Hamilton,	McMillen,	Sorg,
Burris,	Hare,	McSurdy,	Stambaugh,
Cadwalader,	Harkins,	Melchiorre,	Stank,
Chudoff,	Harmuth,	Mihm,	Stine,
Cochran,	Harris,	Modell,	Stockham,
Cohen, M. M.,	Heatherington,	Monks,	Tarr,
Cohen, R. E.,	Helm,	Mooney,	Tate,
Cook,	Hering,	Moran,	Taylor,
Cooper,	Herman,	Moul,	Thompson, E. F.,
Cordier,	Hersch,	Muir,	Thompson, R. L.,
Corrigan,	Hewitt,	Munley,	Trout,
Croop,	Hirsch,	Nagel,	Turner,
Cullen,	Holland,	Nunemacher,	Van Allsburg,
Dalrymple,	Huntley,	O'Brien,	Vincent,
Dennison,	Imbrie,	O'Connor,	Vogt,
DiGenova,	James,	O'Neill,	Voldow,
Dix,	Jefferson,	Owens,	Wagner,
Dolon,	Jones, G. E.,	Petrosky,	Watkins,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Keenan,	Polaski,	Welsh, E. B.,
Early,	Kenehan,	Polen,	Welsh, M. J.,
Elder,	Kline,	Powers,	Wilkinson,
Elliott,	Knoble,	Prosen,	Williams,
Ely,	Kolankiewicz,	Rank,	Winner,
Falkenstein,	Komorofski,	Rausch,	Wolf,
Finestone,	Krise,	Readinger,	Wood, N.,
Fisher,	Lee, E. A.,	Reagan,	Woodring,
Fiss,	Leisey,	Reese, D. P.,	Woodside,
Fleming,	Leonard,	Reese, R. E.,	Yeakel,
Fletcher,	Lesko,	Reynolds,	Yester,
Flynn,	Levy,	Rhea,	Young,
	Leydic,	Riley,	Kilroy,
			Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 183, as follows:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto"

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power * * * *

XXII Fire Hydrants and Water Supply Special Tax With the consent of two-thirds of the electors of the township voting thereon as hereinafter provided to enter into contract with water companies for the placing of fire hydrants and for the maintenance of adequate water pressure for fire purposes and to levy an annual tax not exceeding one mill for the purpose of defraying the expense thereof

Whenever twenty-five or more duly qualified electors of the township shall petition the supervisors for the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a tax not exceeding one mill to defray the expense thereof and for a referendum thereon the supervisors shall if they approve thereof cause a question to be submitted at the next municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission on the ballot or on voting machines in the manner provided by the election laws of this Commonwealth If two-thirds or more of the persons voting on such question in the township shall vote "Yes" then the supervisors shall have power to enter into contract and levy an annual tax as aforesaid Provided That no such question shall be submitted at any election unless the resolution of the board of supervisors authorizing the same shall be published once in a newspaper of general circulation published in the county in which the township is situated If within thirty (30) days after date of publication taxpayers of the township whose property valuation as assessed for taxable purposes within the township shall amount to thirty-five per centum (35%) of the total property valuation as assessed for taxable purposes within the township shall sign and file with the chairman of

the board of supervisors a written protest against submitting such question at any election then the board of supervisors shall not certify any resolution to the county commissioners as provided in this clause

Section 2 Section nine hundred five of said act as amended in part by section one of the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1299) is hereby further amended to read as follows

Section 905 General and Special Tax Levies The board of township supervisors may by resolution levy taxes upon all property and upon all occupations or upon property alone within the township made taxable for township purposes as ascertained by the last adjusted valuation for county purposes for the purposes and at the rate hereinafter specified to wit

One An annual road tax for road bridge and general township purposes not later than the fourth Monday of March of each year not exceeding seven mills except where necessary to pay existing indebtedness and interest thereon in which case two additional mills may be levied Where the board of supervisors by a majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than nine mills but not exceeding seven additional mills to be levied Such annual road tax shall include all levies for road purposes and for the payment of bonds and certificates of indebtedness issued and all other debts incurred for road purposes Not less than ten per centum of the annual road tax shall be set aside by the respective townships and used for the payment of existing indebtedness incurred for road purposes for the payment of which indebtedness no provision has been made All road tax shall be collected in cash

Two A tax for the purpose of building and maintaining a lockup after obtaining the assent of the electors of the township in the manner provided in this act

Three Upon the receipt of a petition of a majority of the owners of real estate of the township requesting it an annual tax not exceeding five mills for the purpose of lighting the streets and highways in the manner provided by the general powers of this act and of defraying the cost charges and expenses thereof

Four An annual tax so long as necessary not exceeding fifty per centum of the rate of assessment for road purposes for the purpose of procuring a lot and erecting a building thereon for a townhouse and for the payment of indebtedness incurred in connection therewith Provided The total indebtedness for the payment of which any such tax shall be levied shall not exceed one-half of one per centum of the assessed value of real estate in the township

Five A tax not exceeding two mills and not exceeding the amounts hereinafter limited for the purpose of purchasing and maintaining fire apparatus and to provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of the same and to make appropriations to fire companies for the purchase and maintenance of fire apparatus but the total expenditure for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any new fire apparatus be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars

Six A tax not exceeding one mill for the purpose of establishing and maintaining fire hydrants and fire hydrant water service after obtaining the assent of two-thirds of the electors of the township voting thereon in the manner provided in this act

Whenever the assent of the electors is required as hereinbefore provided the same shall be expressed at an election to be held at the place time and under the same regulations as provided by law for the holding of municipal elections At such election the election officers shall receive ballots from the electors which shall be prepared in the manner prescribed by the general election law in receiving and counting and in making return of the votes cast the election officers shall be governed by the laws regulating municipal elections and the returns shall be computed by the court as now provided by law for municipal elections

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such adjusted valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation

This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 187

Achterman,	Foor,	Lichtenwalter,	Rooney,
Auker,	French,	Longo,	Rose, S.,
Baker,	Gallagher,	Lovett,	Rose, W. E.,
Balthaser,	Gates,	Lyons,	Rosenfeld,
Baugher,	Gerard,	Malloy,	Royer,
Bentley,	Gillan,	Marks,	Rush,
Bentzel,	Gillette,	Maxwell,	Sarge,
Boies,	Goodwin,	McClanaghan,	Sarraf,
Boney,	Greenwood,	McClester,	Serrill,
Boorse,	Gross,	McDermott,	Shaffer,
Bower,	Gryskewicz,	McDowell,	Shaw,
Bradley,	Gyger,	McFall,	Shepard,
Breth,	Habbyshaw,	McIntosh,	Simons,
Bretherick,	Haberlen,	McKinney,	Skale,
Brown,	Haines,	McLanahan,	Snyder,
Brunner, P. A.,	Hall,	McLane,	Sollenberger,
Burns,	Hamilton,	McMillen,	Sorg,
Burris,	Hare,	McSurdy,	Stambaugh,
Cadwalader,	Harkins,	Melchiorre,	Stank,
Chudoff,	Harmuth,	Mihm,	Stine,
Cochran,	Harris,	Modell,	Stockham,
Cohen, M. M.,	Heatherington,	Monks,	Tarr,
Cohen, R. E.,	Helm,	Mooney,	Tate,
Cook,	Hering,	Moran,	Taylor,
Cooper,	Herman,	Moul,	Thompson, E. F.,
Cordier,	Hersch,	Muir,	Thompson, R. L.,
Corrigan,	Hewitt,	Munley,	Trout,
Croop,	Hirsch,	Nagel,	Turner,
Cullen,	Holland,	Nunemacher,	Van Allsburg,
Dalrymple,	Huntley,	O'Brien,	Vincent,
Dennison,	Imbrie,	O'Connor,	Vogt,
DiGenova,	James,	O'Neill,	Voldow,
Dix.	Jefferson,	Owens,	Wagner,
Dolon,	Jones, G. E.,	Petrosky,	Watkins,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Keenan,	Polaski,	Welsh, E. B.,
Early,	Kenehan,	Polen,	Welsh, M. J.,
Elder,	Kline,	Powers,	Wilkinson,
Elliott,	Knoble,	Prosen,	Williams,
Ely,	Kolankiewicz,	Rank,	Winner,
Falkenstein,	Komorofski,	Rausch,	Wolf,
Finestone,	Krise,	Readinger,	Wood, N.,
Fisher,	Lee, E. A.,	Reagan,	Woodring,
Fiss,	Leisey,	Reese, D. P.,	Woodside,
Fleming,	Leonard,	Reese, R. E.,	Yeakel,
Fletcher,	Lesko,	Reynolds,	Yester,
Flynn,	Levy,	Rhea,	Young,
	Leydic,	Riley,	Kilroy, Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, there are about fourteen thousand men of Pennsylvania in camp at Indiantown Gap, and they are mainly young men,—The National Guard of Pennsylvania. There are no recreational facilities at Indiantown Gap, although I understand that General Martin has asked for an appropriation to build an auditorium.

On Saturday afternoons and Sundays it is my understanding most of these young men will have an opportunity either to go home or to have some time off for recreation. Therefore, a great number of these men are coming into Harrisburg, Lebanon and possibly Reading and other small nearby towns. This is going to present a great problem. I have no doubt that when the Council of Defense is organized this will be taken care of by it as one of its functions, but until that time, which may be sixty days before they are appointed and under way and in a position to do something, a number of weekends will pass, which will not only present a problem to the heads of our National Guard but also for the communities involved. We all know that in parts of the United States where there are cantonments the influx of large numbers of troops has sometimes almost paralyzed the moving picture and other recreational agencies in the town. Last Sunday I saw in Harrisburg a great number of these young men walking down the streets. A great many of these young men from the nearby towns will get home on those weekends. On the other hand it still leaves a large number of young men remaining in camp over the weekends, which will present a problem to the communities and the cantonments to see that they have proper entertainment and recreation.

Therefore, Mr. Speaker I am going to ask unaminous consent for immediate consideration of the resolution which I want to present, asking the Governor to appoint a Committee of five to undertake this problem and to cooperate with the citizens of the local communities in order that these young men may be properly taken care of. I have a particular interest in this as one of my boys is out there at Indiantown Gap and when he comes into Harrisburg, as I expect he will, I want to know that he has a proper opportunity and facilities for recreation within the community.

HOUSE RESOLUTION No. 47

Mr. TURNER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, as follows:

In the House of Representatives, March 4, 1941.

Whereas, the Pennsylvania National Guard has been called into the service of this country and 14,000 men are now stationed at Indiantown Gap; and,

Whereas, there are no facilities for entertainment and recreation for these young Pennsylvanians, a large part of whom will have leave each Saturday afternoon and Sunday; and,

Whereas, many of them will be unable to go to their homes and will, therefore, seek entertainment and recreation in the nearby towns, such as Harrisburg, Lebanon and Reading; and,

Whereas, there is no existing agency to take care of this large influx of men; therefore, be it

Resolved, if the Senate concur, that a Committee of five citizens, at least two of whom shall be women, be appointed by the Governor immediately upon the passage of this Resolution to organize the religious and social agencies of the communities and to foster entertainment and recreational activities in conjunction with the citizens of the several communities; and be it

Further Resolved, that a Bill providing for an appropriation of $10,000 be immediately introduced and passed as rapidly as possible. The said Committee's work shall terminate when the State Council of Defense has been organized and is functioning so that it can take over these activities

On the question,

Will the House adopt the resolution?

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, would it be possible for me to ask the Clerk to read the resolution again, especially the latter part of it? I understand it is not on the desk and it was hard to catch it when it was read the first time.

The SPEAKER. The Chair will request the Clerk to again read the resolution at length.

The resolution was read by the Clerk.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I am concerned with the latter part of the resolution, and I am asking about the wording of the last "resolve" clause. I will read it for the information of the Members of the House:

> "Resolved that a bill providing for an appropriation of ten thousand dollars be immediately introduced and passed as rapidly as possible."

I take it that when we vote for this resolution it commits us to vote for this appropriation, is that correct, that is, we are morally bound to vote for the appropriation?

Mr. TURNER. Mr. Speaker, I would think that would be true.

Mr. BROWN. Mr. Speaker, may I ask whether the gentleman from Delaware has made any investigation to find out whether ten thousand dollars is too much or too little?

Mr. TURNER. Mr. Speaker, I think the urgency of the occasion did not warrant taking up the time for an investigation to determine the costs. I presume that if such a commission is organized and it would proceed with its business, it could very readily come back in a week, or ten days, or two weeks and say they want more money than is contained in this appropriation. The urgency of the matter, it seems to me, precludes any question being raised as to the amount.

Mr. BROWN. Mr. Speaker, notwithstanding what may be true about the urgency, does the gentleman from Delaware, Mr. Turner, not feel that it would be better procedure to delete from this resolution part of the last re-

solve clause insofar as it has to be with the appropriation of $10,000, and so far as it binds us to pass as rapidly as possible a bill which is not before us?

Mr. TURNER. Mr. Speaker, I have no objection to deleting it because I intend as soon as I can today, to have a bill prepared and I expect to introduce it. I, however, have the greatest respect for the opinion of the gentleman from Allegheny, Mr. Brown, and his desire to see that we proceed in a proper manner, but I rather feel we are muddling over fine points on something that does not require such muddling.

Mr. BROWN. Mr. Speaker, the question I proposed to ask was would it in any way interfere?

Mr. TURNER. Mr. Speaker, not one whit and I am perfectly willing, if the gentleman from Allegheny in his wisdom feels it should be deleted, that it shall be deleted from the resolution.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, the gentleman from Delaware having answered the inquiry to the effect that it might be proper to delete two lines from this resolution which has just been presented, could that be taken care of by a motion on the floor of the house or must there be an amendment in writing?

The SPEAKER. In answer to the gentleman's question of parliamentary inquiry the Chair advises that the Rules require amendments to be in writing. However if the House gives its unanimous consent the lines can be deleted without offering the amendment in writing. The procedure would be for the gentleman to ask the unanimous consent of the House to amend the resolution.

Mr. BROWN. Mr. Speaker, I ask the unanimous consent of the House to amend the resolution now before us by striking out in the last Resolve" clause, the words

> "a bill providing for an appropriation of $10,000 be immediately introduced and passed as rapidly as possible."

The SPEAKER. Will the House give its unanimous consent to the consideration of the amendment? Is there objection? The Chair hears none and consent is granted.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House adopt the resolution as amended?

It was adopted.

Ordered. That the Clark present the same to the Senate for concurrence.

CONDOLENCE RESOLUTION

Mr. RUSH offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 4, 1941.

Pennsylvania mourns the passing of one of her beloved citizens, Judge John M. Broomall, III.

Judge John M. Broomall died Saturday, March 1st, in Philadelphia at the age of sixty-two.

He was born in Media, Delaware County, and was the third of his family to become a Delaware County judge.

Judge Broomall was appointed to the Bench by Governor Pinchot in 1926, and he distinguished himself as an outstanding jurist of this Commonwealth from that time up until the moment of his passing.

During the Spanish-American War, Judge Broomall served with Company C, Pennsylvania Volunteers, and was preeminent for his courage and perseverance.

The loss of Judge Broomall is keenly felt by the people of his judicial district which he served so long and ably, and by the people of the State as a whole; therefore, be it

Resolved, That the House of Representatives, by the adoption of this resolution, expresses their sorrow at the loss of Judge Broomall; and be it further

Resolved, That this resolution be spread on the records of the House, and a copy be sent to the family of the deceased as a fitting testimonial of the great regard in which Judge Broomall was held by his fellow-Pennsylvanians.

RESOLUTION

CONGRATULATIONS

Messrs. TARR and WILLIAMS offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 4, 1941.

Whereas, This day marks the eighth anniversary of the induction into office of our beloved President, Franklin Delano Roosevelt; and

Whereas, Since that eventful day of March 4th, 1933, the many accomplishments of that truly great man have resulted in leading this great nation out of a long period of misery and want, back to security and happiness; and

Whereas, Since that eventful day, the overwhelming confidence of the American people in him has been twice more recorded by American history; and

Whereas, It is fitting that here in Harrisburg, we the chosen representatives of the citizens of the Commonwealth of Pennsylvania, should do honor to that truly great American by noting that day which has taken its place among those that history will mark and perpetuate; therefore be it

Resolved, That the Members of the House of Representatives of the Commonwealth send greetings and hearty congratulations to His Excellency, the President of the United States on the occasion of the eighth anniversary of his induction into that high office, and wish him the happiness and contentment which belongs to those who are successfully performing great tasks and solving difficult problems; and be it further

Resolved, That a copy of this resolution be forwarded as a token of the admiration and respect to the President at the White House.

PERMISSION TO ADDRESS THE HOUSE

Mr. McFALL asked and obtained unanimous consent to address the House.

Mr. Speaker, The city of today is a place of great contrast, of great wealth, very often wealth that is not created by honest effort or toil. It is also a place of direct poverty. It has on the one hand kindness and goodness that is unexcelled. On the other hand it has sin and degradation of the lowest order, church spires that tower towards heaven, slums and foul places. That the fumes of Hell would be sweet in comparison.

The modern city of today could be a place where men and women might find happy living and that happiness could be made possible by a fine and noble social life. But, I am afraid, very often the reverse is only too true.

We, of the rural sections, like to visit our large cities

and enjoy with our urban neighbors music, art, science, literature, and all things that make for a higher social order and a more humane civilization. We even like to go up to the cities to see the national games of baseball and see the Phillies and the Pittsburgh Pirates.

But, one cannot help but be shocked to read almost weekly in the leading metropolitan newspapers of gigantic rackets played upon an innocent public and upon innocent investors by city slickers, underworld crooks and just plain racketeers. The ink is hardly dry on the Boltz 2½ million steal and the 1 million dollar gigantic twelve state lottery with fleeing racketeers from two of our largest cities, when there breaks in glaring headlines the news of a one million dollar bad egg racket that disclosed the fact that rotten eggs are being sold not only in Philadelphia but perhaps all over the state as a product of canned eggs, these canned eggs are sold to bakeries as fresh canned eggs and thus the innocent public made a victim by profiteers and racketeers and a victim endangered health and wellbeing. Think of the rotten eggs that nature only intended to be thrown at bad actors and politicians baked into cakes and cookies.

Think of the millions of incubator decayed eggs sold by these fiends in human form baked into 101 products that a chemical analysis cannot detect, not even by smell after it is once baked into a cake.

And the worst of this rotten racket is that the poorer the people are the more of this cheap baked product is bought for it resolves itself in a pure economic phase of merchandising—cheap ingredients, cheap product.

Why it is that this racket that endangers the health of the people breaks after two years of the present administration when so much had been promised for the general welfare and wellbeing of all the citizens of this Commonwealth? Why was there an apparent leak before the raids were made allowing certain preferred groups to destroy all evidence? Why did Dr. Yunker, of Philadelphia, Chief of the City Department of Health's Division of Milk, Livestock and Food Inspection say quote "There is no law under which the City can prosecute the more serious aspects of this racket."

Since the pure food and drug act became a law, I have been rather proud of this achievement, that prevented a class of crooks from poisoning decent, respectable people for profit. Has it come to this pass that we must have an act governing every item of food we humans consume? I think not.

We most certainly have laws under which these wolves in egg shells can be prosecuted and punished by imprisonment to the full extent of the law, or else our great state of Pennsylvania is one that stands alone in this great collection of states, not to be pitied but to be shamed beyond degree.

Mr. Speaker and Members of the House, as long as we, as Legislators have a voice we should raise that voice in protest against injury to health and the wellbeing of the great mass of people of our state.

REPORT FROM COMMITTEE

Mr. WILKINSON from the Committee on Counties reported as amended House Resolution No. 43.

HOUSE RESOLUTION No. 43

Mr. WILKINSON. Mr. Speaker, I desire to call up House Resolution No. 43, which was just reported from Committee.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 25, 1941.

Whereas, Under existing law, the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May, 1941; and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales, to authorize adjournment or further adjournment; therefore be it

Resolved (If the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth, if the county commissioners and the court of common pleas of such counties consent therto, to adjourn or further adjourn any tax sale and advertising of said sale which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date, saving the lien of all taxes assessed against real estate which was to be sold at such sales.

Resolved, That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. MORAN. Mr. Speaker, it has been customary in the House in previous years, when the Legislature is in session, to celebrate St. Patrick's Day. This has been handled by the so-called "Friendly Sons of St. Patrick." May I ask, Mr. Speaker, what action has been taken on that this year, or this session?

The SPEAKER. The Chair would suggest that the gentleman prepare a resolution for a suitable celebration.

Mr. MORAN. Mr. Speaker, but in bringing this question up I was not looking for a job, although I will bring in the resolution.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Cities—Third Class, Wednesday, March 5 at 10 a. m. in Room 325.

Dairy Industries, Wednesday, March 5 at 10 a. m. in Room 330.

Education, Wednesday, March 5 at 11 a. m. in Room 329.

Military Affairs, Monday, March 10 at 8:15 p. m. in Room 330.

Municipal Corporations, Wednesday, March 5 at 11:15 a. m. in Room 323.

Professional Licensure, Wednesday, March 5 at 11:30 a. m. in Room 246.

Townships, Wednesday, March 5 at 10 a. m. in Room 329.
Motor Vehicles, Tuesday, March 4 after adjournment in Room 324.

ADJOURNMENT

Mr. HEATHERINGTON. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 5, 1941, at 12 m.

The motion was agreed to, and (at 3:46 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, MARCH 5, 1941. No. 18.

SENATE

WEDNESDAY, March 5, 1941.

The Senate met at 11:00 o'clock a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

"Pray without ceasing" is the great admonition which came from the pen and heart of the second greatest missionary who ever lived, Our Father, and we are truly thankful for these moments of prayer in this legislative hall. We are gratified that our forefathers likewise went to Thee in prayer. They sought Thy will. They believed implicitly in Thy grace. They were comforted and strengthened through it. So would we be this day.

Do Thou ever remind us of our need of loyalty to Thee and grant us the answer to our prayers, not according to our desires for they may be amiss, but according to our needs. Thou knowest best.

Guide our minds and hearts this day for we wrestle not against flesh and blood, but against principalities and powers, against the rulers of the darkness of this world, against spiritual wickedness in high places. To win in this conquest we need Thy help always.

Hear our prayers for Thy name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceed to read the Journal of the preceding session, when, on motion of Mr. SNOWDEN and Mr. HEYBURN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD.

Mr. Barr asked and obtained leave of absence for the Senator from Allegheny, Mr. FREY.

Mr. Thomas asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 5, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 5, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LYCOMING COUNTY

Earl W. Cohick, Williamsport, March 7, 1941.
Clyde E. Carpenter, Jersey Shore, March 18, 1941.
Mrs. Frances B. Templin, Williamsport, March 21, 1941.
Fred O. Mitstifer, Loyalsock Twp., 1200 Washington Blvd., Williamsport, March 27, 1941.

PHILADELPHIA COUNTY

Edward H. Meyer, Phila., 1531 Orthodox St., March 7, 1941.
Louis E. Glaser, Phila., North American Bldg., Broad and Sansom Sts., March 12, 1941.
Samuel J. Marchiano, Phila., 1183 South 11th St., March 16, 1941.
Linford B. Cassel, Phila., 887 Drexel Bldg., Cor. 5th and Chestnut Sts., March 17, 1941.
S. J. Segal, Phila., 2221 South 6th St., March 19, 1941.
William T. Pound, Phila., 1420 Chestnut St., March 24, 1941.
Miss Dorothy H. Wager, Phila., 207 Walnut Place, March 24, 1941.
Ernest P. Farthing, Phila., 630 Public Ledger Building, March 28, 1941.

SCHUYLKILL COUNTY

Mrs. Catharine S. Foster, Mahanoy City, March 7, 1941.
Miss Grace M. Carr, Tamaqua, March 9, 1941.

DAUPHIN COUNTY

C. Sylvester Jackson, Harrisburg, March 9, 1941.

ERIE COUNTY

Francis F. McClintock, Union City, March 10, 1941.

SUSQUEHANNA COUNTY

W. E. Barnes, Hallstead, March 17, 1941.

CAMBRIA COUNTY

Miss Bertha Lewis, Johnstown, March 22, 1941.

ALLEGHENY COUNTY

H. G. Friedman, McKeesport, March 24, 1941.
Miss Olive E. Shank, Pittsburgh, 819 Oliver Building, March 27, 1941.

George P. Vogeley, Pittsburgh, 545 William Penn Way, March 29, 1941.

BUTLER COUNTY

Theodore C. H. Keck, Butler, March 25, 1941.

COLUMBIA COUNTY

Harry S. Barton, Bloomsburg, March 25, 1941.

DELAWARE COUNTY

Miss Mae E. Lentz, Radnor Twp., 212 East Lancaster Ave., Wayne, March 27, 1941.

ELK COUNTY

Thomas M. Hickey, St. Marys, March 27, 1941.

MONTGOMERY COUNTY

N. Lane Irwin, Lower Merion Twp., Bryn Mawr National Bank, Bryn Mawr, March 28, 1941.

ARTHUR H. JAMES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 5, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Estelle J. Curran, Pittsburgh, Farmers Bank Bldg.
Miss Clara DuVall, Pittsburgh, Frick Bldg.
Chas. D. Nuss, Homestead.

BUCKS COUNTY

Frank L. Sladek, Dublin.

CUMBERLAND COUNTY

Miss Vera G. Franklin, Camp Hill.

DAUPHIN COUNTY

Henry S. Fisher, Harrisburg.

DELAWARE COUNTY

R. C. Dalton, Chester.

LACKAWANNA COUNTY

C. B. Scarborough, Scranton.

LANCASTER COUNTY

Mrs. H. A. Burkholder, Ephrata.

PHILADELPHIA COUNTY

Mrs. Carolyn B. Cunningham, Phila., Washington Lane at Rugby St.
Joseph A. Jardel, Phila., 7253 Rising Sun Ave.,
W. Richard Lang, Phila., Allegheny Ave. and Tulip Street.
Eric Ruegenberg, Phila., 915 Arch St.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EDMONDS.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Dent,	Jaspan,	Scarlett,
Bartlett,	DiSilvestro,	Kephart,	Snowden,
Becker,	Ealy,	Lanius,	Stiefel,
Carr,	Edmonds,	Letzler,	Tallman,
Cavalcante,	Farrell,	Mallery,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Geitz,	Miller,	Tyler,
Cox,	Haluska,	Mundy,	Wade,
Crider,	Heyburn,	Reed,	Walker,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 183, (Senate Bill No. 288), entitled:

An Act to amend section seven hundred two and to further amend section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the establishment and maintenance of fire hydrants and fire hydrant water service and the levy of a special tax therefor with the assent of electors.

Which was committed to the Committee on County Government.

House Bill No. 225, (Senate Bill No. 289), entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

Which was committed to the Committee on State Government.

House Bill No. 374, (Senate Bill No. 290), entitled:

An Act to add clause (e) to section four of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 540), entitled "Fiduciaries Investment Act," by permitting fiduciaries holding mortgages to accept deeds in lieu of foreclosures; and prescribing the effect thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 381, (Senate Bill No. 291), entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "Business Corporation Law," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

Which was committed to the Committee on Corporations.

House Bill No. 382, (Senate Bill No. 292), entitled:

An Act authorizing counties, cities, boroughs, incorporated towns and townships to appropriate money for the establishment or continuance of Federal Food Stamp plans therein.

Which was committed to the Committee on County Government.

House Bill No. 402, (Senate Bill No. 293), entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense

Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

Which was committed to the Committee on Military Affairs.

House Bill No. 481, (Senate Bill No. 294), entitled:

An Act to amend section eighteen of the act approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "Milk Sanitation Law" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder.

Which was committed to the Committee on Agriculture.

RESOLUTION URGING ORGANIZATION OF RECREATIONAL FACILITIES AT INDIANTOWN GAP

He also presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, March 4, 1941.

Whereas, The Pennsylvania National Guard has been called into the service of this country and 14,000 men are now stationed at Indiantown Gap, and

Whereas, There are no facilities for entertainment and recreation for these young Pennsylvanians a large part of whom will have leave each Saturday afternoon and Sunday, and

Whereas, Many of them will be unable to go to their homes and will therefore seek entertainment and recreation in the nearby towns such as Harrisburg, Lebanon and Reading, and

Whereas, There is no existing agency to take care of this large influx of men, therefore be it

Resolved (if the Senate concur), That a Committee of five citizens at least two of whom shall be women be appointed by the Governor immediately upon the passage of this Resolution to organize the religious and social agencies of the communities and to foster entertainment and recreational activities in conjunction with the citizens of the several communities, and be it

Further Resolved, That the said Committee's work shall terminate when the State Council of Defense has been organized and is functioning so that it can take over these activities

SUSPENSION OF RULE 39

Mr. GELTZ. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection,

The Chair hears none.

On the question,

Will the Senate agree to the resolution,

Mr. GELTZ. Mr. President, because of the importance of the subject matter of this resolution I ask unanimous consent to its immediate consideration and adoption. This work which is proposed by this resolution, or the committee to be appointed, is really a part of that which would come under the consideration of the Defense Council but it will take some time for that to become operative and in action. It is of present necessity that something be done to care for these 14,000 or more boys who are at Indiantown Gap from a recreational standpoint. In Harrisburg we have no Sunday movies or things of that kind and while they are kept busy five days of the week, on Saturday and Sunday they have leave and it is considered of the greatest necessity that some Commission start to function now to cooperate with the local authorities so that provision can be made for their proper recreation and pastime.

Therefore, Mr. President, I ask immediate adoption of this resolution.

And the question recurring,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION AUTHORIZING ADJOURNMENT OF TAX SALES

He also presented extract from the Journal of the House, which was twice read as follows:

In the House of Representatives, February 25, 1941.

Whereas, Under existing law the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May 1941, and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales to authorize adjournment or further adjournment, therefore be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth if the county commissioners and the court of common pleas of such counties consent thereto to adjourn or further adjourn any tax sale and advertising of said sale which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date saving the lien of all taxes assessed against real estate which was to be sold at such sales

Resolved, That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House

RULE 39 SUSPENDED

Mr. MILLER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection,

The Chair hears none.

On the question,

Will the Senate agree to the resolution,

Mr. EDMONDS. Mr. President, I desire to interrogate the sponsor of this resolution.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. Mr. President, I will.

Mr. EDMONDS. Mr. President, would adoption of this resolution pledge the General Assembly to pass a bill of this kind?

Mr. MILLER. I do not believe it does, Mr. President.

Mr. EDMONDS. Mr. President, what is the effect of the resolution?

Mr. MILLER. The effect of the resolution as I understand it is to forestall sales which will be scheduled for this coming May.

Mr. EDMONDS. But, Mr. President, it does not circumscribe legislative independence in the future.

Mr. MILLER. I would not say so, Mr. President.

Mr. GELTZ. Mr. President, there seems to be some question in the minds of some of the Senators as to just what this resolution covers and I therefore suggest that the resolution be read again.

The resolution was again read by the clerk.

Mr. GELTZ. Mr. President, I would suggest to the gentleman from Montgomery that this resolution seems to put the General Assembly on record as to passing some subsequent legislation to validate this proceedure but not on record as to passage of an abatement act.

Mr. EDMONDS. Mr. President, since raising my question I have read the resolution and it seems to me the statements of the gentleman from Allegheny and of the gentleman from Luzerne are absolutely satisfactory.

And the question recurring,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, and members of this Senate, yesterday morning I spoke to my colleagues in regards to a resolution that I offered some weeks ago. That resolution—

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the gentleman from Cambria is not speaking on a matter of personal privilege.

The PRESIDENT. I do not believe the gentleman has proceeded sufficiently with his remarks to determine that.

Mr. GELTZ. Mr. President, I would like to ask that the gentleman from Cambria first state his question of personal privilege before proceeding with his remarks.

Mr. HALUSKA. That will be my point, Mr. President If the gentleman from Allegheny wishes to draw the line, I realize, Mr. President, that the Chair has been very fair to every member of this body and I realize he could if he cared stop all of us on questions of personal privilege because up until this time I have failed to hear anyone of my colleagues confine himself on a question of personal privilege.

However, Mr. President, I ask unanimous consent to make a statement.

Mr. GELTZ. I object, Mr. President.

Mr. HALUSKA. Thank you.

The PRESIDENT. The Senator from Cambria has asked unanimous consent to make a statement, which has been objected to by the gentleman from Allegheny.

The next regular order of business will be to receive reports from Committees.

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on County Government reported as committed, Senate Bill No. 81, entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto", by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

Mr. BARTLETT, from the Committee on County Government, reported as committed, Senate Bill No. 151, entitled:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

Mr. TAYLOR, from the Committee on Municipal Government, reported as committed, Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

BILLS INTRODUCED

The PRESIDENT. The next order of business is the introduction of bills.

Mr. EALY. Mr. President, I am having prepared a couple of bills which are not yet ready for introduction at this moment, possibly they will not be ready until Monday, but I desire to preface the introduction of those bills by certain remarks which I shall make now in order not to take up the time of the Senate on Monday afternoon and evening, when there seems to be a great deal of business.

Mr. President, I would like permission to make this statement in regard to these bills at this time.

The PRESIDENT. If there is no objection the gentleman from Somerset will proceed.

Mr. HALUSKA. Mr. President, I just want to say I will give the courtesy of the floor to the gentleman from Somerset.

Mr. EALY. Mr. President, I think the remarks I intend to make would come under a question of personal privilege, but personally I was in favor of allowing the gentleman from Cambria to talk all he desired.

Mr. HALUSKA. Mr. President, I want to hear the remarks of the gentleman from Somerset.

Mr. EALY. Mr. President, during the past fifteen years I have been a member of this Senate I have introduced very few bills and perhaps only a dozen or fifteen of them were enacted into law.

I now have a couple of bills which I believe are very important and that is the only reason why I expect to introduce them. I think in this session if we pass one-third or one-fourth as many bills as we usually do the Commonwealth of Pennsylvania will be the gainer.

I just want to say this as a sort of preface to these remarks: that the laws of economics are as inexorable as the laws of nature; we cannot change these laws by passing any acts in Congress or in our legislative halls here. Individual spending in excess of income leads eventually to bankruptcy, and governmental spending in excess of receipts must eventually lead to ruin and chaos.

We have had a state which we have been proud to say has been perfectly solvent and I regard that solvency largely due to the fact that we have had a Constitution which prevented the incurring of a great amount of debt without preliminary consent of the people.

In the last administration an effort was made by the leaders of the administration to change the Constitution to permit unlimited borrowing. The people of the Commonwealth turned down that attempt to change our Constitution, and then we had certain other devices. Here was a device of the devil's fetching, tax anticipation notes, which cost us a million or two million dollars every biennium to pay the interest on them. Then, Mr. President, another scheme was this authority scheme. We have heard a good bit of discussion here in the Senate about these local authorities; we haven't had very much discussion about the General State Authority, and that is the thing which I want to talk about just a little.

In 1935, Mr. President, this local authority act was passed and in the same year the General State Authority Act was passed. Just as in the local authority act, there was a limitation of two years. This General State Authority act was to have a limitation of two years, but when the camel once gets its head in the tent it chases the occupant out, and now the sky is the limit. In 1937 the two year limitation was taken off. This act of 1935 permits this General State Authority group of ten citizens to do almost anything, they can builds roads, they can build school-houses, they can do almost anything you can conceive of; there is no limitation upon them, if they can sell the bonds.

Now, Mr. President, the Supreme Court of Pennsylvania had decided this General State Authority act was unconstitutional, and then on a re-hearing on a special set of facts which was presented to the court, the court gave a cautious permission to go ahead, but I think the General State Authority has gone beyond that cautious permission which was given by the Supreme Court.

This General State Authority scheme is simply an extra-constitutional device and it is not a very creditable way for the State of Pennsylvania to do business. Mr. President, if anyone says these bonds which are issued by the General State Authority are not debts of the Commonwealth, why that is merely a fiction, because the retirement system of the Commonwealth of Pennsylvania holds all these bonds and certainly we are obligated to see they are made good.

During the last biennium, a great many buildings were constructed throughout the Commonwealth under the authority of this General State Authority group. A good many of them, perhaps, were buildings which were needed, but we should have proceeded to do this work in a constitutional way, and a good many of these buildings were not needed at the time; they were constructed hastily, and some of the most important were left unfinished, and altogether I think there was somewhere between fifty-five and sixty-five million dollars spent.

There have been some commitments recently to Byberry, Polk and Pennhurst, so that I think the amount of bonds now outstanding would be something over eighty million dollars, or about eighty million dollars.

If you will notice in the budget which the Governor presented for the next biennium, eight and one half million dollars are required to pay the rentals and to pay into the sinking fund for the retirement of these bonds. So far this program has not gone very much out of bounds, but I am afraid of what is going to happen.

Mr. President, the Senator from Philadelphia, Mr. Shapiro, spoke the other day about taking over the mental hospitals, and I am sorry he is not here today. It seems to me his discussion on this question was merely a lame attempt to justify his action in forcing over that bill in 1938. That was a wholly unwarranted proceeding, to seize the properties of counties for the benefit principally of Philadelphia. The Byberry Hospital had developed a sort of a scandal and in order to take that over by the State they passed this act, which allowed the Commonwealth of Pennsylvania to seize the properties that the counties have constructed out of their own funds. In some of those instances the county was left with a large bond issue, which they had to pay, notwithstanding the fact that the Commonwealth of Pennsylvania took over the mental institutions.

The Senator from Philadelphia, Mr. Shapiro, stated that he had figured out it would only cost five million dollars or something of that nature to conduct these buildings for the next biennium. I would much prefer to take the figures of the budget office; I think they are more nearly correct, but that is only the start of this thing. If the Commonwealth of Pennsylvania takes over these mental hospitals, which the counties are now perfectly willing to conduct themselves, it will start an orgy of building like we had in the last administration, and Pennsylvania will become a paradise for architects and contractors, just as it was then. Why, the Lincoln Highway people are asking this General State Authority to build the Lincoln Highway with state authority funds.

The other day, a gentleman came to my office with a roll of papers which seemed to me to be drawings. He asked whom he should see in regard to having the General State Authority construct a school building somewhere. I told him, as I understood it, the General State Authority had refused up to this time to take over buildings for counties or local districts. He seemed very indignant about it, but under this act which was passed in 1935, and later amended two or three times, this General State Authority can do anything.

By virtue of the present office I have, I am a member of that authority. I may feel, perhaps, that I should go along with the majority of the group in constructing some building here or there which seems to be needed, but as a member of the legislative branch of this Commonwealth, a coordinate branch of the government, I can not look with complacence on a group of ten citizens of this Commonwealth spending our money without any control from the Legislature which must raise the funds to pay for the bonds issued.

So, Mr. President, I have two measures, I am going to introduce—one a bill to limit this State Authority to projects already undertaken, but if this Legislature does not have the courage to go the whole way back to constitutional and sound government, then I am going to have another bill, which I am introducing, to require that this General State Authority shall not undertake any project without the prior consent of two-thirds of the members of this Legislature. Thank you.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, I would like to ask the gentleman from Allegheny why he objected to my question on personal privilege and at the same time gave his

consent to the gentleman from Somerset County on another subject.

Mr. GELTZ. Mr. President, for the past six weeks or so, I think we have been very lenient in making no objection to remarks made on the question of personal privilege. I think if we were to examine or analyze the so-called speeches or remarks made under the privilege of personal privilege, we would find not one in ten are really personal privilege.

Mr. President, we ran into a situation on Monday where because of that leniency it was necessary that we adjourn without acting on the Calendar. I think what should be done here is that we attend to the order of business first, and when the order of business is completed if someone is inclined to run off one way or another, that is his privilege and we will make no objection, at least I will make no objection after the business has been completed for the day.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny permit me to interrogate the gentleman from Somerset, Mr. Ealy, on the remarks made by him.

Mr. GELTZ. Mr. President, that is one of the reasons why it has been necessary that we adopt parliamentary procedure, or try to, in this session, because of ridiculous statements of that kind.

Mr. CAVALCANTE. Mr. President, shall I assume from that answer the gentleman from Allegheny will not permit me to interrogate the gentleman from Somerset.

The PRESIDENT. The Chair thinks the gentleman from Fayette is out of order. He knows, and every member of this Senate knows, in order to interrogate another Senator it is not necessary to go through a third Senator. If the gentleman from Fayette desires to interrogate the gentleman from Somerset I know he will be very glad to have you do so.

Does the Senator from Fayette desire to interrogate the gentleman from Somerset?

Mr. CAVALCANTE. Mr. President, when the gentleman from Somerset started his remarks it was understood they were not in order but they were permitted without any objection by the gentleman from Allegheny, and I presume if I would interrogate the gentleman from Somerset, Mr. Ealy, without asking unanimous consent that I too would be transgressing the right of personal privilege. Therefore, Mr. President, I wanted to make sure the gentleman from Allegheny would not rise to a point of order should I undertake to interrogate the gentleman from Somerset, and if there is no objection at this time—

The PRESIDENT. Does the gentleman from Fayette desire to interrogate the gentleman from Somerset?

Mr. CAVALCANTE. If there is no objection, Mr. President.

Mr. EALY. Mr. President, I think my remarks were proper on a question of personal privilege, because as a member of the General State Authority I wanted to be protected from my colleagues and myself.

Mr. CAVALCANTE. Mr. President, I understood the gentleman from Somerset to admit that they were remarks under a question of personal privilege and so therefore any interrogations I made would necessarily have to come under the question of personal privilege. That is why I was eager to make sure I had unanimous consent from the gentleman from Allegheny, Mr. Geltz, before I started to interrogate the gentleman from Somerset.

The PRESIDENT. The Chair would like to know whether the gentleman from Fayette desires to interrogate the gentleman from Somerset?

Mr. CAVALCANTE. Yes, Mr. President, if there is no objection.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. Yes, Mr. President.

The PRESIDENT. The gentleman from Fayette will proceed.

Mr. CAVALCANTE. If there is no objection, Mr. President.

The PRESIDENT. The gentleman from Fayette will proceed.

Mr. CAVALCANTE. Mr. President, will the gentleman from Somerset state whether the General Authority Act that he referred to is not the same act that was once declared unconstitutional by our Supreme Court.

Mr. EALY. Mr. President, there have been some amendments to the act. It is my recollection the Supreme Court has not passed on the act since the amendment, notwithstanding the general principles laid down by the Supreme Court in its decision.

Mr. CAVALCANTE. Mr. President, is this not the General Authority Act that was first declared unconstitutional by the Supreme Court and then, about a year afterwards, without any change taking place whatsoever in the Constitution of this State, they reheard the case and decided that the State Authority Act was Constitutional?

Mr. EALY. Well, Mr. President, I think the gentleman from Fayette is substantially correct in his statement.

Mr. CAVALCANTE. Mr. President, will the gentleman from Somerset state whether there would be any objection to investigating the reasons why the Supreme Court of the State of Pennsylvania first declared the act unconstitutional and then, without any change in the Constitution, one year after that, they reheard the case and decided the act was constitutional.

Mr. EALY. Mr. President, I have no objection to the Senator from Fayette investigating anybody he pleases. However, if the gentleman from Fayette will read the opinion of the Chief Justice in the case, the facts as presented to him at the second hearing, or as presented to the court at the second hearing, were different from the facts presented in the first hearing, and as I recall that decision the writer of the opinion pointed out that it was represented to him that the total amount of rentals and funds for retirement on bonds for the biennium amounted to less than five millions of dollars—four millions of dollars plus—but as we look at the budget now the amount has gone up to over eight million dollars.

Mr. CAVALCANTE. Mr. President, the reason I made inquiries was because at the time the State Authority Act came up before the Supreme Court for second consideration there was considerable rumor and feeling throughout this Commonwealth that some powerful contractor bosses around the City of Philadelphia were exorting terrific pressure to have the first decision of the Supreme Court reconsidered.

The result was a turning tail by the Supreme Court and

they disregarded that first decision and held the act constitutional, when no change had taken place in the structure of the Constitution from the date of the first decision to the date of the second decision.

Mr. EALY. Mr. President, I may not agree with the Supreme Court, and did not agree with the decision of the Supreme Court regarding mental hospitals, but I would not impugn any improper motives to them. I do not know anything about the reasons, other than what was said in the opinion but in order to avoid any of those rumors in the future, that is the reason I want to introduce these bills.

Mr. McGINNIS. Mr. President, I do not know whether I have the privilege of saying a word in connection with what the gentleman from Somerset has said or not.

The PRESIDENT. If there is no objection, the gentleman from Allegheny may proceed.

Mr. McGINNIS. Mr. President, I think there is merit in what the gentleman from Somerset has said about limiting the authorities or tying some strings to the authorities that are already created. I think that has a great deal of merit.

However, Mr. President, when it comes to the question of taking over mental hospitals I feel he is wrong. I heard the Secretary of the Department of Welfare say the other day at a hearing that in his opinion it would be better for the State of Pennsylvania if all mental patients were taken care of entirely by the state. Over forty states in this union take care of all the mental patients. Secretary Sweeney said they had better facilities, they had better experts and specialists, and he felt they could do much better than the counties could do it.

I know of only two counties at present that are objecting to the transfer of these mental hospitals to the state. I have felt for a good many years we had a wrong system of taxation in this state, that for forty or fifty years we have saddled taxes onto the home owners that should be paid by people more able to pay.

Mr. President, this was a step in that direction, taking the burdens of government and the taking care of unfortunates off the home owners and placing the tax levy some place else.

The transfer of mental hospitals from our county of Allegheny will probably allow us to reduce taxes on real estate, homes, by two mills. It is the modern way, it is the way the other states are doing it and I feel it is a step in the right direction in relieving the home owner, the real estate owner, of the tax burdens that are crushing him.

Mr. HALUSKA. Mr. President, I desire to further interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Geltz, permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether he has knowledge of the fact that the Committee on Public Welfare, Assistance and Pensions had a meeting for yesterday afternoon?

Mr. GELTZ. Mr. President, whether I had knowledge of that?

Mr. HALUSKA. Yes, Mr. President.

Mr. GELTZ. I did, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether that meeting was held?

Mr. GELTZ. Mr. President, I think it was but I am not certain.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny find out whether or not that meeting was held.

Mr. GELTZ. Mr. President, may I suggest to the gentleman from Cambria that he find out for himself.

Mr. HALUSKA. Mr. President,—

The PRESIDENT. I think if the Senator from Allegheny, to whom the inquiry was addressed by the gentleman from Cambria, is unable to answer the query and so stated, then the gentleman from Cambria should address his inquiry to the chairman of the committee to which the resolution was referred.

Mr. HALUSKA. Mr. President, that is the reason I rose on a question of personal privilege, and the gentleman from Allegheny objected before I had a chance to speak my word.

Now, Mr. President, I desire to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton tell me whether or not a meeting of the committee of which he is chairman was scheduled to be held yesterday afternoon.

Mr. BARTLETT. Mr. President, there was such a meeting scheduled.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton state whether such a meeting was held or not?

Mr. BARTLETT. It was not, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton state why the meeting was canceled?

Mr. BARTLETT. Mr. President, it was quite evident no quorum could be obtained yesterday afternoon.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton state the reason for that?

Mr. BARTLETT. Mr. President, I think the gentleman from Cambria knows himself.

Mr. HALUSKA. Mr. President, I do not know; I am asking that question.

Mr. BARTLETT. Mr. President, there was a hearing in the Senate chamber on Senate Bill No. 172 and practically every member of the Senate, every member of this body, was present at that hearing.

Mr. HALUSKA. Mr. President, I just want to state, if I may be permitted briefly, that was my point of order, that that meeting was scheduled and I was informed that I would have the opportunity to have my resolution brought before the committee, and much to my surprise, the Committee on Welfare, Public Assistance and Pensions waived that hearing.

The PRESIDENT. The Chair understands the cancellation of that hearing was announced by the secretary right before adjournment.

Mr. HALUSKA. That is correct, Mr. President, I want to state why it was waived. That meeting was waived to give way to the Communist Party, and ignored entirely the many hundreds and thousands of persons who were asking for the meeting, within the wording of my resolution, and I charge that the Committee on Welfare, Public Assistance and Pensions ignored entirely the requests of the many thousands of citizens to give a hearing to those who are not worthy of it.

BILLS INTRODUCED

Messrs. KEPHART and JASPAN read in their places and presented to the Chair Senate Bill No. 295, entitled

An act to amend sections seven and eight of the act approved the twelfth day of June, one thousand eight hundred and seventy-eight (P. L. 201), entitled "An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter," requiring the publication of advance sheets of such reports, requiring printing and publication in this Commonwealth by a responsible person having a plant and facilities and place of business therein; and further regulating the basis upon which bids shall be submitted and the provisions of the contract for publication of such reports and advance sheets.

Which was committed to the Committee on State Government.

Messrs. EDMONDS and COX read in their places and presented to the Chair Senate Bill No. 296, entitled:

An Act to re-enact and amend the title and act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine, (P. L. 748), entitled "For the registration and regulation of certain individuals and entities selling, contracting to sell or dispose of, attempting or offering to dispose of, soliciting offers to buy, or inducing holders thereof to exchange, securities defined herein, including securities issued by them, or engaging in the business of inducing holders of securities to effect the sale thereof in order to produce funds to pay for other investments sold by them, or in the business of buying securities directly from individuals who are not registered thereunder; providing for the revocation and suspension of registrations; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County, and to the Supreme Court of Pennsylvania; conferring jurisdiction upon the several courts of common pleas to issue injunctions against violations of this act; and prescribing fees and penalties," providing for the regulation and registration of persons and entities engaged in the business of investment advisers, and for the revocation and suspension of such registrations; conferring additional jurisdictions upon the courts of common pleas and further regulating the business of buying and selling securities.

Mr. EDMONDS. Mr. President, this is a proposed series of amendments to the Blue Sky Law of Pennsylvania relating to registration of security salesmen. It will be remembered that act was introduced and carried in 1923 and from time to time it has been necessary, under new conditions, to enlarge somewhat the function and scope of the commission.

These amendments, Mr. President, are proposed to take in the class of investment counsel, so as to require them to register and to file their plans for financing, and to file their compensations under those plans with the commission and thereby to bring them under the commission for investigation.

Mr. President, as it is an important question, I hope my colleagues will study this bill and advise us of any suggestions they may have.

Which was committed to the Committee on Banking.

Messrs. COLEMAN, McGINNIS, MALLERY and STEVENSON read in their places and presented to the Chair Senate Bill No. 297, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

Which was committed to the Committee on Municipal Government.

They also read in their places and presented to the Chair Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

Which was committed to the Committee on Municipal Government.

Mr. CROWE, by request, read in his place and presented to the Chair Senate Bill No. 299, entitled:

An Act to further amend section one of the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 737), entitled "A supplement to an act, entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boats, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor; approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," providing for the payment of maintenance fees by pupils, and the disposition thereof.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also, by request, read in his place and presented to the Chair Senate Bill No. 300, entitled:

An Act to further amend subsection (h) of section one hnudred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. HOMSHER. Mr. President, I rise in place and present to the Chair two bills. One bill refers to educational and other kinds of training, which I suggest be referred to the Committee on Education, and inasmuch as it carries an appropriation, that it then be reported from the Committee on Education and then re-referred to the Committee on Appropriations.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 301, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, reenter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 302, entitled:

An Act to further amend section one thousand four hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," changing the qualifications of certain children for exemption from compulsory attendance provisions.

Which was committed to the Committee on Education.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 303, entitled:

An Act authorizing the Department of Highways to cooperate with agencies of the Federal Government in designing and installing modern illuminating systems on certain State highways in cities of the first class.

Which was committed to the Committee on Highways.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 304, entitled:

A Joint Resolution proposing an amendment to section one, article nine, of the Constitution of the Commonwealth of Pennsylvania; providing for exemption from taxation of certain property of war veterans and their dependents.

Which was committed to the Committee on Judiciary General.

Messrs. JASPAN and STIEFEL read in their places and presented to the Chair Senate Bill No. 305, entitled:

An Act making an appropriation to the Hahnemann Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

They also read in their places and presented to the Chair Senate Bill No. 306, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. SCARLETT and STIEFEL read in their places and presented to the Chair Senate Bill No. 307, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County, Pennsylvania.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. COLEMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN from the Committee on Municipal Government re-reported as amended, Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof and to make uniform the law with reference thereto.

RESOLUTION MEMORIALIZING THOMAS JEFFERSON MEMORIAL FOUNDATION

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL. Mr. President, in offering this resolution in behalf of my colleague, Senator Chapman of Warren and myself, I desire to make several prefatory remarks.

Mr. President, to some of you this resolution may appear a bit premature, but I believe no time is more propitious for offering same than the present moment.

Mr. President, in these days of shifting world situations, of doubt and fatigue, of strain and stress, of gloom and vaccilation, this resolution is bound to have a salubrious affect as a challenge to escapists and calamity prophets. Nothing, Mr. President, refreshes more than a return to the fundamentals of our Republic, nothing rejuvenates more than the reaffirmation of the cardinal principles thereof so elaborately evolved by our founders.

Mr. President, in the engulfing turbulence of totalitarianism, our beloved Republic stands out like a Rock of Ages beckoning to the weary and perplexed.

Mr. President, it is to the greatest architect of our republic, Thomas Jefferson, that this resolution is dedicated.

Mr. President, on behalf of Senator CHAPMAN and myself, I offer the following resolution and ask its immediate adoption.

Messrs. STIEFEL and CHAPMAN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 5, 1941.

Whereas, On April 2, 1943 our Nation will celebrate the 200th Anniversary of the birth of its Luminary of Luminaries, Thomas Jefferson, who by general consent shares only with Dr. Franklin the honor of being the most versatile and accomplished of Americans and whose immortality, to use the expression of Woodrow Wilson, "does not lie in any one of his achievements, but in his attitude toward mankind"; and

Whereas, Preparatory to the celebration of the 200th Anniversary of the birth of Thomas Jefferson, a Bicentennial

Commission was established by Congress last year; and

Whereas, In these days of strain and stress, of gloom and vaccilation, a celebration revolving around the immortal draftsman of the Declaration of Independence will result in the reaffirmation of Jefferson's teachings, the salubrious and tonic values whereof have been already universally acknoweldged; and

Whereas, The ringing phrases of the Declaration of Independence, intended according to Jefferson's expression "to be an expression of the American mind", are together with Lincoln's Gettysburg speech the greatest monuments of the English language, as well as limpid springs of political rejuvenation, from which our Republic had drunk heretofore and shall continue to deeply drink henceforth; and

Whereas, The February report of the Thomas Jefferson Memorial Foundation shows that the last cent of mortgage on Monticello has been paid as a result of its devoted work over a period of eighteen years; and

Whereas, Under the direction of Mr. Fiske Kimball, the most sympathetic and learned scholar in Jeffersonian draftsmanship and architecture, the interior and exterior of Monticello have been restored and the gardens thereof made beautiful according to Jefferson's plans and drawings, thus restoring to our Nation one of its Shrines; and

Whereas, The preservation and recovery of Jefferson's beautiful historic house and estate at Monticello is a memorable work of patriotism and public spirit, that will enrich not only Virginia but the whole United States of America; now be it therefore

Resolved (if the House concur), that the General Assembly of Pennsylvania appoint a Commission, to be known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania", to consist of six members, three of whom shall be appointed by the Speaker of the House on the part of the House of Representatives, and three of whom shall be appointed by the President Pro Tempore of the Senate on the part of the Senate of the General Assembly, and the task whereof shall consist in evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by Congress for Pennsylvania's part in the celebration of the 200th Anniversary of the birth of Thomas Jefferson, in order that said plans may be submitted in the form of a report to the General Assembly of Pennsylvania in 1943 for proper action; and be it further

Resolved, That the General Assembly of Pennsylvania commend the Thomas Jefferson Memorial Foundation for its work of restoration of the Shrine at Monticello and its pious care thereof, and call upon the citizenry of Pennsylvania to lend its moral and material support thereto.

On the question,

Will the Senate agree to the Resolution?

Mr. GELTZ. Mr. President, I am going to vote for this resolution, and I am happy to do so, but before the vote is taken, I suggest to the New Deal Democrats they should consider seriously how they vote, because it seems to me they have repudiated the principles of Thomas Jefferson, particularly in connection with the fact they believe in centralization of government, and Thomas Jefferson expounded the principle of local self-government.

On the question,

Will the Senate agree to the immediate adoption of the resolution.

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION URGING INVESTIGATION OF CAUSE OF RESIGNATION OF SECRETARY OF COMMERCE

Mr. DENT. Mr. President, before presenting this resolution, I desire to make a few pertinent statements that have a direct bearing on the contents of the resolution.

Mr. President, I do not expect the Republican majority will give me unanimous consent for the immediate consideration of this resolution, but I think it is a very important resolution that deals with the matter of the resignation of Richard P. Brown, late Secretary of Commerce, and the reasons for the resignation, if any.

Mr. President, it seems that a shadowy figure has come out of the past, that a will-o-the-wisp known as Colonel Estes is again upon the scene very prominently, and is again dictating executive orders of the State of Pennsylvania, and it seems, according to the newspapers if you please, that the charges that were made during the 1938 campaign against the Democrats have come home to roost. It seems the Democrats are not the only ones that care where political patronage goes in the matter of governmental spending, if you please, and it seems to me it is very important for the people of Pennsylvania to know whether or not Richard P. Brown, who has done I believe a very excellent job up to date in the matter of handling the State's business in the Department of Commerce, was forced to resign because friends of Mr. Estes did not get the patronage of the political advertising, something over a quarter of a million dollars worth of business, at sixteen per cent commission, which is not much, of course, to Republicans, but it is a whole lot of money to Democrats.

Mr. President, I just want to call the attention of this Senate to the fact that it is a disgraceful situation when a member of the Governor's cabinet can no longer do his duty as he sees his duty, he must take orders from that will-o-the-wisp, Colonel Estes, from Texas, the man I understand who is responsible for this mismanagement of the State of Pennsylvania.

Therefore, Mr. President, I present this resolution and ask unanimous consent for its immediate consideration.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT offered the following resolution which was twice read:

In the Senate, March 5, 1941.

Whereas, There seems to be a controversy over the reasons for the resignation of Richard P. Brown, ex-Secretary of Commerce, and

Whereas, During the past few days the Public Press has been filled with statements and counter-statements relative to the resignation of the former Secretary of Commerce, and

Whereas, In the statements contained in the Public Press the matter of state advertising has been prominently mentioned as the cause for the resignation of Richard P. Brown, therefore be it

Resolved (if the House concur), a committee of five Members of the House and five of the Senate be named to ascertain the real cause for the resignation of the Secretary of Commerce and to further ascertain whether the question of patronage in the matter of political advertising was included in the agreement or disagreement between the Governor of the Commonwealth, the Secretary of Commerce and certain agents or agencies.

On the question,

Will the Senate agree to the Resolution?

Mr. WALKER. Mr. President, I desire to interrogate the sponsor of this resolution.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. With apprehension, Mr. President.

Mr. WALKER. Mr. President, in reading the resolution I notice that there is a committee of five to be appointed

from the House and the Senate. I would like to know if that is five in toto, or five from the House and five from the Senate?

Mr. DENT. Mr. President, any way they want it.

Mr. WALKER. Mr. President, I desire to know what the purpose of the resolution is.

Mr. DENT. Mr. President, I mean five of the House and five of the Senate. Of course, Mr. President, on all resolutions presented, if there is an odd number, the Senate names the number specified and the House names the number specified. It says five members of the House and Senate. That is ten. Of course, Mr. President, that is not the meat of the resolution.

Mr. WALKER. Mr. President, I desire to further interrogate the gentleman from Westmoreland.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be further interrogated?

Mr. DENT. I will, Mr. President.

Mr. WALKER. Mr. President, I have a copy of the resolution in front of me, and it says, "Resolved (if the House concur), a committee of five members of the House and Senate shall be named." I would like to know if that means five members of the House and five members of Senate.

Mr. DENT. Mr. President, I mean five members of the Senate and five members of the House. I am going to correct it.

Mr. WALKER. Mr. President, does the gentleman from Westmoreland mean ten on the committee altogether?

Mr. DENT. Yes, Mr. President. I am going to correct it now, and I thank the gentleman from Allegheny for calling my attention to it, because I do not want a valuable resolution like this to be lost over a technicality.

And the question recurring,

Will the Senate agree to the resolution?

Mr. GELTZ. Mr. President, I object to immediate consideration of this resolution and ask it be referred to committee for the purpose of amendment.

The PRESIDENT. The gentleman from Westmoreland presents a resolution and asks for its immediate adoption. The gentleman from Allegheny objects to its immediate adoption.

POINT OF INFORMATION

Mr. CAVALCANTE. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Fayette will state his point of information.

Mr. CAVALCANTE. Mr. President, did I understand the gentleman from Allegheny to object to immediate adoption of this resolution and then move that it be sent to committee for the purpose of amendment?

Mr. GELTZ. That is correct.

The PRESIDENT. The Chair takes the position if there is objection, it is then up to the Chair to refer it to the proper committee.

Mr. DENT. Mr. President, may I just remark we agree with that. I think what the gentleman was driving at was the fact that the gentleman from Allegheny was guilty of violating the very thing that he charged the other day when we wanted to send a bill back to committee for a specific purpose and I think the Chair is absolutely right when he says it goes to committee and let the committee attend to it.

The PRESIDENT. The Chair understands that and agrees with the gentleman from Fayette, Mr. Cavalcante

Mr. CAVALCANTE. I understand, Mr. President, the Chair might understand a thing to mean one thing whereas the gentleman from Allegheny might understand something entirely different.

The PRESIDENT. The Chair was about to make a statement when the Senator from Fayette rose, to state that the Senator from Allegheny, Mr. Geltz, objected to immediate consideration of the resolution and therefore the only alternative the Chair has is to refer the resolution to committee which the Chair will now do.

Resolution is referred to the Committee on State Government.

RESOLUTION EXPRESSING THE PROFOUND ADMIRATION, RESPECT AND GRATITUDE OF THE SENATE FOR THE BOY SCOUTS OF AMERICA ON THEIR 31ST ANNIVERSARY

Mr. WALKER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, February 5, 1941.

Whereas the people of many nations are now plunged into deepest sorrow, and abject need by their unhappy divisions, and whereas the spirit of unselfish service and generous regard for others as embodied in the fundamental principles of the Boy Scouts of America, would in large measure, have bound men in mutual understanding and fellowship, and

Whereas the Boy Scout Movement throughout the United States has committed itself to a program of action to "Strengthen and Invigorate Democracy," and,

Whereas A million and a half American boys have taken upon themselves the following citizenship pledge as a part of this program:

What We, as Americans, solemnly pledge ourselves:

To join wholeheartedly and with personal sacrifice in strengthening the work of our organizations and of other civic and social activities in our community, our state, and our nation.

To be vigilant and courageous in maintaining human sympathy and respect for the rights of others.

To beware of the enemies of democracy, whatever their passwords or places of birth, and wherever they may be found.

To stand united with all lovers of freedom, whatever their tongue or origin.

To keep our nation strong in valor, and confident in freedom, so that government of the people, by the people, for the people shall not perish from the earth.

Whereas The Boy Scouts of America has inculcated into the lives of more than nine million American youth during the past thirty-one years the ideals as expressed in the Boy Scout Oath and Law which is based upon reverence to God, service to self and others, and has prepared them to be better participating citizens in their various communities, therefore, be it

Resolved that at this, the thirty-first anniversary of the founding of the Boy Scouts of America, the members of the Pennsylvania State Senate, here assembled, reaffirm their belief in the purposes and precepts, which, through the vision and foresight of its founder, the late Sir Robert Baden-Powell of Gilwell, England, and made this Movement in the United States possible, and be it further

Resolved that we hereby express our profound admiration, respect and gratitude to all those connected with the Boy Scouts of America, and order that a copy of this Resolution be sent by the Clerk of the Senate to the Honorary President of the Boy Scouts of America, Franklin D. Roosevelt, President of the United States; Walter W. Head, President of the Boy Scouts of America; and Dr. James E. West, Chief Scout Executive.

Mr. WALKER. I would like to say, Mr. President this is a resolution expressing the admiration and respect of the Pennsylvania State Senate for the Boy Scouts of America on their thirty-first anniversary, and in view of our memories when we were a lot younger than we are now, I would like to say as members of the Boy Scouts we could find our sermons in stories and our books in running brooks.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

RULE 39 SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

BILL INTRODUCED

Mr. EALY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY read in his place and presented to the Chair Senate Bill No. 308, entitled:

An Act making an appropriation to the Somerset Comnunity Hospital, Somerset, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN. Mr. President, I ask unanimous consent to make a brief statement.

The PRESIDENT. The gentleman from Lackawanna may proceed.

Mr. COLEMAN. Mr. President, on Monday of this week, I presented a resolution declaring the intention of the Legislature to enact suitable legislation to adjourn tax sales in the Commonwealth.

I asked for unanimous consent and it was denied but the gentleman from Allegheny, my good friend, Mr. Walker, becoming cognizant of the plight of the home owners of the Commonwealth, promptly summoned a committee meeting Tuesday at 1:45, immediately preceeding the hearing of the Communist Bill, and the resolution was forthwith reported out.

This morning we adopted a resolution of my colleague in the House, Representative Cordier, which carries out the intention of the resolution I had introduced and which the Committee on Judiciary General so kindly reported out yesterday afternoon.

Mr. President, I merely want to say this is a matter that I think transcends political parties, and I am delighted to say that the Senate of Pennsylvania and the House of Representatives in voting for such a resolution indicate that they propose to pass an abatement bill at this session of the Legislature.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 152,

An Act authorizing and directing the Department of Military Affairs to compile edit publish and distribute books listing the names of the veterans of the wars and expeditions in which the United States has engaged authorizing said department to procure and accept a Federal Work Progress Administration grant and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Military Affairs is hereby authorized and its duty shall be to compile edit and publish books listing the names and service records of all Pennsylvania veterans who served in the armed forces of the United States in the wars and expeditions in which the United States has heretofore been engaged Said books shall be distributed to each state headquarters and each post camp or chapter in this Commonwealth of the Grand Army of the Republic United Spanish War Veterans of Foreign Wars of the United States American Legion and Disabled American Veterans of the World War

Section 2 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs from the Veterans Compensation Fund to cover costs incurred in printing and binding and distributing the aforementioned books The Department of Military Affairs shall endeavor to obtain and is hereby authorized to accept a Works Progress Administration grant of two hundred fifty thousand dollars ($250,000) from the Federal Government to pay the compensation of the persons whose duty it will be to compile and otherwise prepare the data to be printed in the aforementioned books All costs incident to the preparation of the copy to be printed shall be paid from the aforesaid Works Progress Administration grant

Only war veterans their widows and dependents shall be employed in the work of compiling the data to be printed in the books

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15

Bartlett,	Crowe,	Lanius,	Reed,
Becker,	Deitrick,	Mallery,	Ruth,
Carr,	Haluska,	McGinnis,	Stiefel,
Crider,	Jaspan,	McQuiddy,	

NAYS—26

Barr,	Ealy,	Letzler,	Taylor,
Cavalcante,	Edmonds,	Miller,	Thomas,
Chapman,	Farrell,	Scarlett,	Tyler,
Coleman,	Geltz,	Snowden,	Wade,
Cox,	Heyburn,	Stevenson,	Walker,
Dent,	Homsher,	Tallman,	Wilson, H. I.,
DiSilvestro,	Kephart,		

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate

do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto", by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 151, entitled:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks," by providing for the appointment of additional probate clerks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECALLING HOUSE RESOLUTION NO. 43 (PRINTER'S NO. 49) FROM THE HOUSE OF REPESENTATIVES

Mr. MILLER. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 5, 1941.

Resolved (if the House of Representatives concur), That House Resolution No. 43, Printer's No. 49, be recalled from the House of Representatives for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for a half an hour.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

RECALLING HOUSE RESOLUTION NO. 43 (PRINTER'S No. 49)

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 5, 1941.

Resolved (if the House of Representatives concur), That House Resolution No. 43, Printer's No. 49, be recalled from the House of Representatives for further consideration.

RECONSIDERATION OF HOUSE RESOLUTION NO. 43

Mr. MILLER. Mr. President, I now move that the vote by which House Resolution No. 43 passed, which is a concurrent resolution, be reconsidered.

The PRESIDENT. How did the gentleman from Luzerne vote?

Mr. MILLER. Mr. President, I voted in the affirmative.

Mr. EALY. I second the motion, Mr. President.

The PRESIDENT. How did the gentleman from Somerset vote?

Mr. EALY. Mr. President, I voted in the affirmative.

On the question,

Will the Senate agree to the motion?

It was agreed to.

RESOLUTION COMMITTED TO COMMITEE ON COUNTY GOVERNMENT

Mr. GELTZ. Mr. President, I move that concurrent resolution No. 43 be referred to the Committee on County Government.

Mr. EALY. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

It was agreed to.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT OF COMMITTEE

Mr. TALLMAN from the Committee on County Government to which was referred on March 5, 1941, the following resolution from the House of Representatives reported the same with amendment as follows, viz:

In the House of Representatives, February 25, 1941.

Whereas Under existing law the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May 1941 and

Whereas It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales to authorize adjournment or further adjournment therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth if the county commissioners and the court of common pleas of such counties consent thereto to adjourn or further adjourn any tax sale and advertising of said sale not later than August 1, 1941, which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date not later than August 1, 1941, saving the lien of all taxes assessed against real estate which was to be sold at such sales

Resolved That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House

RULE 39 SUSPENDED

A motion was made by Mr. TALLMAN and Mr. GELTZ That Rule 39, which requires resolutions reported from committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate concur in the same?

Mr. COLEMAN. Mr. President, I wanted to consult with the majority leader. It is my impression we must wait until the House concurs in the amendment to concurrent resolution No. 43. Am I correct in that?

Mr. President, I have a fear we are likely to adjourn here today and as it is tremendously important that this resolution pass at this session I am raising the point, Mr. President, that the Senate will have to remain in session until the House concurs in the amendment offered by the Senate.

POINT OF INFORMATION

Mr. CAVALCANTE. Mr. President, I rise to a point of information on that resolution.

The PRESIDENT. The gentleman from Fayette will state his point of information.

Mr. CAVALCANTE. Mr. President, is it a joint resolution or a concurrent resolution?

The PRESIDENT. It is a concurrent resolution.

Mr. CAVALCANTE. Does the Chair understand, then, that this resolution will require also the approval of the Governor?

The PRESIDENT. The Chair so understands. It is to be returned to the House after we take action.

On the question,

Will the Senate concur in the Resolution?

Ia was concurred in.

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, I would also like to make this point of order, because I am exceedingly interested in this resolution. My point of order is this, that all bills and resolutions that require approval of the Governor do also require a roll call and must pass by a constitutional majority.

The PRESIDENT. The Chair is of the same opinion.

The point of order is well taken.

The yeas and nays were required by Mr. CAVALCANTE and Mr. REED, and were as follows, viz:

YEAS 38

Barr,	Deitrick,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Geltz,	McGinnis,	Taylor,
Chapman,	Haluska,	McQuiddy,	Thomas,
Coleman,	Heyburn,	Miller,	Wade,
Cox,	Homsher,	Reed,	Walker,
Crider,	James,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,		

NAYS 0

So the question was determined in the affirmative.

Ordered, That the Clerk return the same to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 312, (Senate Bill No. 309), entitled:

An Act to amend clause (e) of section five of the act, approved the eighteenth day of July, one thousand nine hundred and nineteen (P. L. 1045), entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry, and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations; providing for the appointment of a chief of the bureau, subordinate officers, and employes, and furnishing suitable accommodations; and making an appropriation", by providing for furnishing artificial limbs to children over ten years of age.

Which was committed to the Committee on Labor and Industry.

APPOINTMENT OF MEMBERS OF JOINT STATE GOVERNMENT COMMISSION

The PRESIDENT. On behalf of the President Pro Tempore, the Chair announces the appointment of the following members of the Joint State Government Commission on the part of the Senate.

Honorable O. J. Tallman, Lehigh.
Honorable James A. Geltz, Allegheny.
Honorable Frederick L. Homsher, Lancaster.
Honorable Franklin Spencer Edmonds, Montgomery.
Honorable George Woodward, Philadelphia.
Honorable Harry Shapiro, Philadelphia.
Honorable John H. Dent, Westmoreland.

in accordance with the provisions of the Act of the General Assembly 1937, P. L. 2460, as amended by the Act of 1939, P. L. 1085.

RECESS

Mr. EALY. Mr. President. I move that the Senate do now take a recess for ten minutes.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsd the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE RESOLUTION NO. 43 RECALLED FROM THE HOUSE

The Clerk of the House of Representatives being introduced,

He also informed the Senate that the House has concurred in amendments made by the Senate to House Resolution No. 43, as follows:

In the House of Representatives, February 25, 1941.

Whereas, Under existing law the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May 1941 and

Whereas, It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales to authorize adjournment or further adjournment therefore be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth if the county commissioners and the court of common pleas of such counties consent thereto to adjourn or further adjourn any tax sale and advertising of said sale not later than August 1 1941 which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date not later than August 1 1941 saving the lien of all taxes assessed against real estate which was to be sold at such sales

Resolved, That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 10, 1941, at 4:30 o'clock, p. m.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:17 o'clock, p. m. until Monday, March 10, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 5, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Father of all mankind, throughout this day, and every day, help us to be mindful of the tasks that are ours as stewards of Thine. Teach us how to love Thee more that we might be more tolerant in our attitude toward others. Throughout this Lenten season may we be mindful of the challenge that comes to us daily—to be sacrifically minded. Teach us to seek the Narrow Way which leads to everlasting life. In Jesus Name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on moton of Mr. BENTLEY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. HIRSCH. HOUSE BILL No. 678.

An Act to safeguard life, health and property; defining, regulating and licensing contractors and journeymen engaged in the business of painting, paperhanging and decorating; fixing license fees; providing for the revocation of such licenses and appeals therefrom; creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry, and conferring powers and imposing duties thereon; providing penalties and making an appropriation.

Referred to the Committee on Professional Licensure.

By Messrs. SCHWAB and MALLOY. HOUSE BILL No. 679.

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Messrs. SCHWAB and MALLOY. HOUSE BILL No. 680.

An Act to further amend sections nine and sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," changing the period of redemption on real property sold at county treasurers' tax sales.

Referred to the Committee on Municipal Corporations.

By Messrs. SCHWAB and MALLOY. HOUSE BILL No. 681.

An Act to amend section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," staying proceedings on bonds, notes and obligations received by such public bodies and public agencies from persons receiving assistance.

Referred to the Committee on Welfare.

By Messrs. McINTOSH and LEYDIC.

HOUSE BILL No. 682.

A Joint Resolution proposing an amendment to section fifteen, article five, of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. HAMILTON. HOUSE BILL No. 683.

An Act to amend the next to the last paragraph of section four and to further amend section sixteen of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, flori-culture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by defining the jurisdiction of the Pennsylvania Milk Control Commission over such associations and regulating the sale and marketing of milk thereby.

Referred to the Committee on Dairy-Industries.

By Mr. MIHM. HOUSE BILL No. 684.

An Act to further amend sections six and nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained, and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," further regulating the granting, suspension and revocation of the licenses of optometrists

Referred to the Committee on Professional Licensure.

By Mr. McCLANAGHAN. HOUSE BILL No. 685.

An Act to protect the public against advertising or offering for sale at fixed prices eyeglasses, spectacles etc. putting restraint upon layman selling eyeglasses, spectacles etc. and filling prescriptions for the same similar to the restraint upon professions licensed by the State to prescribe eyeglasses and spectacles fixing a penalty for violations of this act and investing the courts with jurisdiction to prevent and restrain violations of this act.

Referred to the Committee on Professional Licensure.

By Mr. REAGAN. HOUSE BILL No. 686.

An Act to further amend paragraph three of section four of the act, approved the second day of June, one thousand nine hundred thirty-three (Pamphlet Laws, one thousand four hundred thirty-three), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County of Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto." by exempting from the provisions thereof a child, as defined in said act, as amended, who pleads guilty, is fined, and pay said fine, in a summary proceeding under The Vehicle Code, as amended.

Referred to the Committee on Judiciary General.

By Messrs. HARE and McINTOSH. HOUSE BILL No. 687.

An Act to further amend the title and section one of the act approved the third day of May, one thousand nine hundred and nine (P. L. 424), entitled "An act providing that in all counties having more than five hundred thousand inhabitants, advertisements and notices, required by law or rules of court to be published in newspapers of general circulation, unless dispensed with by special order of court, shall be published in the legal newspaper, issued at least weekly, of the proper county, designated by rules of court for the publication of court or other legal notices," as amended, extending the provisions of the said act to counties of the sixth class.

Referred to the Committee on Counties.

By Messrs. McINTOSH and DAVID P. REESE.

HOUSE BILL No. 688.

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

Referred to the Committee on Welfare.

By Messrs. NAGEL and McLANAHAN.

HOUSE BILL No. 689.

An Act to further amend section one thousand two hundred one of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing and operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," further providing for the magistrate before whom informations in summary proceedings shall be brought.

Referred to the Committee on Motor Vehicles.

By Messrs. FISS and ELLWOOD B. WELSH.

HOUSE BILL No. 690.

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the

clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. MATTHEW J. WELSH and O'NEILL.
HOUSE BILL No. 691.

An Act to amend section one thousand three hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by extending the provisions relating to voting by persons in actual military service to primary elections.

Referred to the Committee on Elections.

By Messrs. MATTHEW J. WELSH and O'NEILL.
HOUSE BILL No. 692.

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

Referred to the Committee on State Government.

By Mr. McINTOSH. HOUSE BILL No. 693.

An Act providing for the health of the inmates of county institutions; prohibiting the employment or retention in employment as cooks, waiters, chambermaids, kitchen-help or other house-servants of persons afflicted with certain diseases; requiring medical certificates; providing for cleanliness of dishes, utensils, kitchens, dining-rooms, cellars, ice-boxes, refrigerators and places where foods are prepared, kept or stored; and prescribing penalties.

Referred to the Committee on Counties.

By Mr. KOMOROFSKI. HOUSE BILL No. 694.

An Act to further amend section two hundred and twenty of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuance of fishing licenses, free of charge, in certain cases.

Referred to the Committee on Fisheries.

By Mr. KOMOROFSKI. HOUSE BILL No. 695.

An Act to amend section three hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of resident hunters' licenses, free of charge, in certain cases.

Referred to the Committee on Game.

By Mr. KENEHAN. HOUSE BILL No. 696.

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports; and to return certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," exempting from such tax liquid fuels sold the Commonwealth or any political subdivision thereof.

Referred to the Committee on Ways and Means.

My Mr. FISS. HOUSE BILL No. 697.

An Act making an appropriation to the Department of Property and Supplies, for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such department with the General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings, and facilities of the Authority or for the services rendered by the Authority or its projects.

Referred to the Committee on Appropriations.

By Mr. COOPER. HOUSE BILL No. 698.

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of fund paid into court.

Referred to the Committee on Judiciary General.

By Mr. NAGEL (By Request) HOUSE BILL No. 699.

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and

revising, amending and consolidating the laws relating thereto," authorizing the district attorney in counties of the fourth and fifth classes to purchase and maintain police radio equipment.

Referred to the Committee on Counties.

By Mr. WATKINS. HOUSE BILL No. 700.

An Act making an appropriation, of moneys in the Motor License Fund, to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

Referred to the Committee on Appropriations.

By Mr. GILLAN. HOUSE BILL No. 701.

An Act making an appropriation to the State Veterans' Commission, for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war, or their dependents.

Referred to the Committee on Appropriations.

By Mr. WATKINS. HOUSE BILL No. 702.

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

Referred to the Committee on Appropriations.

By Mr. WAGNER. HOUSE BILL No. 703.

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 198. (HOUSE BILL No. 704.)

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Referred to the Committee on Judiciary General.

PETITION

The SPEAKER laid before the House a petition which was read by the Clerk.

LIQUOR LICENSES

A petition from citizens of Luzerne County favoring passage of legislation to extend hours for the sale of intoxicating beverages in restaurants and hotels.

Referred to the Committee on Liquor Control.

HOUSE MEMBERS APPOINTED ON JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. In accordance with the provisions of the Act of the General Assembly of 1937, P. L. 2460, as amended by the Act of 1939, P. L. 1085, the Chair appoints the following Members of the Joint State Government Commission on the part of the House of Representatives, Messrs. Melchiorre, Reuben E. Cohen, Achterman, Readinger, Moul, Boies, Malloy, Lovett, Turner and Woodside.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION NO. 43

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, February 25, 1941.

Whereas Under existing law the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May 1941 and

Whereas It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales to authorize adjournment or further adjournment therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth if the county commissioners and the court of common pleas of such counties consent thereto to adjourn or further adjourn any tax sale and advertising of said sale which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date saving the lien of all taxes assessed against real estate which was to be sold at such sales

Resolved That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION NO. 47

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 4, 1941.

Whereas The Pennsylvania National Guard has been called into the service of this country and 14,000 men are now stationed at Indiantown Gap and

Whereas There are no facilities for entertainment and recreation for these young Pennsylvanians a large part of whom will have leave each Saturday afternoon and Sunday and

Whereas Many of them will be unable to go to their homes and will therefore seek entertainment and recreation in the nearby towns such as Harrisburg Lebanon and Reading and

Whereas There is no existing agency to take care of this large influx of men therefore be it

Resolved (if the Senate concur) That a Committee of five citizens at least two of whom shall be women be appointed by the Governor immediately upon the passage of this Resolution to organize the religious and social agencies of the communities and to foster entertainment and recreational activities in conjunction with the citizens of the several communities and be it

Resolved That the said Committee's work shall terminate when the State Council of Defense has been organized and is functioning so that it can take over these activities

REPORTS FROM COMMITTEES

Mr. CULLEN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 589, entitled

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

Mr. McCLESTER, from the Committee on Cities—Third Class, reported as committed, House Bill No. 450, entitled

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

Mr. BENTZEL, from the Committee on Cities—Third Class, reported as committed, House Bill No. 465, entitled

An Act to amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

Mr. GOODWIN, from the Committee on Townships, reported as amended, House Bill No. 70, entitled

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing for the compensation paid to township commissioners.

Mr. GOODWIN, from the Committee on Townships, reported as amended, House Bill No. 226 entitled

An Act to reenact the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto."

Mr. ELLWOOD B. WELSH, from the Committee on Motor Vehicles, re-reported as amended House Bill No. 366, entitled

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 475, entitled

An Act to further amend section seven of the act, approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, two hundred twelve), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments," as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 570, entitled

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605 and 606, to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623 to 638, both inclusive, to Article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees, and imposing additional penalties.

And said bill having been read at length the first time,
Ordered To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 238, entitled:

An Act requiring cities of the second class A, having fire departments, to allow members of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 603, entitled:

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 498, entitled:

An Act to add section three to the act, approved the second day of May, one thousand eight hundred ninety-nine (P. L. 163), entitled "An act legalizing, and making it lawful to build, fences constructed in whole or part of wire along the public highways, and as division fences," by authorizing the use of barbed wire fence under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 466, (Senate Bill No. 79), entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of miners, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 12), page 5, lines 3 to 16 both inclusive, by striking out all of said lines and inserting in lieu thereof:

"thereof shall be claimed out of money or the proceeds of real or personal property belonging to the estate, it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said money, or out of the proceeds of said real or personal property after he shall have sold the same. Should any or all of the appraisers of the other personal estate be unable to make the appraisement of personal property provided for by this section, or should there be no such appraisers, the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers to act in the place of said appraiser or appraisers of the other personal estate of the decedent."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Title, page 2, line 23 of title by inserting after the word to the following: ("allow and")

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 11, entitled:

An Act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the "Pennsylvania Board of Parole" conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ROSENFELD. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further consideration.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 312, as follows:

An Act to amend clause (e) of section five of the act approved the eighteenth day of July one thousand nine hundred and nineteen (P. L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" by providing for furnishing artificial limbs to children over ten years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (e) of section five of the act approved the eighteenth day of July one thousand nine hundred and nineteen (P. L. 1045) entitled "An act providing for the establishment of a Bureau of Rehabilitation in the Department of Labor and Industry and conferring upon the Commissioner of Labor and Industry the power to supervise and direct the rendering of certain physically handicapped persons fit to engage in remunerative occupations providing for the appointment of a chief of the bureau subordinate officers and employes and furnishing suitable accommodations and making an appropriation" is hereby amended to read as follows

Section 5

* * * *

(e) To procure and furnish at cost to physically handicapped persons and to children over the age of ten who have registered with the chief of the bureau limbs and other orthopedic and prosthetic appliances to be paid for in easy installments when such appliances cannot be otherwise provided Provided however That if it be shown that any physically handicapped person or a child over the age of ten is unable to pay for such artificial limbs or other appliances the chief of the bureau may direct with the approval of the commissioner that such limbs or appliances shall be supplied to such physically handicapped person or child over the age of ten and the cost thereof paid out of the funds appropriated for the rehabilitation activities of the bureau such payments to be made by the State Treasurer on the warrant of the Auditor General or requisition of the Commissioner of Labor and Industry

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 187

Achterman,	Foor,	Lichtenwalter,	Rooney,
Auker,	French,	Longo,	Rose, S.,
Baker,	Gallagher,	Lovett,	Rose, W. E.,
Balthaser,	Gates,	Lyons,	Rosenfeld,
Baugher,	Gerard,	Malloy,	Royer,
Bentley,	Gillan,	Marks,	Rush,
Bentzel,	Gillette,	Maxwell,	Sarge,
Boies,	Goodwin,	McClanaghan,	Sarraf,
Boney,	Greenwood,	McClester,	Serrill,
Boorse,	Gross,	McDermott,	Shaffer,
Bower,	Gryskewicz,	McDowell,	Shaw,
Bradley,	Gyger,	McFall,	Shepard,
Breth,	Habbyshaw,	McIntosh,	Simons,
Bretherick,	Haberlen,	McKinney,	Skale,
Brown,	Haines,	McLanahan,	Snyder,
Brunner, P. A.,	Hall,	McLane,	Sollenberger,
Burns,	Hamilton,	McMillen,	Sorg,
Burris,	Hare,	McSurdy,	Stambaugh,
Cadwalader,	Harkins,	Melchiorre,	Stank,
Chudoff,	Harmuth,	Mihm,	Stine,
Cochran,	Harris,	Modell,	Stockham,
Cohen, M. M.,	Heatherington,	Monks,	Tarr,
Cohen, R. E.,	Helm,	Mooney,	Tate,
Cook,	Hering,	Moran,	Taylor,
Cooper,	Herman,	Moul,	Thompson, E. F.,
Cordier,	Hersch,	Muir,	Thompson, R. L.,
Corrigan,	Hewitt,	Munley,	Trout,
Croop,	Hirsch,	Nagel,	Turner,
Cullen,	Holland,	Nunemacher,	Van Allsburg,
Dalrymple,	Huntley,	O'Brien,	Vincent,
Dennison,	Imbrie,	O'Connor,	Vogt,
DiGenova,	James,	O'Neill,	Voldow,
Dix,	Jefferson,	Owens,	Wagner,
Don,	Jones, G. E.,	Petrosky,	Watkins,
D'Ortona,	Jones, P. N.,	Pettit,	Weiss,
Duffy,	Keenan,	Polaski,	Welsh, E. B.,
Early,	Kenehan,	Polen,	Welsh, M. J.,
Elder,	Kline,	Powers,	Wilkinson,
Elliott,	Knoble,	Prosen,	Williams,
Ely,	Kolankiewicz,	Rank,	Winner,
Falkenstein,	Komorofski,	Rausch,	Wolf,
Finestone,	Krise,	Readinger,	Wood, N.,
Fisher,	Lee, E. A.,	Reagan,	Woodring,
Fiss,	Leisey,	Reese, D. P.,	Woodside,
Fleming,	Leonard,	Reese, R. E.,	Yeakel,
Fletcher,	Lesko,	Reynolds,	Yester,
Flynn,	Levy,	Rhea,	Young,
	Leydic,	Riley,	Kilroy,

Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker and

Gentlemen of this noble institution
I submit to you a serious resolution;
I ask your undivided attention
To a matter I intend to mention.
I do not wish to introduce a bill,
But rather by discussion—to instill
A definite and vital realization,
That there is present in our Nation
The problem of increased population.
First, the responsibility for this fault
Must fall on a man by the name of Walt;
But not only Walt caused this ado,
For he was aided and abetted by Walt No. 2:
And from their actions, what do we see—
Our Little Problem—Walt No. 3.

Then be it resolved, here and now
That we arise—and give a bow
To Walter L. Miller No. 1
Father of Walter No. 2—a son,
Who, with God's help, you must agree
Was blessed with the birth of Walt No. 3.
And be it resolved that he give us more—
How about a new Walt called—No. 4?

But with all this joy, there is one rub
Walter Miller now is in the "Grandfathers' Club."

Be it further resolved that this proclamation
Be spread throughout the State and Nation,
So that attention is directed by every one
To the eight and one-half pound baby grandson.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen, has read the resolution he now offerh in his address.

On the question.

Will the House adopt the resolution?

It was adopted.

PERMISSION TO ADDRESS HOUSE

Mr. BENTLEY asked and obtained unanimous consent to address the House.

Mr. Speaker and gentlemen of the House, the public press in the last two days has carried an increasing volume of material upon the resignation of the Secretary of Commerce. I quote from the Pittsburgh Post-Gazette a statement which they print as emanating from the resigned State Secretary of Commerce Richard P. Brown, and I ask that the members of the House give close attention to the very serious statements made by Mr. Brown. Mr. Brown resigned and gives as his reasons for so resigning the following:

"The question of transferring the tourist advertising to the Eshelman company never arose until after the Republican national convention in Philadelphia last June.

"About six months ago the highway safety advertising in the department of revenue was transferred from the Lefton Company to Eshelman. I have understood that the change has not been beneficial.

"On January 17th, Carl Estes, formerly of Texas, and now of Bryn Mawr, Pa., called me on the telephone at my home to say that he wished the tourist advertising of the department of commerce transferred to the Eshelman company. I replied that I would resign before the State's advertising was made a political football.

"Several conferences have been held with the governor since and he still insisted on this transfer of advertising to Eshelman, which I opposed.

"The two questions which the Governor refused to answer me as secretary of commerce were:

"Why did you insist on the transfer of the highway safety advertising to Eshelman?"

"Why have you insisted that the tourist advertising of the department of commerce be shifted to Eshelman?"

The resignation was forthcoming and those are the words Mr. Brown has quoted in the public press.

Mr. Speaker, these very serious statements call for consideration and a thorough and full investigation and I offer a resolution in that connection.

Mr. BENTLEY offered a resolution which was filed with the Clerk under the Rules.

USE OF HALL OF HOUSE GRANTED

Mr. HARKINS asked and obtained unanimous consent for the Committee on Education to use the Hall of the House on Tuesday, March 11, 1941, at 10:15 a. m., for the purpose of holding a public hearing on House Bill No. 1.

SENATE MESSAGE

RECALLING HOUSE RESOLUTION NO. 43

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 5, 1941.

Resolved, (if the House of Representatives concur), That House Resolution No. 43, Printer's No. 49, be recalled from the House of Representatives for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. Resolution No. 43, will be returned to the Senate in accordance with the resolution just adopted.

SONS OF ST. PATRICK COMMITTEE

The SPEAKER. The following persons will act as a Committee to conduct the bi-annual dinner of the Legislative Sons of St. Patrick, Tuesday, March 18, 1941, Messrs. Finnerty, O'Neill, Holland, Moran, O'Dare, James, McDermott, Malloy, Turner, Knoble, Kenehan, Keenan, Stockham, Bretherick. Thomas J. Callahan, Chief Clerk, and Mr. Thomas J. Griffin will act as Secretaries to the Committee.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, as you read that list, before you got down to Turner I wondered when you were going to get some Irishmen on that Committee.

Mr. BRETHERICK. Mr. Speaker, I want to thank you for putting an Englishman on an Irish committee.

Mr. LEVY. Mr. Speaker, in view of the fact that the gentleman from Delaware——

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, I don't see how Levy gets into this Irish group.

Mr. LEVY. I thank the gentleman from Delaware.

RECESS

The SPEAKER. The Chair informs the House that the Senate will reconvene at 1:30 p. m. It is necessary for the House to wait upon the Senate for further communications.

If there is no objection the Chair will declare a recess until 1:35 p. m. The Chair hears none and a recess is declared.

AFTER RECESS

The House reconvened at 1:35 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

SENATE MESSAGE

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned

resolution from the House of Representatives as follows:

In the House of Representatives, February 25, 1941.

Whereas Under existing law the county treasurers of the various counties will be required to hold tax sales of returned seated lands before the first Monday of May 1941 and

Whereas It appears that sufficient time may not remain to enact suitable legislation before said date fixed for such tax sales to authorize adjournment or further adjournment therefore be it

Resolved (if the Senate concur) That the General Assembly hereby authorizes the county treasurers of the various counties of this Commonwealth if the county commissioners and the court of common pleas of such counties consent thereto to adojurn or further adjourn any tax sale and advertising of said sale which under existing law is required to be held prior to the first Monday of May 1941 and the General Assembly hereby declares its purpose forthwith to enact suitable legislation to validate any such adjournment of a tax sale and advertising of said sale and to provide by law for the holding of such adjourned tax sales at a future date saving the lien of all taxes assessed against real estate which was to be sold at such sales

Resolved That a copy of this resolution be transmitted to the county treasurer of each county of this Commonwealth by the Clerk of the House

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend page 1, third whereas clause, line 6, by inserting after the word "sale" the following: "not later that August first, one thousand nine hundred forty-one (1941)"; also on page 2, line 3, by inserting after the word "date" the following: "not later than August first one thousand nine hundred forty-one (1941)".

On the question,

Will the House concur in the amendments made by the Senate?

They were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ENOLA HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes the Senior Class of the Enola High School to the House this morning. The Chair trusts they will return when the House has a longer calendar.

SONS OF ST. PATRICK COMMITTEE

The SPEAKER. The Chair appoints, in order to avoid an Irish battle in the House, and to show the world that there is unity among Irishmen, Mr. Gates, whose forefathers were born in County Antrim and fought under the banner of William of Orange, and Mr. Welsh of Fayette whose forefathers fought for the Boers in the Boer War, to the St. Patrick's Day Committee.

The Irish are already fighting among themselves, and the Chair also adds to this committee the name of the gentleman from Philadelphia, Mr. O'Mullen.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state his question of information.

Mr. TURNER. Mr. Speaker, I suggest that the whole House be put on the Committee.

The SPEAKER. They will be in due time.

QUESTION OF INFORMATION

Mr. NAGEL. Mr. Speaker, I rise to a question of information.

Mr. SPEAKER. The gentleman from Beaver will state his question of information.

Mr. NAGEL. Mr. Speaker, I would like to know whether or not the Chairman appointed Mr. O'Mullen to stop the Irish fight?

The SPEAKER. I believe that is right.

QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

Mr. SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. MORAN. Mr. Speaker, I desire to know whether Mr. Turner's ancestors were Irish or not?

The SPEAKER. The gentleman from Delaware can answer that question for himself.

Mr. TURNER. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Moran, I would say that my ancestors were friends to all people and I, therefore, am descended from the Irish by remote control.

My ancestors on the Turner side came from England, and we all know, of course, that the Irish once dominated England. My ancestors on my mother's side came from England, almost from Wales, and therefore, they could by some sort of remote control be related to the Irish.

As far as I am concerned, the earliest story that my mother ever told about me was when we were living in Scranton, she said there was an Irish family that lived across the way and that she could not keep me clean—that is the reason I am a "dirty farmer"—because I was always crawling under the gate and going over to stay with those Irish people. Therefore from that affinity and from that relationship through remote control I think I belong on the Irish Committee.

The SPEAKER. The gentleman qualifies.

Mr. MORAN. Mr. Speaker, I would say this is as clear as mud to me. I went back and studied history at considerable length to find out something about the ancestors of a lot of members of the House, and I found that the reason the Turners left Ireland was because they were chased out for stealing sheep.

I know too that everybody originally came from Ireland. Of course, that is a good excuse for some of them. However, they did not all come from Ireland at one time, some of them landed in Germany, some went to France, some to England and some to other countries, but all those people who left Ireland in the old days didn't leave of their own accord; they were chased out for horse stealing and sheep stealing. If Mr. Turner's ancestors were all horse thieves, of course, he cannot help that.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, the reason the gentleman

from Allegheny, Mr. Moran, knows so much about the Turners stealing sheep is that the Morans were the fence to whom the Turners sold the sheep.

QUESTION OF INFORMATION

Mr. WEISS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. WEISS. Mr. Speaker, last year we had a good Irishman named Ominsky on the Irish Day program, and I believe this year we ought to have an O'Levy on it.

PERMISSION TO ADDRESS THE HOUSE

Mr. McFALL asked and obtained unanimous consent to address the House.

Mr. Speaker, I asked the privilege to address the House on this question of who is Irish and who is not.

I don't think we got any of these stories right, because the real Irish story, if you want to make the Irish people mad, is to tell them that when St. Patrick drove the snakes out of Ireland he drove some of the other Irish families out with them, and then you have a real fight on your hands. I think some of our ancestors who came over here, a good many of them landed in Northampton County, and they have been there so long that most of them have lost their Irish brogue, and the ability to drink whiskey, but they tell me that my grandfather was an artist along that line. Speaking about drinking whiskey, I have been wondering whether these people who are trying to "horn in" on this Irish festival are not doing so because they are thinking of the free whiskey they might get.

ADJOURNMENT

Mr. BRETHERICK. Mr. Speaker, I move that this House do now adjourn until Monday, March 10, 1941, at 9 p. m.

The motion was agreed to, and (at 2:08 p. m.) the House adojurned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, MARCH 10, 1941. No. 19.

SENATE

MONDAY, March 10, 1941

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

O Lord, Our Lord, how excellent is Thy name in all the earth! Everywhere Thy goodness is gloriously manifest. How thankful we should be and are for this great reality. How simply may we as a people become the grateful benefactors of Thy goodness in our own name and right by our obedience.

Now that the greatly contested legislation has finally passed the Congress and about to become law, do Thou guide its use wisely by the chief executive of our land. May He guide our ship of state safely through the troubled waters of the unchartered future that if possible, Our Father, we may remain at peace and that no overt act shall precipitate us into the catacylsm of the old world. May our objective be the continuation of the strengthening of our defenses and the making safe of our liberty to our posterity.

But we know the future for us must be paved with giantic sacrifices and adorned with unified endeavor. This must be the fabric to be woven upon the American looms of production. Vouchsafe unto us, We pray Thee, a unified purpose in this direction.

And do Thou bless the labors of our hearts and hands as we strive for the fashioning of legislation rightly and justly to serve all of the people of this great Commonwealth this day. For Jesus' sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. HEYBURN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Thomas asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. Geltz asked and obtained leave of absence for the Senator from Bucks, Mr. JAMES.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, may I interrogate the Senator from Allegheny County, Mr. Geltz, to obtain my point?

The PRESIDENT. The gentleman from Cambria may proceed.

Mr. HALUSKA. Mr. President, last week, last Wednesday in fact, I rose to a question of personal privilege and the Senator from Allegheny County objected to my having the floor. Will the Senator tell me whether that was a personal feeling or whether he meant for that to be a new order of business?

Mr. GELTZ. Mr. President, I am glad my colleague, the Senator from Cambria, asked that question. I would not for the world want him to feel there was anything personal involved in the objection which we made last week.

It is our desire not to endeavor in any way to suppress the wish or will to talk on the part of any of our colleagues in the Senate, but we would like the co-operation of all of our colleagues in this respect; if it is a matter of personal privilege, I believe under the rules it comes in order at any time?

The PRESIDENT. That is correct.

Mr. GELTZ. If it is not a matter of personal privilege, then we would ask that the request to speak on other matters be held off until after the order of business for the day, and thereafter we will have no objection.

Mr. HALUSKA. Thank you, Mr. President, I appreciate the answer. I thought for a while possibly the gentleman from Allegheny County was still pursuing me from days of old.

However, I happened to pick up the Jefferson Manual and I find much to my own surprise that questions of personal privilege shall have precedence over all other matter excepting motions to adjourn.

Mr. President, I belive we can come to an understanding —I am only speaking on behalf of myself at this time, but because there are certain things I wish to put before this assembly, if I am denied the floor naturally I want to have that opportunity.

Thank you, Mr. Geltz.

PETITIONS

The Chair cleared his table and laid before the Senate the following communications:

PETITION URGING PASSAGE OF AN OCCUPATIONAL DISEASE ACT

The PRESIDENT. The Chair lays before the Senate a communication from the United Electrical, Radio and Machine Workers of America, East Pittsburgh, Pa., requesting that an act be passed to make out a deficiency appropriation to cover claims and liabilities in full, which will be noted in the Journal.

PETITION MEMORIALIZING PASSAGE OF THE GEYER ANTI-POLL TAX BILL

The PRESIDENT. The Chair also lays before the Senate a communication urging passage of the Geyer Anti-Poll Tax Bill, which will be noted in the Journal.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 10, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

C. F. Weller, Ross Twp., Perrysville, March 11, 1941.

JEFFERSON COUNTY

Arthur F. Youngdahl, Brockway, March 14, 1941.

LACKAWANNA COUNTY

Mrs. Anna S. Gruber, Scranton, March 15, 1941.

ALLEGHENY COUNTY

Mrs. Olive McGregor, Oakmont, March 24, 1941.
Mrs. Irene Vollbrecht, Pittsburgh, Westinghouse Building, March 24, 1941.

WESTMORELAND COUNTY

V. Chirico, Jeannette, March 27, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Harry J. Davis, Pittsburgh, 711 Forbes St.
Joseph Dowling, Pittsburgh, Pennsylvania Bldg., 19th St.
Mrs. Helen E. Rees, Mt. Lebanon Twp., 306 Beverly Road, Mt. Lebanon.
John W. Simmonds, Mt. Lebanon Twp., 650 Washington Road, Mt. Lebanon.
Miss Elsie Ward, Pittsburgh, 323 Fourth Ave

DAUPHIN COUNTY

Edward R. Donald, Harrisburg.

DELAWARE COUNTY

Albert B. Sivaton, Upper Darby Twp., 7060 Garrett Rd., Upper Darby.

ERIE COUNTY

Miss Kathryn Young, Erie.

FAYETTE COUNTY

Miss Gerda A. Carlson, Uniontown.

LACKAWANNA COUNTY

Mrs. Jane Ward, Carbondale.

LEBANON COUNTY

Miss Jane E. Wolfe, Lebanon.

LUZERNE COUNTY

Mrs. Gertrude Hebsacker, Bear Creek Twp., Bear Creek.

PHILADELPHIA COUNTY

Miss Ella M. Cohee, Phila., 1016 Girard Trust Building.
Miss Fay Levy, Phila., Margaret and James Sts.
Miss Anne C. McDonald, Phila., 701 City Hall Annex.
Felix O'Neill, Phila., 5609 Chester Ave.
Mrs. May Fowden Purnell, Phila., 19 Maplewood Ave., Germantown.
C. D. Smeltzer, Phila., 1302 Commonwealth Bldg., 1201 Chestnut St.
John Stanojev, Phila., 221 West Girard Ave.

SCHUYLKILL COUNTY

Bertram E. Berner, Tamaqua.

WAYNE COUNTY

Merritt R. Olver, Honesdale.

WESTMORELAND COUNTY

E. G. Daugherty, Scottdale.
Curtis L. Feather, Latrobe.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Oscar I. Stern, 503 Pine Street, Philadelphia, Philadelphia County, for appointment as a Notary Public in the City of Philadelphia, Philadelphia County, for a term of four years to compute from the date of confirmation.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Emily H. Griser, Pittsburgh, 707 First National Bank Building.
Miss Edna M. Schreiner, Pittsburgh, Grant Building.
Miss Pauline Slavkin, Pittsburgh, 1206 Law and Finance Building.

BEAVER COUNTY

Miss Harriet J. Otto, New Brighton.

BUCKS COUNTY

Miss Mary deL. McGee, Bristol.

CAMBRIA COUNTY

Mrs. Mildred E. Hilbrecht, Johnstown.
Miss Clara Loria, Ebensburg.

DAUPHIN COUNTY

Miss Katharine T. McCall, Harrisburg.

DELAWARE COUNTY

Theodore O. Buckley, ' hornbury Twp., Thornton.
Mrs. Beatrice B. Smith, St. Marys.

ERIE COUNTY

Miss V. E. Manley, Erie.

FAYETTE COUNTY

Rufus O. Barkley, Fairchance.

MERCER COUNTY

Raymond R. Hum, Sharon.

MONTGOMERY COUNTY

Miss Catherine E. Delaney, Pottstown.
I. H. Derck, Abington Twp., 16 Edgely Ave., Glenside.
Mrs. Myrtle K. Laughlin, Hatboro.

PERRY COUNTY

Mrs. Emma E. Hain, Marysville.

PHILADELPHIA COUNTY

Lewis J. Burns, Phila., 2026 Land Title Bldg.
Miss Margaret M. Daly, Phila., 500 South 27th St.
Miss Abbie E. Davis, Phila., Fidelity-Phila. Trust Building, 123 South Broad St.
William A. Dungan, Phila., 4513 Vankirk St.
Mrs. Catherine R. Greany, Phila., 5000 City Ave.
G. Raymond Greeby, Phila., NW Cor. 20th and Passayunk Ave.
S. R. Harlan, Phila., 5308 Market St.
Miss Margaret M. Heffernan, Phila., 3500 Englewood St.
Frank G. Janson, Phila., 450 Pensdale St.
Mrs. Marian W. McMurtrie, Phila., 3944 Lancaster Ave.
Mrs. Anna B. Simon, Phila., 7500 Ogontz Ave.
Harry R. Smith, Phila., 3733 Midvale Ave.
Mrs. Mildred K. Souder, Phila., 2717 Fidelity-Phila. Trust Bldg.

WESTMORELAND COUNTY

John E. Irwin, Irwin.

YORK COUNTY

Emory W. Brandt, York.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ELK COUNTY

George S. Hauber, St Marys, March 13, 1941.

PHILADELPHIA COUNTY

Miss Dorothy L. Vollmer, Phila., 1949 East Passayunk Ave., March 14, 1941.
Frederick C. L. Grun, Phila., 220 South 4th St., March 15, 1941.

ALLEGHENY COUNTY

Mrs. E. Dell Stevenson, Pittsburgh, 1107 Keystone Bank Building, March 24, 1941.

BEAVER COUNTY

J. Harvey Moore, Aliquippa , March 24, 1941.

PHILADELPHIA COUNTY

Isaac E. Gealt, Phila., 1211 Chestnut St., March 25, 1941.

VENANGO COUNTY

Miss Beatrice M. Harper, Oil City, March 25, 1941.

BERKS COUNTY

Mrs. Mildred E. Wink, Reading, March 28, 1941.

NORTHAMPTON COUNTY

Mrs. Helen F. MacDonald, Wilson, March 30, 1941.

PHILADELPHIA COUNTY

Mrs. Claire S. Felix, Phila., 1416 South Penn Square, March 30, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. MALLERY
That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 45

Barr,	Ealy,	Letzler,	Snowden,
Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McCreesh,	Stiefel,
Carr,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Tyler,
Cox,	Homsher,	Reed,	Wade,
Crider,	Jaspan,	Ruth,	Walker,
Crowe,	Kephart,	Scarlett,	Wilson, H. I.,
Deitrick,	Lanius,	Shapiro,	Ziesenheim,
DiSilvestro,			

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

RECALLING NOMINATION FOR APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on January 7, 1941, for the appointment of Charles Petrovich, Kulpmont, as a member of the Board of Trustees of Shamokin State Hospital.

ARTHUR H. JAMES.

RECALLING NOMINATIONS FOR APPOINTMENT AS MEMBERS OF THE BOARD OF TRUSTEES OF THE THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and anthority vested in me as Governor of the Commonwealth, I do hereby recall my nominations made to your Honorable Body on January 7, 1941, for the appointment of the following persons as members of the Board of Trustees of Thaddeus Stevens Industrial School:

Mrs. Helen Trescher Arnold, R. F. D. No. 5, Lancaster, Lancaster County.
Clifford C. Aument, Quarryville, Lancaster County.
Louis B. Bond, Christiana, Lancaster County.
Claude W. Breneman, Elizabethtown, Lancaster County.
Wm. A. Brock, 340 North Mulberry Street, Lancaster, Lancaster County.
Dr. E. P. Clark, Intercourse, Lancaster County.
Park H. Lutz, R. F. D. No. 1, Denver, Lancaster County.
Hon. Oliver S. Schaeffer, 1124 Wheatland Avenue, Lancaster, Lancaster County.
Theodore Schwalm, 304 Atkins Avenue, Lancaster. Lancaster County.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

NOMINATION FOR APPOINTMENT AS JUSTICE OF PEACE OF MONTOURSVILLE

William Nairn Hutchison, 354 Cherry Street, Montoursville, Lycoming County, for appointment as Justice of the Peace in and for the Borough of Montoursville, Lycoming County, until the first Monday in January, 1942, vice George Hanner, deceased.

NOMINATION FOR APPOINTMENT AS ALDERMAN FOR YORK COUNTY

John R. Lafean, 121 South Beaver Street, York, York County, for appointment as Alderman in and for the Fourth Ward of the City of York, York County, until the first Monday in January, 1942, vice Jacob Stager, deceased.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF THE PEACE OF CRAWFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Fred B. Stewart, Linesville, Crawford County, for appointment as Justice of the Peace in and for the Township of Pine, Crawford County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

REPORTS FROM SLATE COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Slate, reported a resolution, which was twice read as follows, considered, and agreed to:

In the Senate, March 10, 1941.

Resolved, That Lee Lemar Adams be elected Page in the Senate, vice Robert D. Evans, resigned.

BILLS INTRODUCED

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 310 entitled:

An Act to amend article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to take for the purpose of sale, sell or expose for sale any bittersweet growing in the wild; and providing a penalty.

Which was committed to the Committee on Judiciary General.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 311 entitled:

An Act making an appropriation to the Mercy Hospital, Altoona, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 312 entitled:

An Act to establish as a State highway a certain section of public road in the County of Clinton, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 313 entitled:

An Act to amend section two of and to add section four to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent

wives, children, or parents, and not exceeding two thousand dollars per annum, be paic during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," excepting officers and professional employes of school districts from certain provisions thereof, and saving their rights under the Public School Employes Retirement System, and to salary increments.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 314 entitled:

An Act making an appropriation to The Philadelphia Committee for Prevention of Blindness, Inc.

Which was committed to the Committee on Appropriations.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 315 entitled:

An Act to further amend section one of the act approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127), entitled " An act relating to adoption," by imposing exclusive jurisdiction in adoption proceedings in the municipal court in first class counties.

Which was committed to the Committee on Municipal Government.

Mr. DIETRICK read in his place and presented to the Chair Senate Bill No. 316 entitled:

An Act to amend clause (b) of section five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergenry Relief Board," by providing that the judge of the court of common pleas, the president of the board of county commissioners, and the coroner shall constitute the county board of assistance in certain cases.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. McQUIDDY read in his place and presented to the Chair Senate Bill No. 317 entitled:

An Act to promote the general public health and welfare by regulating the business of "strip mining" or mining coal by removing the overlying soil or strata therefrom; adthorizing the Department of Mines to issue permits for "strip mining" operations; requiring those proposing to engage in strip mining operations to file a bond with the Department of Mines to secure the leveling and replacement of the surface soil; imposing certain additional duties upon the Department of Mines and the various mine inspectors; and providing penalties.

Which was committed to the Committee on Mines and Mining.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 318 entitled:

An Act to amend subsection (f) of section six hundred and twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," further regulating the issuance of licenses to carry firearms.

Which was committed to the Committee on Judiciary General.

Mr. HEYBURN, by request, read in his place and presented to the Chair Senate Bill No. 319 entitled:

An Act providing that officials charged with the duty of assessing real estate for taxation, except in cities of the first class, may at any time split or separate the assessment of any tract of real estate which has been or is to be divided, in order to permit the payment of taxes due on a portion of such tract requiring tax collectors to accept payment of such taxes, and validating all such split or separated assessments heretofore made.

Which was committed to the Committee on Judiciary General.

He also, by request, read in his place and presented to the Chair Senate Bill No. 320 entitled:

An Act to amend section three thousand one hundred and one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," extending the jurisdiction within which, and the manner, fines, penalties and costs may be collected.

Which was committed to the Committee on Municipal Government.

Mr. EALY read in his place and presented to the Chair Senate Bill No. 321 entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same and to fix, and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no projects shall be begun after the effective date of this act.

Which was committed to the Committee on State Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 322 entitled:

An Act making an appropriation to the Carlisle Hospital, Carlisle, Pennsylvania.

Which was committee to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 323 entitled:

An Act making an appropriation to the Lewistown Hospital, Lewistown, Pennsylvania.

Which was committee to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 324 entitled:

An Act making an appropriation to the Black Hospital, Lewistown, Pennsylvania.

Which was committee to the Committee on Appropriations.

RESOLUTION

URGING APPOINTMENT OF COMMITTEE

Mr. DIETRICK offered the following resolution, without comment, which was twice read, considered, and agreed to:

In the Senate, March 10, 1941.

Whereas, The appointment of Charles Petrovich of Kulpmont by the Governor as a member of the Board of Trustees of the Shamokin State Hospital has resulted in State-wide criticism; and

Whereas, The public disclosure of the record of this appointee has aroused public indignation and reflected upon the Hospital and its management; and

Whereas, This Senate should have definite knowledge of the personnel and management of institutions supported by the State; therefore be it

Resolved, That a committee composed of three members of the Senate shall be appointed by the President Pro Tempore of the Senate to investigate the present personnel of the Shamokin State Hospital, the management and conduct of the business of the said Hospital, and its financial transactions, and report to the Senate at the earliest possible time.

TIME OF NEXT MEETING

Mr. LETZLER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 10, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 17, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 17, 1941, at 9 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 176, as follows:

An Act for the judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class and for proof thereof and to make uniform the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every court of this State shall take judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class within the Commonwealth

Section 2 The court may inform itself of such ordinances in such manner as it may deem proper and the court may call upon counsel to aid it in obtaining such information a certified copy of such ordinance shall be prima facie evidence of the existence thereof.

Section 3 The construction of such ordinances shall be made by the court and not by the jury and shall be reviewable

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Letzler,	Snowden,
Bartlett,	Ealy,	Mallery,	Stevenson,
Becker,	Edmonds,	McCreesh,	Stiefel,
Carr,	Farrell,	McGinnis,	Tallman,
Cavalcante,	Frey,	McQuiddy,	Taylor,
Chapman,	Geltz,	Miller,	Thomas,
Coleman,	Haluska,	Mundy,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Ziesenheim,
Dent,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 81, entitled:

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, cosolidating, and changing the law relating thereto," by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 151, as follows:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

The first section of the bill was read as follows:

Section 1 When any treasurer who shall have made a sale of seated or unseated land shall die or be removed from office or when the term of office of such treasurer shall have expired before any deed or deeds are executed by him to the purchaser or purchasers then and in every such case it shall be the duty of the treasurer for the

time being to perfect such title and execute a deed or deeds to the purchaser or purchasers and they are hereby empowered and required upon the full discharge and payment of the money or price for which the said lands were sold with such cost and charges as remain unpaid to the former treasurer to make execute and acknowledge any deed or deeds and to perform and do all other matters and things that by the former treasurer might could or ought to have been performed or done which when done shall be held and adjudged as effectual in law as if the title had been completed by the former treasurer and any deed or deeds heretofore executed by any treasurer in accordance with this section are hereby validated

On the question,

Will the Senate agree to the section?

Mr. CAVALCANTE. Mr. President, I move to amend page 1, line 11 by adding the letter "s" to the word "cost". Amend page 2, line 1, by striking out the following: "to the former treasurer."

Mr. REED. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third sections of the bill were read as follows and agreed to:

Section 2 Section two (2) of the act approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws 177) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" and the amendment thereto is hereby repealed

Section 3 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

And said bill as amended having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED

Mr. EALY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY read in place and presented to the Chair Senate Bill No. 325, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no new project shall be begun until the same shall have first been approved by a two-thirds vote of the members of each the Senate and the House of Representatives of the Commonwealth.

Which was committed to the Committee on State Government.

COMMITTEE ON ARRANGEMENTS FOR DINNER OF LEGISLATIVE SONS OF ST. PATRICK

The PRESIDENT. The President Pro Tempore appoints the following Committee of the Senate on arrangements for the Biennial Dinner of the Legislative Sons of Saint Patrick to be held March 18, 1941, at the Penn-Harris Hotel.

HONORABLE JOSEPH M. BARR
MONTGOMERY F. CROWE
LOUIS H. FARRELL
A. EVANS KEPHART
JOHN J. McCREESH
BERNARD B. McGINNIS
JOHN G. SNOWDEN
M. HARVEY TAYLOR
J. FRED THOMAS

A meeting of the Committee will be held in the office of the Chief Clerk of the House at 8:00 P. M. this evening.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Warren, will state his question of personal privilege.

Mr. CHAPMAN. Mr. President, what is wrong with the United States?

Fifth columnists and saboteurs find ready listeners among the ranks of the unemployed and the old saying is true that "the devil finds work for idle hands to do." To that end in the scheme of things to keep our state happy and contented we must give ear to the needs of our constituents. The defense program is calling for skilled men and women, and in many places men of sixty and over are being recalled to jobs from which they were released due to age. But how many thousands of unskilled hands of fifty and over are not being recalled? These men are ready and willing to work but have been told "industry has no place for an old man." However the man of sixty or over can be of use in road building, in erection of works for flood control, as guards at defense working plants and in a myriad of ways. Our duty as legislators lies in taking up the slack. Let us make plans

that will give work to the men who are not recalled to jobs and who in many instances have been cut off WPA payrolls due to age. Happy, contented people on a payroll are not those to whom the sirens song of the fifth columnist sounds like sweet music.

In many parts of the state homes are needed. Let the situation be carefully scanned and let aid be given toward the erection of homes. Let our authorities be given to understand that bid rigging and similar practices are taboo.

Our state forests have stood for years with no adequate program of cutting and let this be given attention. I dare say that within the state forests lies thousands of cords of wood that if cut to length would provide immense stocks of fuel for the needy. Fuel is a mighty important question to the poor when winter's blasts roar.

Our soft and hard coal fields are already darkened by threatened troubles so let us make all haste to see that these dark clouds are lifted before they break forth into a storm.

Already food prices are rising in no uncertain way. The cost of placing food on the table is advancing. Vegetables and meats have moved upward in price. All aid should be given our agricultural districts to secure more and bigger crops. More milk, more meat, more potatoes and more farm products should come from our farms. Our State College advisers have done yoeman's work in aiding the farmers but let their efforts be redoubled until the granaries of Pennsylvania bulge, the trucks roll to market groaning with a burden of foodstuffs and the squeal of pigs make the hungry hear a rhythm melody. Armies are said to travel on their stomachs (Frederick, the Great) but don't forget the folks at home have stomachs also. Thousands of young men are being taken from the farms into the army so let the school authorities help in a plan whereby still younger men may find a place on the farm and older men too can aid in producing food for the nation.

Hitler is not overlooking any feature in his fight against the Democracies. I read recently that 240,000 French and Polish prisoners are being used in building broad highways, heavy foundationed over which the Hitler mechanized war machine moves. Let us out Hitler in road work. Canals are being dug in Germany and let our unemployed scoop canals. Denmark, Norway, Holland and Belgium men and women are being forced into the fields and the mines to get food and fuel for Germany's needs. Picture if you will populations of whole nations turned into slaves to grub and hoe, delve and sweat that Hitler and his satellites may grind the free peoples of the earth under his leaden heel.

God forbid that our fair State should ever feel the burden of the conqueror. Never since the Southern armies swept over a portion of our lands and fired the homes and buildings with the torch of war have we been invaded. It must not be. Let us awaken to the tocsin that is being sounded. Let us help in every possible way. Turn our factories into arsenals out of which will pour the arms and ammunition so badly needed, let our fields be blooming with waving grains, let our stockyards have a stream of livestock to be turned into meats and above all let every man have a job in some part of the vast program that will turn back the dictators and show the world that Democracy is still the thought of free men. An hour may destroy what an age has built.

Pennsylvania has never been under the heel of a tyrant and the smug, calm feeling that is so apparent in the State must give way before an avalanche of facts that show us a crisis is really faced. By our example as legislators we must point the way. We who meet under the folds of the Stars and Stripes on the flag poles of this Statehouse must first of all be citizens of the United States, of Pennsylvania and later on New Dealers or Republicans. A clarion call is sounding and we must give it ear or have our flags lowered in defeat and the goose stepping hordes thundering over our highways.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege concerning my own safety, the safety of many members of this assembly, as well as the safety of the citizens of this Commonwealth.

The PRESIDENT. The gentleman from Fayette may proceed.

Mr. CAVALCANTE. Mr. President, during the last four years, millions of dollars have been spent in order to construct a modern highway leading from the western part of our state to the eastern part. The highway was constructed by a commission created by the General Assembly, and we called it the Turnpike Commission.

Mr. President, the purposes of that highway were manifold. One of them was in order to eliminate the hazards of winter that the citizens from the western part of the state had to undergo when traveling to the capital and the eastern part of the state. Many lives were lost in the construction of that highway, and since its construction several lives have been lost due to accidents happening on that highway.

This is the first winter the highway has been opened to the public. I am one of the citizens of this Commonwealth who travels from Fayette County to Harrisburg and the eastern part of the state, and I have occasion to use that highway. It has been advertised as a safe highway to travel, so that we might overcome the mountainous regions that exist between the western part of the state and the eastern part of the state.

Mr. President, I am sad to report or to say that notwithstanding the fact that users of that highway pay rather a high toll for the privilege of using that highway, I doubt very seriously whether the hazards of winter have been eliminated to the extent that the highway is safer than the previous highways that lead from the western part of the state to the eastern part.

Mr. President, I have traveled that highway every week during this session. Some days that highway has been very bad; there has been snow and ice gathered on it.

Today, Mr. President, my colleague, Senator Reed and myself, as well as many other members from the western part of the state, have come to the capital over that highway. On our way we encountered many wrecks. I am not positive, but we were told that another life was taken on that highway today. It was not due, in my judgment, to the negligence of the operators of vehicles on that highway today.

Mr. President, entering the highway at its western terminus, Irwin, all the way to the Tuscarora tunnel, the highway was absolutely dangerous and unfit to be traveled over, and it was all due to the fact that snow and slush and ice at places was at least three to four inches thick,

making it very dangerous for anybody to travel over it.

Mr. President, my opinion is that any motorist who enters that highway west of the Tuscarora Mountains ought to be probably prosecuted for negligence, solely on the fact that he enters that highway and travels eastward on it. From the Blue Mountain to the eastern terminus the highway is in excellent condition, all the snow is off of it, no ice on it, it is perfectly safe, but from the Blue Mountain tunnel and westward, the road is in terrible condition, and I am sure that it is not due to the fact that there is not money to see that it is kept clear of ice and snow, but it is due to the fact that I think we have W.P.A. attending to it. From Donegal and to the Tuscarora tunnel there is any number of snow scrapers and highway equipment and employes, but they are not taking the snow off. You see them leaning on their shovels along the side of the highway. One snow crew was out in a field, clearing a path out in the field, while right at the point where they were clearing on the highway there was at least four inches of snow, right in the center of the highway, making it dangerous. Men with shovels were all along the highway, but loafing and doing nothing; trucks loaded with ashes had coats of ice on the ashes, evidence that they were merely hauling the ashes around from one place to the other and not placing them on the highway where they could be of some safety to those that travel that highway.

Now, Mr. President, I hope I am not accused by anyone of misstating any facts. We have members of this Senate who traveled that highway today who encountered these accidents. One car was turned on its side and almost on its top; another car had skidded across from the right lane over into the opposite lane, endangering the lives of motorists traveling in the opposite direction.

Mr. President, I find no fault with the highway itself, or with the construction of the highway. I think it was an excellent piece of work. The highway was needed and it is a good highway, but I think the fault lies with those who are now trying to operate that Turnpike Commission or that highway. They have the equipment; we who travel over it are paying the tolls and why is not this snow on the western end of this highway cleared? The sun was high and bright today and if the snow had been scraped off or taken off yesterday, when it should have been taken off, and Saturday, that highway would have been clear of snow and ice at its western end, as it is at its eastern end.

Now, Mr. President, if I were to advise any citizens of this Commonwealth who are traveling west today, surely I would not tell them to take the Turnpike route but I would tell them to follow the state highways, the county highways, because we found them clear and well ashed so you could travel over them safely.

Mr. President, with my colleague, the gentleman from Washington, Mr. Reed, coming from California through Fayette County, up to Westmoreland County, and Donegal, we found no icy condition of the road, no danger; the county crews had cleared the snow, the state crews had cleared the snow and ashed the road, but just as soon as we landed at Donegal and got on the Dream Highway, the highway supposed to be a dream, lo and behold, we found ourselves on a glare of ice and snow covering the highway three and four inches thick, that persisted and continued dangerously all the ways to the Tuscarora tunnel, Mr. President, and I can not see how we who travel that highway can advertise it, when we are asked by our constitutents, "How is the Turnpike; can we travel east?" We can not tell them, "Yes, take the highway, because it is safe," but we must definitely say it is very dangerous to travel, Mr. President.

I hope that the members of this body, in fact the whole General Assembly, will raise their voices or do something about seeing that this Turnpike is kept in better shape than it has been and to see that these crews and this equipment, instead of loafing and idling and clearing the snow off of the banks and out in the fields, would confine their activities to the main lanes of travel, and take the snow and ice off those lanes, instead of carrying ashes on their trucks back and forward, trying to cut the snow and ice, but take those ashes and put them on the highway, and nature itself through the energy of the sun, would do the rest and melt the ice and snow and make it safe for all of us to travel that highway.

Mr. McGINNIS. Mr. President, I agree with what the Senator from Fayette County said to a great extent as to the condition of the super-highway today.

We are all very proud of this super-highway. When it is not covered with snow and ice, we can travel from here to Pittsburgh in three and one half hours. I understand it takes about three hours to go to Philadelphia from here, so this highway has brought Pittsburgh as near to Harrisburg as the City of Philadelphia.

It is one of the marvelous accomplishments of the engineers. This snow proposition today was bad, that is, conditions were bad over a great portion of the highway. This, however, is a new highway. The snow covered the entire highway, that is, the snowfall, so that the snow plows had the entire one hundred and sixty miles to keep clean, which is something quite unusual.

Mr. President, I have traveled over this highway every week since the Session opened, and on the whole it has been in very good shape, but today there probably were fifty miles of it, in the lanes coming east, that did have snow four or five inches deep. I noticed that most of the plows were on the lane going west, for they had apparently cleaned about all the snow off that entire end of the highway. There is no question but what more plows or more activity of the plows would have easily cleaned up the forty-five or fifty miles of the lanes coming east.

I observed the other day in the newspapers, Mr. President, that Walter Jones, Chairman of the Authority that constructed this highway, was made an honorary member of the Pennsylvania Society of Engineers, and while he has been ill ever since the road was completed, I doubt if he has ever gone over the road after the work was completed.

Mr. President, it is saddening to realize that after all the work and the energy he had put forth to accomplish the construction of this highway, that he had perhaps overtaxed his mind and body and has not been back here since the highway was opened, until the other day.

Mr. Jones sent me a few days ago some leaflets on his proposition to extend this highway to St. Louis and Chicago, and from Boston, I believe, to Richmond along the coast.

I introduced a bill at the beginning of this Session to extend this highway from Irwin to the Ohio State line, and I have here a clipping from the Pittsburgh Sun Telegraph, in which Governor Bricker has asked the Ohio Legislature to make a study, and he is going to make the

request that this road be extended through Ohio to the Pennsylvania line.

Mr. President, I have these leaflets that Mr. Jones sent to my desk, that I am going to pass around. I only have a few of them, which give a picture of a super-highway built in Germany seven years ago, the super-highway that started in Germany, and alongside of it there is a picture of our super-highway, and you can see where the idea of this super-highway was found. This super-highway in Pennsylvania is an exact duplicate of the super-highways that were constructed in Germany seven years ago, and were very effective when Adolph Hitler started moving his troops all over Europe.

Mr. President, I am going to ask the page boys—I do not have enough to go around—but I shall ask the boys to take one over and pass it around to the other side.

Mr. President, I am not criticizing the committee that is holding this bill. There has not been any meeting, and I have not pressed it very much, but I now think these super-highways are of great importance as defense highways in the movements of troops. I understand the other day one hundred trucks moved from Pittsburgh to Indiantown Gap in eight hours without any trouble whatever. It is capable of moving the heaviest equipment. I feel now that some steps should be taken to have this bill reported out of committee, and at least a study considered of the road from Irwin to the Ohio State line.

I read just the other day in one of the local papers that Mr. Jones, while he is still ill, is working, however, arranging for the financing of the highway that is already authorized from Harrisburg, or from the end of the super-highway to Philadelphia, and I am sure from the way he went at the main super-highway and provided for its construction, that he will also find the finances for constructing the highway on to Philadelphia, and also on to the Ohio State line.

Mr. MALLERY. Mr. President, in view of the remarks of my colleague, the Senator from Fayette, it seems to me something should be done about this matter, and if such a motion were in order, I would move that the remarks of Senator Cavalcante be sent to the superintendent in charge of maintenance of that highway.

Mr. CAVALCANTE. The western end, Mr. Mallery.

MOTION THAT REMARKS BE SENT TO TURNPIKE SUPERINTENDENT

Mr. MALLERY. Mr. President, I move that the remarks of the Senator from Fayette, Mr. Cavalcante, be sent to the superintendent in charge of the western section of the super-highway.

Mr. CAVALCANTE. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion.

It was agreed to.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, March 11, 1941 at 11:00 o'clock, a. m.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:37 o'clock, p. m. until Tuesday, March 11, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, March 10, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall, offered the following prayer:

O God, our Father, we have been seeking to serve both God and Mammon. We have been using Thy gift of scientific knowledge not only to cure mankind but to curse mankind. Forgive us, O God! Help us to seek Thee and to know Thy leading in the important legislation to come before this body. May the Youth of this Commonwealth be able to look to this House of Representatives and point with pride as upon their lips comes an expression of Thanks for laws safeguarding the health and the life of its citizens of tomorrow. Hear our Prayer, we beseech Thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 5, 1941.

The Clerk proceeded to read the Journal of Wednesday, March 5, 1941, when, on motion of Mr. JEFFERSON, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SPEAKER CONGRATULATED

Mr. SHEPARD. Mr. Speaker, I want to congratulate the Speaker on the correctness of his attire, and suggest that the House adjourn early so that he can return the suit.

Mr. TURNER. Mr. Speaker, I desire to thank the gentleman from Philadelphia for explaining just what this is all about. I was rather concerned. I thought the Speaker forgot his tie and vest.

The SPEAKER. The Chair is somewhat embarrassed. Since his attire has been called to the attention of the House, the Chair regrets appearing formally without the traditional emblem—the white carnation.

The Chair thanks the gentleman from Philadelphia, Mr. Lee, who has presented him with a carnation.

For the information of the gentleman from Philadelphia, Mr. Shepard, the suit will be returned on time.

BILLS INTRODUCED AND REFERRED

By Mr. MALLOY. HOUSE BILL No. 705.

To amend section two of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by making the provisions of the act mandatory upon such counties.

Referred to the Committee on Counties.

By Messrs. O'MULLEN and LEVY.

HOUSE BILL No. 706.

Authorizing and empowering school districts to furnish food including milk, free, to needy school children in their districts; providing for payment of the cost thereof; permitting cooperation with public and private agencies for such purposes; imposing duties on the Superintendent of and the Department of Public Instruction; making an appropriation, and providing procedure for the apportionment thereof to such school districts.

Referred to the Committee on Education.

By Mr. HERSCH. HOUSE BILL No. 707.

To further amend section nine of the act approved March thirtieth, one thousand nine hundred seventeen, (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith"; and further regulating advertising by optometrists.

Referred to the Committee on Public Health and Sanitation.

By Mr. WEISS. HOUSE BILL No. 708.

Enabling city, county, poor, institution districts, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

Referred to the Committee on Municipal Corporation.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 709.

An Act to further amend section four hundred and twelve of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further defining the sales of malt or brewed beverages.

Referred to the Committee on Liquor Control.

By Mr. WEISS. HOUSE BILL No. 710.

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

Referred to the Committee on Municipal Corporation.

By Messrs. HARMUTH and TURNER. HOUSE BILL No. 711.

An Act establishing and providing for the defining of boundaries of highway protective strips along the highways outside cities, boroughs and towns within the State, for the regulation of the location and other characteristics of building and structures and of the uses of buildings, structures and land within said highway protective strips, and for the location and design of access roads; creating the State Roadside Zoning Commission; prescribing its powers and duties; conferring powers and imposing restrictions on powers of counties, municipalities and townships; providing for the enforcement of this act for the disposition of fees and fines collected hereunder; and prescribing penalties.

Referred to the Committee on Highways.

By Mr. TURNER. HOUSE BILL No. 712.

An Act making an appropriation to the committee appointed pursuant to House of Representatives Concurrent Resolution No. 47, to foster entertainment and recreational activities in communities surrounding Indiantown Gap Military Reservation for the benefit of young Pennsylvanians stationed there.

Referred to the Committee on Appropriations.

By Messrs. GERARD and MIHM. HOUSE Bill No. 713.

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by excepting clubs from the limitation on the grant of new licenses.

Referred to the Committee on Liquor Control.

By Mr. RUSSELL E. REESE. HOUSE BILL No. 714.

An Act to amend section one hundred and eight of the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining the term "occupational disease."

Referred to the Committee on Workmen's Compensation.

By Messrs. RUSSELL E. REESE and WILLIAMS. HOUSE BILL No. 715.

An Act making an appropriation to the California Volunteer Fire Company of the Borough of California, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. McINTOSH. HOUSE BILL No. 716.

An Act providing for priority and the attaching of the lien of mortgages, judgments, and other liens, except liens for taxes or municipal claims, according to the date and time the same are filed for record.

Referred to the Committee on Judiciary General.

By Mr. CHARLES H. BRUNNER. HOUSE BILL No. 717.

An Act relating to criminal procedure; providing for the securing of attendance of witnesses from within or without the State in criminal cases; and making uniform the law in reference thereto.

Referred to the Committee on Judiciary Special.

By Mr. DENNISON. HOUSE BILL No. 718.

Making an appropriation, of moneys in the Motor License Fund, to the Board of Finance and Revenue for the payment of the loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. MOUL. HOUSE BILL No. 719.

To further amend clause (a) of section ten and to add section ten and one-tenth to the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for the return to townships of the permanent liquid fuels tax paid by the residents thereof upon liquid fuels used for agricultural purposes; requiring that the taxes so returned be used for highway purposes; imposing certain additional duties upon the Department of Revenue and upon township officers; and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. LYONS. HOUSE BILL No. 720.

Lapsing all unexpended or unencumbered balances of appropriations from the General Fund made by the General Assembly at its regular session of one thousand nine hundred and thirty-three, and prior sessions, and at its regular sessions of one thousand nine hundred and thirty-five, and one thousand nine hundred and thirty-seven, and the special sessions of one thousand nine hundred and thirty-six.

Referred to the Committee on Appropriations.

By Mr. SCANLON. HOUSE BILL No. 721.

To further amend section three hundred four of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further regulating the hours of when sales may be made at Pennsylvania Liquor Stores.

Referred to the Committee on Liquor Control.

By Mr. MONKS. HOUSE BILL No. 722.

To further amend section twenty-one of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received from monument and memorial purposes; and prescribing penalties," by imposing a tax on the privilege of attending such spectacles; and repealing former tax.

Referred to the Committee on Ways and Means.

By Mr. SOLLENBERGER. HOUSE BILL No. 723.

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," extending the retirement provisions relating to former teachers to additional cases who separated from school service because of physical or mental disability prior to the first day of July, one thousand nine hundred and nineteen.

Referred to the Committee on Education.

By Messrs. WEISS and HAINES. HOUSE BILL No. 724.

An Act to further amend section 363 of the act approved May second, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" and further regulating the form and contents of county auditors reports.

Referred to the Committee on Counties.

By Mr. MUNLEY. HOUSE BILL No. 725.

An Act to further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by restricting hearings of the board to violations discovered by uniformed enforcement officers.

Referred to the Committee on Liquor Control.

By Messrs. BONEY and GRYSKEWICZ. HOUSE BILL No. 726.

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of

Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages; and making an appropriation.

Referred to the Committee on Highways.

By Messrs. BOWER and REAGAN.

HOUSE BILL No. 727.

A supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Northumberland.

Referred to the Committee on Highways.

By Messrs. BOWER and REAGAN.

HOUSE BILL No. 728.

A supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain townships roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Union.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MAXWELL and BENTLEY. (Concurrent),

RESOLUTION No. 48.

In the House of Representatives, March 5, 1941.

Whereas, There seems to be a controversy over the reasons for the resignation of Richard P. Brown, ex-Secretary of Commerce, and

Whereas, During the past few days the Public Press has been filled with statements and counter-statements relative to the resignation of the former Secretary of Commerce, and

Whereas, In the statements contained in the Public Press the matter of state advertising has been prominently mentioned as the cause for the resignation of Richard P. Brown, therefore be it

Resolved, If the Senate concur, a committee of five Members of the House and Senate be named to ascertain the real cause for the resignation of the Secretary of Commerce and to further ascertain whether the question of patronage in the matter of political advertising included into the agreement or disagreement between the Governor of the Commonwealth, The Secretary of Commerce and certain agents or agencies.

Referred to the Committee on Rules.

By Messrs. HARKINS and RHEA.

RESOLUTION No. 49.

In the House of Representatives, March 10, 1941.

Resolved, That the Chief Clerk of the House of Representatives cause to be printed five thousand (5,000) copies of the proceedings held in the hall of the House of Representatives on February 12, 1941 in celebration of the birthday of Abraham Lincoln.

Referred to the Committee on Rules.

By Mr. SAMUEL ROSE. RESOLUTION No. 50.

In the House of Representatives, March 10, 1941.

Whereas, It is only once in a blue moon that it is possible to persuade an outstanding business man of great ability to sacrifice his private interests to devote himself to the service of the Commonwealth, and

Whereas, When such an individual is persuaded to accept an important office of public trust he should be encouraged and not kicked around politically in conducting the affairs of his office, and

Whereas, Richard P. Brown, who has resigned as Secretary of the Department of Commerce, was such a man, therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania express these thanks for the services rendered to the Commonwealth by Mr. Brown and express these regrets that he deemed it necessary to resign.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 5, 1941.

Whereas, On April 2, 1943 our Nation will celebrate the 200th Anniversary of the birth of its Luminary of Luminaries, Thomas Jefferson, who by general consent shares only with Dr. Franklin the honor of being the most versatile and accomplished of Americans and whose immortality, to use the expression of Woodrow Wilson, "does not lie in any one of his achievements, but in his attitude toward mankind"; and

Whereas, Preparatory to the celebration of the 200th Anniversary of the birth of Thomas Jefferson, a Bicentennial Commission was established by Congress last year; and

Whereas, In these days of strain and stress, of gloom and vaccilation, a celebration revolving around the immortal draftsman of the Declaration of Independence will result in the reaffirmation of Jefferson's teachings, the salubrious and tonic values whereof have been already universally acknoweldged; and

Whereas, The ringing phrases of the Declaration of Independence, intended according to Jefferson's expression "to be an expression of the American mind", are together with Lincoln's Gettysburg speech the greatest monuments of the English language, as well as limpid springs of political rejuvenation, from which our Republic had drunk heretofore and shall continue to deeply drink henceforth; and

Whereas, The February report of the Thomas Jefferson Memorial Foundation shows that the last cent of mortgage on Monticello has been paid as a result of its devoted work over a period of eighteen years; and

Whereas, Under the direction of Mr. Fiske Kimball, the most sympathetic and learned scholar in Jeffersonian draftsmanship and architecture, the interior and exterior of Monticello have been restored and the gardens thereof made beautiful according to Jefferson's plans and drawings, thus restoring to our Nation one of its Shrines; and

Whereas, The preservation and recovery of Jefferson's beautiful historic house and estate at Monticello is a memorable work of patriotism and public spirit, that will enrich not only Virginia but the whole United States of America; now be it therefore

Resolved (if the House concur), that the General Assembly of Pennsylvania appoint a Commission, to be known as the "Thomas Jefferson Bicentennial Commission of

Pennsylvania", to consist of six members, three of whom shall be appointed by the Speaker of the House on the part of the House of Representatives, and three of whom shall be appointed by the President Pro Tempore of the Senate on the part of the Senate of the General Assembly, and the task whereof shall consist in evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by Congress for Pennsylvania's part in the celebration of the 200th Anniversary of the birth of Thomas Jefferson, in order that said plans may be submitted in the form of a report to the General Assembly of Pennsylvania in 1943 for proper action; and be it further

Resolved, That the General Assembly of Pennsylvania commend the Thomas Jefferson Memorial Foundation for its work of restoration of the Shrine at Monticello and its pious care thereof, and call upon the citizenry of Pennsylvania to lend its moral and material support thereto.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

POLICE

A communication from the Harrisburg Association, Inc., addressed to the Speaker requesting adoption of House Bill No. 361, providing for extra compensation to members of the Harrisburg Police Department.

Referred to the Committee on Appropriations.

FIRE INSURANCE FUND

A communication from the Fire Chiefs Association of Allegheny County, Inc., urging return of money borrowed from the Foreign Fire Insurance Fund.

Referred to the Committee on Appropriations.

SCHOOL CODE

A petition from teachers in Spring Glen requesting increased salary for teachers in fourth class districts.

Referred to the Committee on Education.

SABOTAGE

A communication from Pennsylvania Industrial Union Harrisburg, addressed to Mr. Charles H. Brunner, Jr., protesting passage of House Bill No. 452, anti-sabotage bill.

Referred to the Committee on Judiciary Special.

MUNICIPAL INSURANCE

Communications from:

Pennsylvania Lumberman Mutual Fire Insurance Company, Philadelphia

The Frankford Mutual Fire Insurance Company, Philadelphia,

urging defeat of House Bills Nos. 44 and 512.

Referred to the Committee on Municipal Corporations.

RESOLUTION NO. 13

A communication from The Medical Society of the State of Pennsylvania, Harrisburg, protesting against adoption of Resolution No. 13, Serial No. 34, "State-aided hospitals required to give medical attention to persons unable to pay for proper medical services."

Referred to the Committee on Public Health and Sanitation.

HOUSE BILL NO. 462

Communications from:

Nellie C. Grootenbaer, Philadelphia

Bertha G. DeMeester, Philadelphia

addressed to the Speaker, protesting passage of House Bill No. 462.

Referred to the Committee on Professional Licensure.

COMPANY UNIONS

A communication from Steel City Industrial Union Council, together with a resolution, addressed to the Speaker, condemning recommendations of Secretary of Labor and Industry, Lewis G. Hines, and the Joint State Government Commission, relative to the forming of unions by state employes.

Referred to the Committee on State Government.

BLIND PENSIONS

A communication from Pennsylvania Association For The Blind, Inc., addressed to the Speaker, requesting appropriation of $75,000 for the ensuing biennium.

Referred to the Committee on Welfare.

SENATE BILL NO. 172

A communication from Mr. and Mrs. Frank Kinees addressed to the Speaker correcting previous error in referring to Senate Bill No. 172 as Senate Bill No. 78, reiterating disapproval of passage of bill.

Referred to the Committee on Welfare.

OCCUPATIONAL DISEASE

A communication and resolution from United Electrical, Radio and Machine Workers of America, East Pittsburgh, requesting legislation to make up a deficiency appropriation to cover claims and liabilities incurred by workmen.

Referred to the Committee on Workmen's Compensation.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION NO. 43

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 6, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Resolution No. 43 authorizing county treasurers of the various counties, subject to the approval of the respective county commissioners and courts of common pleas, to adjourn or further adjourn to a date not later than August 1, 1941, any tax sale and advertising of such sale which, under existing law, is required to be held prior to the first Monday of May, 1941.

ARTHUR H. JAMES

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

THE WHITE HOUSE
Washington

March 7, 1941.

My dear Mr. Speaker:

I have been deeply touched in receiving the Resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania honoring the eighth anniversary of my induction into office. Will you be good enough to convey to the Members an expression of my deep gratitude for the fine spirit which prompted this generous action,

Very sincerely yours,

(Signed) FRANKLIN D. ROOSEVELT

Honorable Elmer Kilroy,
Speaker of the House of Representatives,
Harrisburg,
Pennsylvania

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 10, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 17, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 17, 1941 at 9 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Shepard for Mr. FINNERTY for the week on account of illness.

Mr. McMillen for Mr. HEWITT for the week on account of illness.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 450, entitled:

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 465, entitled:

An Act to amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto for the compensation paid to township commissioners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 226, entitled:

An Art to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 512, entitled:

An Act requiring all authorities of political subdivisions of the Commonwealth, who contract for policies of insurance on behalf of such political subdivisions, to so contract with stock insurance companies only.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be

recommitted to the Committee on Municipal Corporations for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 475, entitled:

An Act to further amend section seven of the act, approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, two hundred twelve), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments," as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 570, entitled:

An Act to add two new definitions to Section 102, to amend the table of contents to Article VI, to further amend Sections 601, 603, 605 and 606 to amend Section 609, to further amend Sections 613, 620, and 621, to add Sections 623 to 638, both inclusive, to Article VI, and to further amend Section 713 of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance of commercial operators' licenses; further regulating the operation of motor vehicles, commercial motor vehicles, motor busses, omnibuses, and school busses; fixing fees, and imposing additional penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BOIES. Mr. Speaker, I move that this bill be recommited to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 238, entitled:

An Act requiring cities of the second class A, having fire departments, to allow members of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 603, entitled:

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 498, entitled:

An Act to add section three to the act, approved the second day of May, one thousand eight hundred ninety-nine (P. L. 163), entitled "An act legalizing, and making it lawful to build, fences constructed in whole or in part of wire along the public highways, and as division fences," by authorizing the use of barb wire fences under certain circumstances.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 366, entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing pen-

alties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 466, (Senate Bill No. 79), as follows:

An Act to amend subsection (a) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds right powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by authorizing the orphans' court to allow and set aside the widows or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value

The General Assembly of the Commonwealth hereby enacts as follows

Section 1 Subsection (a) of section twelve of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 12 (a) The widow if any or if there be no widow or if she has forfeited her rights then the children forming part of the family of any decedent dying testate or intestate within this Commonwealth or dying outside of this Commonwealth but whose estate is settled in this Commonwealth may retain or claim either real or personal property or the proceeds of either real or personal property belonging to said estate to the value of five hundred dollars and the property so retained or claimed shall not be sold but suffered to remain for the use of the widow or children It shall be the duty of the executor or administrator of such decedent to have the said property if personal appraised and set apart to said widow or children by the appraisers appointed to appraise the other personal estate of the decedent or if real then by two appraisers to be appointed by the orphans' court who may be the same persons appointed to appraise the personal estate Provided however That in any case where the property retained or claimed by the widow or children is of such nature that its value is apparent or readily ascertainable the orphans' court may allow and set aside such property to the widow or children without notice or appraisement If said five hundred dollars or any part thereof shall be claimed out of the money or the proceeds of real or personal property belonging to the estate it shall be the duty of the executor or administrator to set apart to said widow or children the amount so claimed out of said money or out of proceeds of said real or personal property after he shall have sold the same Should any or all of the appraisers of the other personal estate be unable to make the appraisement of personal property provided for by this section or should there be no such appraisers the orphans' court of the proper county may appoint a properly qualified appraiser or appraisers to act in the place of said appraiser or appraisers of the other personal estate of the decedent

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scheetz,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Hare,	Modell,	Stine,
Burns,	Harkins,	Monks,	Stookham,

Burris,	Harmuth,	Mooney,	Tarr,
Cadwalader,	Harris,	Moran,	Tate,
Chervenak,	Heatherington,	Moul,	Taylor,
Chudoff,	Helm,	Muir,	Thompson, E. F.,
Cochran,	Hering,	Munley,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Nagel,	Trout,
Cohen, R. E.,	Hersch,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Jones, P. N.,	Pettit,	Watkins,
DiGenova,	Keenan,	Polaski,	Weingartner,
Dix,	Kenehan,	Polen,	Weiss,
Dolon,	Kline,	Powers,	Welsh, E. B.,
D'Ortona,	Knoble,	Prosen,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rank,	Wilkinson,
Early,	Komorofski,	Rausch,	Williams,
Eckels,	Krise,	Readinger,	Winner,
Elder,	Lee, E. A.,	Reagan,	Wolf,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Ely,	Leisey,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leonard,	Regan,	Woodring,
Finestone,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

ST. PATRICK CELEBRATION

Messrs. MORAN and KEENAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 10, 1941.

Whereas, The present world situation has created a demand for national unity; and

Whereas, Proficiency in this respect can only be acquired by studying the lives and customs of those who have succeeded in the past in effectively establishing unity out of confusion; and

Whereas, St. Patrick, the Patron Saint of Ireland attained great success in uniting most of the peoples of Ireland; and

Whereas, The celebration of the birthday of this immortal will be held on the seventeenth day of March; therefore be it

Resolved (if the Senate concur), That a legislative Committee is hereby created consisting of six members of the House of Representatives to be appointed by the Speaker and five members of the Senate to be appointed by the President, whose duty it shall be to arrange for a fitting and suitable celebration of the birthday of St. Patrick by the members of the General Assembly and their guests.

Ordered, That the Clerk present the same to the Senate for concurrence.

HERSHEY INDUSTRIAL SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this evening the Senior Class of the Hershey Industrial School. These students are the guests of the Dauphin County Members.

RESOLUTIONS

SCRANTON'S CENTENNIAL JUBILEE

Mr. CORDIER. Mr. Speaker, I desire to offer a resolution which is in the nature of a congratulation to the City of Scranton of which I am a native, on the occasion of its Centennial Jubilee on April 23 of this year.

Mr. CORDIER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 10, 1941.

Whereas, The City of Scranton, the anthracite capital of the World, will celebrate its Centennial Jubilee on April 23, 1941; and

Whereas, This great city of Pennsylvania emphasizes the glorious development of our country over the one hundred years of its corporate existence; and

Whereas, The original population of this anthracite city was 1,169, and now numbers over 140,000 residents; and

Whereas, It has grown in stature as an industrial giant, with the real estate valuations rising from $453,000 in 1857 until in excess of one hundred million dollars in 1940; and

Whereas, Scranton was first in many of the great industrial achievements in this glorious country, among them being the manufacture of the first T-rails made on the American Continent, and first in the introduction of electric cars in this country upon which fares were collected; and

Whereas, The finest water supply in the World is to be found in the City of Scranton; and

Whereas, The country's largest lace mills and silk manufacturing mills are to be found in this productive metropolis; and

Whereas, Manufacturing establishments in Scranton are now manufacturing over forty separate products; and

Whereas, Scranton has become the center of the industrial life of the anthracite region, with five steam railroads serving it, and with highways in a state of excellent construction radiating from it to all corners of the Commonwealth; and

Whereas, Its sons and daughters have spread throughout the country, bringing renown and fame to the city once known as Slocum Hollow, and now known as the Electric City; and

Whereas, Today Scranton stands as a jewel in the glorious diadem of cities comprising the urban development of this Commonwealth; therefore be it

Resolved, That the House of Representatives hereby salutes this great city of our Commonwealth on its 100th anniversary and hails Scranton for its achievement and for its future promise; and be it further

Resolved, That the House of Representatives wishes this great city to continue its glorious traditions for the coming centennial.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not intend to read a speech or to take up much time, but previous to the big convention of the school directors of Pennsylvania, several members of the House thought we should prepare a questionnaire and have these delegates answer it and return it to us.

There are bills now in Committees in this House and in the Senate that I feel, and some of the other Members feel should have action by the Committees. I have compiled the answers of the delegates at the convention and have put a copy of the questionnaire and answers in each Member's box. You have it and can refer to it at any

time. The Members who made up this questionnaire do not propose to prove or disprove any particular point, but being new Members it was a matter of information to us. We pass this information along to you with the hope that it will be of some use to you when you come to consider bills concerning communism, teachers' tenure, and what to do with the state teachers colleges.

I would just like to call your attention to several of these questions.

The SPEAKER. Will the gentleman yield for a moment? The Chair would inform the House that this is the gentleman's maiden speech and asks the members to be kind to him. The gentleman will proceed.

Mr. McMILLEN. Thank you, Mr. Speaker.

Question No. 1 is:

"Do you think the minimum salary in the fourth class districts should be one thousand dollars per year?"

Out of a possible five hundred and thirteen the "yeas" were three hundred fifty-seven; only one hundred twenty-six voted "No." Of course a few did not answer. I think that is conclusive evidence that the school directors of Pennsylvania are on record as favoring the increase in salary of teachers of the Commonwealth of Pennsylvania. I want to call that to your attention because I think it is one of the most important spots in school legislation in the state.

Another thing to which I would like to call your attention briefly is question No. 8 which is as follows:

"Should membership in the Communist party or like organization be made a cause for dismissal of a teacher?"

There you will notice the answers are four hundred eighty-six "yeas" against twenty-one "nays" a very definite trend and reaction.

Going to question No. 12,

"Should we endeavor to indoctrinate our children with democratic ideals?"

There were four hundred four "yeas" out of a possible five hundred thirteen. Fifteen voted "no."

Coming down to question No. 14,

"Should we permit the teachers to select and teach foreign ideals of government?"

The answer is "yeas" sixteen and "nays" four hundred eighty-six. There you have a very definite trend of thought concerning the teaching of Communistic principles in our schools of Pennsylvania.

We had over in the Senate last week a hearing on this particular situation. I believe this information is very pertinent to that particular bill.

The rest of the information I will pass along to you and, Mr. Speaker, I hope that this may be constructively helpful. I ask consent of the House for this questionnaire be spread in full on the Legislative Journal.

The SPEAKER. Will the House give its unanimous consent to the insertion of the material referred to by the gentleman from Indiana, Mr. McMillen, in the Legislative Journal? Is there objection? The Chair hears none and consent is granted.

QUESTIONNAIRE

March 10, 1941.

Hon. Elmer Kilroy, Speaker, House of Representatives, Harrisburg, Pa.

Mr. Speaker and Members of the House of Representatives:

The attached questionnaire was drawn up by three members of this House, Messrs. Hare, Helm, McMillen, and presented to delegates attending the Pennsylvania School Directors Association convention, Harrisburg, February 7 and 8, 1941.

The totals tabulated with each question represents the answers of the delegates, only, and must not be construed to be conforming with nor contradicting the personal opinion held by any one of the three members named above.

There was a total of 513 questionnaires answered and turned in. If you check, you will notice that not every one answered each question. Why? We do not know.

Perhaps the most interesting of all were the comments on various questions. We have these and will be glad to make them available to any who may be interested.

We further wish to state that by this questionnaire we were not attempting to prove or disprove any theory or point, but to gain information pertinent to school matters now before this House.

Mr. Speaker, with the hope that this report may be constructively helpful, we ask that it be spread in full upon the journal of this House.

Messrs. HARE, HELM, McMILLEN

Will you please fill out and leave at the registration desk?

1. Do you think the minimum salary in the fourth-class districts should be $1000 per year? Yes 357—No 126
2. Should teachers in the fourth-class districts be given annual increments in salary such as third-class district teachers receive? Yes 259—No 204
3. Should another law abating penalties and interest on delinquent taxes be enacted? Yes 102—No 277
   Should the right to abate be left in the hands of the taxing body? Yes 314—No 102
4. Should the act of 1937 increasing the tuition and transportation appropriation be further postponed? Yes 88—No 326
5. Should appeals of teachers dismissed after hearings be returned directly to the courts? Yes 142; Continue to be heard by the Superintendent of Public Instruction. Yes 275
6. Do you favor the retention of the $1 to $5 per capita tax? Yes 410—No 68
7. Should a three year suspension under the provisions of the Tenure Act constitute permanent dismissal? Yes 440—No 42
8. Should membership in the Communist party or like organization be made a cause for dismissal of a teacher? Yes 486—No 21
9. Do you think the retirement age for teachers should be lowered? Yes 288—No 192; How many years? Ranged from 2 to 7 years.
10. Should we endeavor to protect and continue the present teacher retirement system? Yes 418; should it be made a part of the Federal Social Security System? Yes 42
11. What new sources of revenue would you support for school purposes? Comments were very few.
    Would you support a sales tax? Yes 238
    An income tax? Yes 251
12. Should we endeavor to indoctrinate children with democratic ideals? Yes 404—No 15
13. What length of school term do you favor? 160 days 146; 180 days 343
14. Should we permit teachers to select and teach foreign ideals of government? Yes 16—No 486
15. Do you think part of our teachers colleges should be turned into trade schools? Yes 424—No 57

Make any comments or suggestions below:

Fourth-class salaries, married women teachers, communism and the teaching of it, and teachers colleges received the most attention in the comments.

RESOLUTION

Mr. DALRYMPLE. Mr. Speaker, I desire to introduce a resolution which is sponsored by the Erie County Chapter of the Pennsylvania Truckers' Association. There is a bill on this same subject before the House, and I would ask the Speaker to rule on whether or not it shall be read.

The SPEAKER. This is not a privileged resolution. It will be filed with the clerk under the rules, and referred to the proper Committee.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. ACHTERMAN. Mr. Speaker, I rise for the purpose of discussing legislation that was passed by this House last week. It has been referred to in the press as Moul-Woodring Bill. Ordinarily, I certainly would not take the time of the House to address it on legislation that has already been acted upon in this House. However, in the instant case there has been printed in a certain newspaper in this State certain criticism that is not only vicious, but it is absolutely unfair and distinctly unwarranted and certainly needs answering.

The articles I refer to refer to the legislation as, "A Bill to Kill Babies." Again it is referred to as the "Moul-Woodring Bill," and then states, it should be amended to read, "A bill to permit the delivery and sale of contaminated milk."

Mr. Speaker, I am at a loss to determine why such attacks are made on this particular bill of the nature of the present attack. I am at a loss to determine whether it is because of pure ignorance, that type of ignorance that permeated this nation back in the days of witchcraft, or whether it is a premeditated and unwarranted attack. Certainly be it either one or the other it does deserve the severest kind of condemnation on the floor of this House and in the press of this State.

I, therefore, Mr. Speaker, am going to take sufficient time to analyze for this newspaper, and for the state, what the existing legislation will be in this state if the Moul-Woodring Bill is finally passed. I am doing it because this attack is based on mob hysteria, on mob psychology, intended to frighten the mothers of this State, frighten the people of this state for some sinister purposes that at the present time is not apparent to me and perhaps to no one except those who initiated the attack.

Mr. Speaker, I call the attention of the Members of this House, and of the newspaper in particular to the Act of 1935, Pamphlet Laws 589, which law is in no manner affected by the present bill now in the Senate. First of all in section two I call to the attention of this House the fact that permits must be secured, reading in effect as follows:

> "Except as hereinafter provided, no person shall sell milk or milk products within this Commonwealth without first having obtained a permit from the Secretary, nor otherwise than in accordance with the requirements of this act. Each person desiring a permit to sell milk or milk products shall annually make an application on a form to be secured from the Secretary."

It goes on in detail to say what is set forth.

May I point out something else to the Members of this House? This is what is provided for in the Bill.

> "Permits shall be issued only to persons, whose entire milk supply, the farms, where it is produced and the milk plants in which the milk or milk products is handled, have been approved by the Secretary, and in any case in which, at his discretion he shall deem such action necessary for approval, inspected by the Secretary. Every permit shall expire annually."

Then going on further in section three, we find that this same Secretary has this power.

> "Permits may be refused, suspended or revoked by the Secretary if in his judgment the requirements of this act, and the rules and regulations made in conformity herewith are not complied with by the person making an application for a permit, or to whom a permit has already been issued."

Then those who are worried about the rights of local government, listen to this, and it is, not affected, by the amendment adopted in the Moul-Woodring Bill.

> "Section 5. The Secretary may constitute as his agent, for the purpose of issuing permits for the sale of milk or milk products a Department of Health, Board of Health, or Health Officer of any municipalty, and shall accept permits issued by municipalities under the terms of municipal ordinances equally as stringent as the requirements of this act and enforced by such municipalities as the only permit required for the sale of milk or milk products in such municipalities."

It is the only form required for the sale of milk products by such a municipality.

Now then, Mr. Speaker, let us see what is required in this act. What is placed in the Department of Health, is this, it states in Section 6:

> "Every person, having made an application for a permit to sell milk or milk products or holding a permit for the sale of milk or milk products, shall, at any time, allow the Secretary to inspect the herds, stables, and dairy farms from which milk is obtained, handled or prepared for sale, to inspect the milk plants, pasteurizing, bottling and handling of milk or milk products, examine books and papers wherein a record is kept of the name and address of each person from whom milk or milk products is purchased, the amount of milk or milk products purchased, and the date on which the milk or milk products was purchased, in any manner whatsoever and to take such samples of milk or milk products as may be deemed necessary upon payment therefor at the usual market price that payment is demanded."

Every particular item involved either in purchasing, handling or selling of milk comes distinctly within this province of the Department of Health.

Mr. Speaker, let us now turn to Section 7. Observe what is provided.

> "No person shall sell milk that does not bear prominently the designation 'certified milk' or 'raw milk' or 'milk for pasteurization' or 'pasteurized milk". Other designations may be used with the designation of 'raw milk' or 'pasteurized milk' provided the definition of such designation is filed and approved by the Secretary."

Then Mr. Speaker, let us go into the provisions concerning "raw milk. Raw milk is treated under Section 8. This is what is provided:

> "Raw milk shall be milk from a cow or cows, determined by physical examination and tuberculin

tests conducted in accordance with the rules, regulations, and practices of the State Department of Agriculture pertaining to the individual accredited area plan or the modified accredited area plan to be free from communicable disease."

Does that sound as though we are going to permit milk from diseased cattle to be sold?

"The milk process shall be carried on in a cleanly manner. The milk shall be promptly cooled. The milk containers, utensils, and equipment shall be of such material and so constructed that they may be readily cleansed."

"Section 9—Every applicant for or holder of a permit to sell pasteurized milk or milk for pasteurization or milk products must meet certain requirements."

Then listen to this, Members of the House.

"No milk shall be received in any milk plant for any purposes, unless such milk or milk products shall have been produced on dairy farms, or acquired from milk plants approved by the Secretary, or unless permission for the receipt of such milk or milk products shall be obtained from the Secretary. Only milk or milk products may be prepared or processed in a milk plant."

Mr. Speaker, are we watching out for the welfare of the people? Are we protecting them? Isn't this article unwarranted from the reading of this act.

Then we go on into Section 10 relating to milk for pasteurization—the inspection or the watching over the same.

Section 11 refers to the milk containers in which milk for pasteurization is received in milk plants and dairy farms, must be thoroughly cleansed and dried before returning to the dairy farm.

"Section 13. Adequate facilities shall be provided and used for furnishing clean containers, free from injurious organisms in which to sell 'raw milk' or 'pasteurized milk' or 'milk for pasteurization' or 'milk products'."

Next, Mr. Speaker, we go into "milk plants" in section fourteen.

Section 15 provides for water supply.

Mr. Speaker, I particularly call the Members' attention to section 16.

"The Secretary of Health shall have the power to make requirements concerning the number, character of bacteria in milk and milk products after hearing.

"Bacteriological analysis of milk and milk products shall be made under the supervision of a laboratory, the equipment and director of which have been approved by the Secretary of Health. The bacteriological analysis of milk and milk products shall be in accordance with Standard Methods of Milk Analysis of the American Public Health Association and the Association of Official Agricultural Chemists last adopted, unless special permission is given by the secretary for modification of the above standard methods."

Then lastly in section 21, we find that this may be done.

"Whenever, in the opinion of the secretary, a given supply of milk or milk products is considered unsafe or a menace to public health, the secretary may seize, condemn, denature or destroy such milk or milk products without compensation to the owner or owners thereof."

"The general sanitary conditions of any place where milk or milk products are produced, stored, prepared or handled and its immediate surroundings shall be such to insure a safe and clean supply of milk or milk products.

"The Secretary shall have the right to exclude from sale any part of a milk supply that may be considered unsafe, or milk or milk products which is produced on dairy farms or handled in milk plants, which fail to meet the requirements of this act."

This act is so comprehensive, Mr. Speaker, and it so safeguards the welfare of our people, that I have taken the trouble to issue the following statement that I am going to read into the record.

"The milk dealers of Pennsylvania who have long controlled the distribution of milk to the detriment both of the farmer and the consumer are already working hard to discredit the Moul-Woodring Uniform Dairy Inspection Bill, which passed the House last week.

"False propaganda is being spread to the effect that a break-down in milk sanitation standards is threatened by this bill and that public health will thereby be endangered. This simply is not true. The act as amended creates a uniform standard for milk production throughout the Commonwealth under the administration of the State Department of Health much in the same manner as standards are set with regard to all other health matters effecting the people of our state.

"It is absurd to suppose that the State Secretary of Health would permit a break-down in requirements and standards that would endanger the public. There is nothing in the bill that will prohibit municipalities and other political subdivisions from setting up whatever requirements they deem necessary with regard to distribution of milk within their own border and continuing whatever inspection service they now have or may desire.

"This bill gives to the farmer the protection he has previously been denied in freeing him from a multiplicity of arbitrary and conflicting regulations which served to harass him and supplied no additional protection to the public."

May I add to that just this passing comment, Pittsburgh or rather the paper there that is complaining, if they would just take time to investigate whether butter-fat that is going into ice cream or other products, is legal. They find it is not. They find it is not affected, and of course I do not imagine they find any increased mortality in their babies. I imagine they will find that they are healthy, and the babies are certainly eating the ice cream. They will certainly find that their health standards are being protected.

"If these interests who seek to attack this measure are sincere and have any confidence whatsoever in the administration of the Health Department of the State they will address any justifiable and helpful criticisms to the Secretary of Health, who, under the provisions of the act has the power to make additional regulations.

"The farmer along with the consumer has for too long been a victim of the vicious practices of the dealer interests. The Democratic Party has pledged itself to correct this situation and I know that we of the Democratic Party, as well as those Republicans who joined us in voting for the bill, are much more interested in the health of the people of our state than the milk interests who are and have been solely motivated by desire for a profit."

Then I wish to call the attention of the Members of the House to one other statement contained in this newspaper. It is attributed to the Secretary of Health and this is the statement:

"Dr. Shaw pointed out that the relaxing of milk sanitation regulations would have detrimental effects on the milk industry itself through use by the consumers of other forms of milk and canned milk in the event of any suspicion of the fluid milk supply."

Now, may I say to the Members of this House that most of the milk supply furnished to the citizens of our State at the present time, the inspection thereof is limited to that inspection now carried on by the Department of Health. I dare say that the communities outside of those that already have their own milk inspection are just as healthy and just as sound, the individuals are just as well as they are in those communities wherein the municipalities maintain their own particular standards and inspection service. I am saying that believing I am accurate and correct in that statement. Then why, may I ask, did the Doctor make this statement? Is the Doctor fearful of the size of the job? Has the Doctor got doubt as to his ability? Doesn't the Doctor want to carry out the functions that are legislated into his office? Doesn't the Doctor want to perform the duties of the Department of Health? Is the Doctor running away from the problem? Is the Doctor an individual that we must say, should resign? Does this Doctor mean to say in this article that he cannot do the job? If so, then, Members of the House I say the Doctor should resign. I will go further and say that the Governor of this State should call the Doctor in and ask for an explanation, and if that is his story, demand his resignation.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I have listened with very careful attention to the plea by way of confession and avoidance of the gentleman from Monroe, who in his best legal forensic ability has attempted to take the sting out of a blunder that was made last week and has attempted to turn it over on the Secretary of Health. I have no objection to the gentleman from Monroe trying to raise a smoke screen. He did it last week on the debate of this bill, and I was very much tempted to answer the gentleman at that time, but it seemed to me that the question was not one of political importance but one of real importance to the people and that the bill itself should be debated. So I refrained from saying anything to him.

You know Abraham Lincoln said you should never explain, because your enemies won't believe you and your friends don't need it. I have listened to the explanation of the gentleman from Monroe, and the reading of statutes, and all I can say to him is, I haven't a bit of sympathy for the predicament in which he and his colleagues find themselves at the present time, because they got themselves into it last week when they wouldn't stop, look, and listen, when the gentleman from Allegheny, Mr. Holland, asked if they would not postpone consideration of the bill until next Monday night until certain people could come here and talk it over with them and tell them some thing about their angles and the problems of the cities and the urban centers and give them a chance to determine just what should be done. I think I said at that time that I was in favor of relieving, as I am sure every Member of this House is, the farmers from this multiple inspection. If this bill does not take away any of the prerogatives of the municipalities or if it insures to them the kind of standards that they want, then the gentlemen on the other side have only themselves to blame because I asked the gentleman from York, Mr. Moul, whether this would prevent the municipalities from setting up their own standards and he said that it would not. If that doesn't take anything away, then I think that a little less of speed would have been a little bit better, especially for those who did not understand all of the provisions of the bill at that time. You know the old saying about the pitcher that goes to the well oftenest is the soonest broken. The gentleman from York, Mr. Moul, you remember, had quite some success with the resolution about rural electrification and you will recall that the embattled farmers of York, Adams and Fulton Counties had phobias of delay. It reminded me of the phrasiology used by the former member of the House, the gentleman from York, Mr. Cohen, phobias of delay. You will recall that Mr. Moul used that same language in regard to his resolution. Then undoubtedly, spurred on by his success with that action, he comes back with one on soil erosion. Well, he stubbed his toe a little bit on that, by getting all mixed up with the appropriation to State College. That wasn't quite so good. He managed to wangle this through the House on some appeal to the farmers.

This is a part of the program sponsored, as I have seen on four different occasions, by the Democrats to wean the farmers. This was going to do something for them. Then they came along last week, riding high, wide and handsome, with all the effect of the two plays that have gone before in an effort to wean the farmers—you fellows on the other side of the House thought perhaps too many of the farmers were Republicans and you had to get some of them on the Democratic side. Then you came along with this bill, and you were not going to stop, look and listen for anybody or anything; you were going to go straight ahead and pass this bill notwithstanding that we on this side were in favor of relieving the farmers of this multiple inspection, but we would like to know about these communities of ours, these boroughs as I told you, and townships in my county that like to set up their own standards. That sort of appeals to me as one of those home rule propositions that we like to talk about, in that these communities have some right to set up their own standards.

The difficulty with setting up state-wide standards is that they must meet the lowest level of standards because other places may want to drink milk of a little different standard, and it seems to me they ought to have that opportunity. You have got yourselves into this mess, and you are trying to find a way to let yourselves out of this hole. As a matter of fact, you did not help the farmers a bit as far as inspection is concerned. The gentleman from Susquehanna Mr. Ely, pointed out that you cannot get away from inspection by New Jersey, New York and other states. You cannot get away from inspection by the distributor. I do not believe there is any constitutional power to prevent the inspector from seeing what he is going to buy conforms to some other kind of standard. You have that on your hands. You will find a lot of inspections that you cannot get away from. Therefore, when you put through this bill to provide that there should be uniform inspection by the state, it was just one more step in that magnificent program of rural legislation to throw a sop—a milk sop in this case—to the farmer, and you got your feet all tangled up. You got yourselves stung down in one of those Democratic strongholds in Allegheny County. You are now reaping the whirlwind and, therefore, you are trying to put forth some kind of an alibi by trying to

find somebody that you can throw bricks at, and you pick a newspaper and the Secretary of Health. I do not believe the people of Pennsylvania are going to pay a bit of attention to what you say.

PERMISSION TO ADDRESS HOUSE.

Mr. MOUL asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to assure the gentleman from Delaware, Mr. Turner, that we on this side of the House are not arising to apologize for anything that was done here last week. In fact I am certain that there are a great many members of his Party who voted for this bill last week, who if they had an opportunity to do so again tonight would vote exactly as they did then. The gentleman is getting excited and probably unduly alarmed at an early date because in due time we shall read to the House editorials and comments which are appearing in many newspapers throughout the State of Pennsylvania. If it is a fight to the death, as two or three newspapers and several people in Pennsylvania are saying, then we who represent the rural sections of Pennsylvania, I would say, on both sides of the House, are willing to accept that challenge and go through with it to the end.

The thing that prompts me tonight to ask permission to address the House is not to present any apology but to discuss with the House what I consider an unwarranted attack against the sponsors of the bill and against more than one hundred and fifty Members of this House who intelligently considered the particular bill for many weeks while it was resting in Committee, and in behalf of those Members who sat in that House Committee, Republicans and Democrats alike, on the Dairy Industries Committee, if you please, and not the Committee on Agriculture, but the Dairy Industry Committee, which reported the bill out after due study and fair consideration, and the more than one hundred and fifty Members of this House who had ample time to study the bill and who voted for it last week after they studied the bill. I submit to this House that it is most unwarranted for any newspaper or any person in this State to come back on the last day, when the House is considering this bill for a vote, after there was no protest on first reading, no protest on second reading, but finally on third reading when it was up for final passage, we suddenly find that all over the State, they would have us believe that almost over night every last citizen had suddenly decided that he was against the bill. I want to call to the attention of the House what I consider an attack against the intelligence of not myself, nor the two sponsors of the bill, not the gentlemen from Allegheny County who voted for this bill, but an insult to the intelligence of every Member of this House who voted for the bill after due study.

An article appeared in the Pittsburgh press on Wednesday, March 5, and this is what it said, in the headlines:

"A Bill to Kill Babies." I might add, before reading the article, that we did not hear a sound from the Pittsburgh Press in all the weeks that this bill was in committee. This is what it said:

"Suppose someone were to charge that it is the duty of the Democratic Party in Pennsylvania to endanger the lives of little babies, retard the recovery of invalids, and spread disease among the people, particularly of children.

"He would be denounced as an infamous liar and the charge would be branded as monstrous.

"Yet that is exactly what will happen if the bill to rip out Pittsburgh's milk ordinance and milk inspection system is passed by the Legislature. It went through the House on first reading yesterday."

That is the end of the quotation for the moment. That, by the way, is not correct at the time that this article was written.

Now returning to the quotation:

"It went through the House on first reading yesterday, after Philadelphia Democratic leaders, who are cuddling up to the dairy bloc in an effort to get farmer votes, refused to hold a hearing."

That is the end of the quotation again for the moment. That is not correct.

Returning to the quotation:

"This bill is so serious that we call it to the attention of all women's organizations and parent-teacher groups in particular, and to all other citizens and organizations in general.

"Pittsburgh has the finest milk regulations and inspection system in Pennsylvania—adopted and enforced as a means of protecting her citizens, and particularly her children, against disease and death.

"There has been introduced, at the behest of dairy interests, a bill to repeal these ordinances by making it impossible for any city to have rules more stringent than those existing for the state as a whole."

Further quoting upon the article:

"The bill, if enacted, will repeal Pittsburgh's prohibition against the importation of raw milk, will outlaw the city's rigid inspection of milk stations, eliminate the ordinance requiring that all milk be brought into the city and be delivered to homes in covered trucks, and kill the regulation requiring use of caps entirely shielding the tops of milk bottles."

That is the end of the quotation for the moment. The statements made in that paragraph, with very few exceptions, are absolutely false. At the end of the statement they state that the regulations against Bang's disease and undulant fever will no longer be required.

I want to call to the attention of the Members of the House that we have now in Committee and we will have on this floor very shortly a bill to provide enough money to test all the cattle in Pennsylvania against Bang's Disease so that the question of Bang's disease will be removed entirely from Pennsylvania, if the bill is written into law, and if an appropriation is granted there will be enough money available for the next two years so that all cattle will be tested for Bang's disease and undulant fever in Pennsylvania. That will be eliminated from the milk question in Pennsylvania. That bill, if you please, was presented by the farmer group of Pennsylvania.

The article continues and finally winds up with a statement that this bill will kill babies when it becomes law. I leave to you, gentlemen, whether or not that is an insult to the intelligence of the Members of this House who voted for the bill, after they had ample time to study and see the results of their study. When did the "Pittsburgh Press" study that bill? They say nothing about the contents of the bill. They simply write an article. However, several days later they apparently repented somewhat; they apparently got a little different idea and another article appeared on March seventh, a few days later, and here they say almost the opposite of what they said in the first article. In the first article, you remember, they said it would eliminate all protection. In the second they said it won't help the farmers.

I am now reading from the editorial appearing in the "Pittsburgh Press" under date of March 7, 1941:

"Sponsors of the Moul-Woodring Bill, which destroys the most vital provisions of Pittsburgh's excellent sanitary milk regulations, advance only one reason for enactment of this extraordinary selfish piece of legislation.

"They say they want to free the farmer of a 'multiplicity of regulation and inspections' and they say the Moul-Woodring Bill will do it.

"'If the bill passes the Senate,' says Representative Clayton E. Moul, co-author of the measure, 'he (the farmer) will be assured, for the first time in twenty years, of freedom from arbitrary, captious and useless inspection by local groups.'

"Nobody will quarrel with anyone's desire to be free of the red tape which has been imposed willy-nilly by the bureaucrats in government. But the farmers isn't the only one who suffers from a multiplicity of regulations. Everybody who has any dealings with government—and practically everybody does—is a victim of the bureaucrats.

"The multiplicity of regulations at Harrisburg has become so bad that the Legislature even now is taking steps to curb it.

"Mr. Moul says the farmer is beset by arbitrary, captious and useless inspections from three sources.

"He complains of regulations and inspections imposed by the State. He complains of regulations and inspections imposed by municipalities. He complains of regulations and inspections imposed by milk distributors and dealers.

"One inspector says the windows should be on the right side of the barn, he said. Another comes along and says the windows should be on the left side. The farmer doesn't know where he's at.

"But the Moul-Woodring Bill won't cure this situation. If it relieves the farmer of a 'multiplicity of regulations' at all, it will relieve him only to a negligible degree.

"The complaint about State inspections hardly can be of much importance since the State has only eleven inspectors for the whole Commonwealth.

"The Moul-Woodring Bill won't stop municipal inspectors from coming around. They still will have the right to inspect the facilities of milk producers whose products are sold in the municipalities. If, as Mr. Moul says, some of the municipal inspectors are 'captious,' they still will be captious, even though the scope of their captiousness may be somewhat reduced.

"As for regulations and inspections imposed by the milk distributors and dealers, the bill has no effect whatever. If the milk producer doesn't comply with the regulations and inspections of the dealer, the dealer still can refuse to buy his milk. There is no law—and can be no law—which will compel a dealer to buy milk from any special source.

"The Moul-Woodring bill won't eliminate a single inspector. It will not prevent the milk dealers from imposing any sanitary regulations they choose. It will not stop arbitrary, captious and useless inspections, if any such exist. The bill totally fails to accomplish the aims of its sponsors.

"But the bill will rip out the best and most vital sections of Pittsburgh's milk regulations.

"It will jeopardize the health and life of every milk consumer in the Pittsburgh area.

"It will permit the introduction of raw milk into the Pittsburgh market.

"It will open the way to the spread of disease among Pittsburgh's children.

"It will destroy a sanitary milk law in Pittsburgh which it has taken years to build up and which admittedly is one of the finest in the country.

"The bill accomplishes none of its avowed aims, but it does inflict a dangerous handicap on the public health. It is an arbitrary, captious and useless piece of legislation. And more, it is perilous gamble with human lives."

Then they go and tell you what you shall do. I do not know whether the same person wrote both articles or not, but it looks to me as though, if it was written by the same person on the fifth day of March and on the seventh of March, he certainly must have been having a debate with himself. I think what actually happened is that he rushed in on the fifth day of March and wrote an article because somebody said there was something in that bill. Then between the fifth and seventh he said it wasn't quite as he thought it was, and then he wrote another article on the seventh. It was no longer a "baby killer bill" on the seventh; it was much milder, and for that we thank him. But he still seems to be quite far off the trail. I think in fairness to the Members of this House the Pittsburgh Press should allow the sponsors of this bill, or someone in this House, to write an accurate account of what is actually in that bill, an accurate account of what we think the bill will do, and along with that print a copy of the bill itself so that the people of Pennsylvania will have an opportunity to see that this particular bill will not kill babies.

I myself am interested in milk, and, as the gentleman said, "and babies," I have four children all of whom were raised on raw milk that was checked for bacteria content and some of them are practically grown today and are hale and hearty. I think there are many other people who can say the same thing. I believe if we check the health of the people in our particular section, which takes in one of the largest cities in the state, a great industrial city, you will find that our health is not any worse than it was in the other sections of the State, and as we said when this bill went through the House, we had no objection to the Secretary of Health taking the highest health regulations and adopting them, the highest that exist in the State of Pennsylvania. If that is Pittsburgh, well, we are quite willing to accept them in York County and hope that you will adopt them so that you will get the benefit of it.

I don't like to burden the House with a lot of time, but there is still one other thing in another newspaper that I think should be read into the record at this time. Jumping down to Philadelphia. I am going to read the one that attacked the bill first, and as the day goes by we will read them on the other side of the fence. In the Philadelphia Inquirer under date of March seventh we find:

"City fights curb on milk control. State bill denounced by officials."

This particular article goes down the line and says that Doctor Martha Tracy, Assistant Director of the Department of Public Health, and William J. Wolf, Secretary of the Board of Health, warned that it might endanger the health and safety of Philadelphians. Further down the article says in one of its headlines: "Raw milk control." And then the article continues as follows:

"For example, under a city ordinance we control both raw and pasturized milk.

"We set up the conditions that cows which produce raw milk sold here must be not only tuberculin tested but also examined for Bang's disease and undulent fever. The State Code provides only for a tuberculin test."

Then they discussed the various inferences to the city of Philadelphia and the Health Department. Then it says that they are coming here from Philadelphia and they

are going to fight to the death against the passage of this particular bill. They are very much interested in milk, but the funny thing is this, that while they are so alarmed in protecting the milk trust of Philadelphia, and they are willing to come to Harrisburg and spend the taxpayer's money, fighting for the milk trust, we find that a morning newspaper of Philadelphia, under the date of March tenth, the Philadelphia Record has an interesting article:

"'Water' In Tioga is inky black; City apathetic. Residents unable to drink smelly fluid, bathe or do washing.

"The burghers of Tioga are pining for the good old days of the 'Chlorine cocktail.'

"They're not kidding. The Philadelphia brand of water that used to come out of their faucets would taste like Sparkling Burbundy compared to the inky black slime they're getting these days.

"They've complained to the powers-that-be in City Hall hundreds of times; they've written their ward leaders; they've telephoned the Water Bureau until they've lost count.

"Yesterday they tried to get Mayor Lamberton at his home, but his secretary, Samuel Rosenberg, said the Mayor couldn't be disturbed on week-ends.

"Tiogans are in the main placid, unexcitable people. When the water had a brackish, milky appearance they didn't complain. They didn't even mind the chlorine taste.

"But now their water is black with a substance that's been described by Water Bureau officials as "coal dust.' It has an unbearable stench. It's impossible to drink even when filtered or boiled.

"When clothes are laundered, they come out covered with dark, greasy spots—irremovable except by a strong acid. Cooking with the 'ink' is impossible. Taking a bath is foolhardy"—

POINT OF ORDER

Mr. EDWIN A. LEE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. EDWIN A. LEE. I don't mind the speaker picking on the city of Philadelphia, but, as you must drink the same water, I think it is about time to stop the gentleman from talking about water and put us back on the subject of the milk bill.

The SPEAKER. The gentleman will proceed.

Mr. MOUL. I will repeat, "Taking a bath is foolhardy, the bather coming out of the tub much dirtier than when he went in.

"Next Sunday a delegation of Tioga residents"—and by the way, Mr. Speaker, I would like to recommend that these Health Department officials in Philadelphia get ready for next Sunday because I think they say that "Next Sunday a delegation of Tioga residents are going in a body to Mayor Lamberton's home, 5335 Knox Street, and drink a toast to the city's chief executive in the water his administration has supplied. The toast will be (you guessed it) Mud in your eye.

"Leader of the protest is C. R. French, superintendent of the Tioga Manor Apartments, 23d and Estaugh Sts., who explained that the Sunday protest was the only way they expected to get 'any action.'

"We're all working people and Sunday is the only day we can get off to make a squawk, he said.

"His wife had fire in her eye when asked about the water.

"'Here, I'll show you,' she said. She pulled out some of her husband's shirts just out of the laundry tub. They were covered with black spots."

So the article continues. The point I'm trying to make with this article is that while the gentleman in the Health Department is running around to Harrisburg and fighting the battle of the milk trusts, because the farmers want a little decent inspection, he is allowing the whole of the city of Philadelphia, if this article is correct, to drink this black water and bathe in this black water. He does not seem to realize that there is a real health problem right there at his back door. I think it might be interesting if we could get some of these gentlemen who are so much interested in what the farmer is doing with his milk or his farm, to turn around and look into their own back yards, and see whether there isn't a little that they can do. Thank you gentlemen.

PERMISSION TO ADDRESS HOUSE

Mr. DIX asked and obtained unanimous consent to address the House.

Mr. Speaker, I have no desire to enter into a battle with that great dairyman from Monroe County, Attorney Leo Achterman, but I would like to read a newspaper article to correct the wrong impression that it is only the dairy bloc that is supporting this bill, and for the benefit of Mr. Moul, I would also say that while he was reading the article from the "Pittsburgh Press," he forgot to read a very important paragraph in that article and I would like, with your permission, Mr. Speaker, to read some of the paragraphs that Mr. Moul did not quote. I have this from the "Pittsburgh Press" of Sunday, March 8th, in this editorial which is headed, "Dirty Milk Will Kill Babies."

By the way, Mr. Speaker, I think myself that that term, "Dirty Milk Will Kill Babies," and the term, "Baby Killing Milk," is out of place, but it is exactly as much out of place as the Democrats were when they called the Pearson Work Bill a "work or starve bill," and there is just as much sense in calling this particular bill the "baby killing bill."

Turning back to the rest of it, Mr. Moul says that the milk trust opposed this bill. Here are the interests opposed to this bill, taken from the "Pittsburgh Press":

"The Pittsburgh Central Labor Union, representing all of the A. F. of L. unions of the city, voted unanimously their opposition of this bill.

"Milk Dairy Employes Union, Local 205, have passed a resolution declaring that 'the highest standard for milk should obtain at all times, and no law which restricts the rights of the municipality properly to protect its constituents should be enacted.'

"The Health Departments of Philadelphia, Pittsburgh, Altoona and Wilkes-Barre have denounced the measure as a blow to sanitation and health. The Pennsylvania Medical Society has called for its defeat. So has the General Health Council of Allegheny County, so has the Civic Club of Allegheny County."

Mr. Speaker, I voted against this bill for the reason that I thought it would not get anybody anywhere. I believe that the underlying thought that is behind this bill is correct, in other words, to cure this multiplicity of inspection of the farmers, but this bill wouldn't do that. As I see it, it would take five hundred inspectors in Pennsylvania to inspect the one hundred and fifty thousand farms that we have. About the only reason that I can see why the Democratic side is in favor of this bill is that they hope, and of course, we know that this hope is not going to come true, but the Democratic side hopes that two years from now, they will be able to have a

Governor in the Chair and have all the departments of the state government under their control, and that they will then be able to appoint these five hundred milk inspectors in order to milk the farmer.

PERMISSION TO ADDRESS HOUSE

Mr. GEORGE E. JONES asked and obtained unanimous consent to address the House.

Mr. Speaker, two years ago I was a co-sponsor of a bill, and last week I voted for this bill, thinking that I was doing what was just and right. I did not know that they were going to make a political football out of this bill. I do not think it is fair. I think that the bill in principle is honest, true and all right. I think there is no doubt that there should not be a multiple inspection of dairy farmers, but when some of these fellows come here and say this and that and so forth, I want to say to you that two years ago I got up and made a motion to refer a bill back to committte, and I might say at that time the Democrats on the other side of the House put so much pressure on me, saying that the bill would possibly kill millions of babies. I don't believe that a bill could kill any babies. I think they are just making a whole lot of something out of this bill here tonight for political reasons. I think that is about right. I think that as the bill has already passed the House, enough has been said on this matter. Thank you.

INTERROGATION

Mr. ACHTERMAN. I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, can the gentleman from Delaware tell me how many Republicans voted for the Moul-Woodring bill?

Mr. TURNER. I did not count them, Mr. Speaker.

Mr. ACHTERMAN. I thank the gentleman from Delaware.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I am just a bit fearful that perhaps the gentleman from Delaware, Mr. Turner, may have created the impression that my remarks made earlier in the evening were for the purpose of defending the bill. On the contrary the remarks were made solely for the purpose of answering an attack by one of the newspapers of this State which I felt was unwarranted and unfair. I felt that the one hundred and three Democrats and the fifty-two Republicans who voted for that measure, and by the way, that is a majority of Democrats and a majority of Republicans, that the membership had the right to express themselves to that particular newspaper as to their feelings in regard to the attack that was being made in regard to their action in voting for that measure. It was solely for that reason that I rose this evening.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, I think it was Shakespeare who said, "I think the lady doth protest too much."

PERMISSION TO ADDRESS THE HOUSE

Mr. REUBEN E. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, during this long and arduous debate on this milk question, there was a question raised concerning water in Philadelphia, and I think I might be very remiss in my loyalty to Philadelphia if I were not to get up and say a word in defense as a matter of explanation to all the Members of the House and visitors here tonight. It seems that muddy water is not only the proud possession of the State of Louisiana, but also muddy water has been in Philadelphia for too many years. The gentleman spoke about black spots on the clothing from the dirty water. I want to refer to an article in the Philadelphia Inquirer which shows a lady standing at her clothes line taking off her husband's shirt, apparently having just washed it and showing it to be muddy, her striped skirt was also muddy, and her arms muddy up to the elbows. The shirt is rather black, it is supposed to be wash day in Philadelphia.

Another phase of the water question. It really shows that the people of Philadelphia did not hearken to what the Philadelphia Inquirer said. The headline is "Monday, fair and colder" and the date is March 3, 1899.

The CHAIR would like to interrogate the gentleman from Dauphin Mr. Woodside. The Chair would like to ask the gentleman from Dauphin where his shirt was washed?

Mr. WOODSIDE. Mr. Speaker, you have not looked closely enough or you would not ask.

Mr. TURNER. I ask the Speaker to invite the gentleman from Dauphin to the rostrum. We ought to have both of you in one place.

The SPEAKER. The Chair invites the gentleman from Danphin to the rostrum.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Appropriations, Tuesday, March 11 at 12 noon in Room 327.

Banking, Tuesday, March 11 after the session in Room 330.

Highways, Tuesday, March 11 at 11:30 a. m. in Room 324.

Judiciary General, Tuesday, March 11 at 10 a. m. in Room 246.

Judiciary Special, Tuesday, March 11 at 11:30 a. m. in Room 246.

Labor, Tuesday, March 11 at 11 a. m. in Room 522.

Liquor Control, Tuesday, March 11 at 12:30 p. m. in Room 325.

State Government, Tuesday, March 11 at 9:30 a. m. in Room 325.

Public Hearing before the sub-committee of the Committee on Education on House Bill No. 1 on Tuesday, March 11, 1941 at 10:15 a. m. in the Hall of the House of Representatives.

ANNOUNCEMENT

ST. PATRICK'S DAY DINNER

Time: Tuesday, March 18, 1941, at 8 p. m.

Place: Penn-Harris Hotel.

Price: $4.00 per plate, (includes Dinner, Refreshments and Entertainment).

Dues to the limited number of reservations available in the Main Ball Room and the few days remaining for the final arrangements by your Committee, I urge you to make your reservation on or before Wednesday, March 12, 1941.

Table Reservations: 6 or 8 persons (in Main Ball Room).

Individual Reservations: First come first served.

Make reservations through office of Chief Clerk of House.

ADJOURNMENT

Mr. O'MULLEN. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 11, 1941, at 1 p. m.

The motion was agreed to, and (at 10:56 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, MARCH 11, 1941. No. 20.

SENATE

TUESDAY, March 11, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

God of perfect light and life and love, whose effulgence is beyond the conception of man's mind, whose glory is completely indescribable, we worship Thee, the Triune God, in majesty coequal. Before the mountains were formed or ever Thou hadst made the earth and the world even from everlasting to everlasting Thou art God.

To meditate upon Thy goodness towards us and to compare our unworthy lives with Thine which is purity and righteousness and loveliness altogether, is it any wonder that man should exclaim: "O why the spirit of mortal be proud!"

It is quite necessary, Our Father, for us to pause sufficiently long to take a spiritual inventory of our lives amidst the daily routine of each day's labors that we may be humbled in our pride and make our haughty spirits to become meek.

Accept these our humble meditations expressed in prayer unto Thee this morning hour for Thy name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. CARR and Mr. HEYBURN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. Becker asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

PETITIONS

PETITION OF HOTEL AND RESTAURANT EMPLOYEE'S INTERNATIONAL LEAGUE OF AMERICA

Mr. WALKER. Mr. President, I have had delivered to me a petition from the Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America with the request that it be brought to the attention of the Senate and spread upon the record. Mr. President, I ask leave to spread it upon the Journal.

Mr. REED. Mr. President, I wonder if it might be read.

The PRESIDENT. The Senator from Washington, Mr. Reed, requests that the communication be read. The clerk will read the communication.

The communication was read as follows:

"HOTEL AND RESTAURANT EMPLOYEES' INTERNATIONAL ALLIANCE AND BARTENDERS' INTERNATIONAL LEAGUE OF AMERICA

"Whereas, There is at present a statute known as 'An Act prohibiting in any city of the first, second and second A class, the employment of or the acceptance of employment by any female for the purpose of tending bar over which bar alcoholic, malt, or vinous beverages are sold; and providing penalties; 1939, June 9, P. L. 307'; and

"Whereas, We are desirous that the provisions of this Act shall apply to all Licensees, regardless of class; and

"Whereas, We feel that the purpose for this Act being beneficial to the classes of cities herein designated, we therefore desire the same benefits to inure to all the communities in the Commonwealth of Pennsylvania;

"Therefore, Be it resolved, That this Act be amended by the State Legislature to include all licensees, and

"Therefore, Be it further resolved, That a copy of this resolution be given to the newspapers, the State Senators and Legislators, and the other locals in the Commonwealth of Pennsylvania, urging them to support an amendment to this Act.

"Respectfully submitted,
(Signed) WILLIAM H. WAY,
President
(Signed) CHAS. A. DURLER.

"This resolution submitted and approved by the Members of Local 163, on the 12th day of March 1941."

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 11, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation.

BERKS COUNTY

Augustus M. Brown, Reading.
Miss Mabel L. Hafer, Reading.

CAMBRIA COUNTY

E. H. Binder, Barnesboro.

CLEARFIELD COUNTY

G. C. Olson, Curwensville.

ERIE COUNTY

Miss Betty Firch, Erie.
Miss Sara Magee, Erie.

GREENE COUNTY

Paul D. Inghram, Waynesburg.

LANCASTER COUNTY

Silas E. Bard, Denver.

LUZERNE COUNTY

George J. Richards, Forty Fort.

NORTHUMBERLAND COUNTY

Ralph L. Belford, Milton.
Miss Mignon M. Mengel, Shamokin.

PHILADELPHIA COUNTY

Mrs. Freda Schaefer Bupp, 333 East Cheltenham Avenue, Phila.
Miss H. Jacqueline Rauh, 1000 Diamond St., Phila.

WESTMORELAND COUNTY

Victor Santoro, Monessen.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 11, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

FAYETTE COUNTY

Warren G. Dunaway, Fairchance, March 13, 1941.

PHILADELPHIA COUNTY

Peter Penrose, 827 North 16th St., Phila, March 14, 1941.

ALLEGHENY COUNTY

H. C. Seidel, Sharpsburg, March 16, 1941.

VENANGO COUNTY

T. H. Welch, Oil City, March 24, 1941.

PHILADELPHIA COUNTY

Thos. J. Turkington, SW Cor. Front St. and Lehigh Ave., March 25, 1941.
Alfred P. Orleans, 801 West Rockland Street, Phila., March 30, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. MALLERY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 42

Barr,	DiSilvestro,	Letzler,	Shapiro,
Bartlett,	Ealy,	Mallery,	Snowden,
Becker,	Edmonds,	McCreesh,	Stiefel,
Carr,	Farrell,	McGinnis,	Taylor,
Cavalcante,	Frey,	McQuiddy,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Wade,
Cox,	Heyburn,	Reed,	Walker,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	Jaspan,	Scarlett,	Ziesenheim,
Dent,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 10, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 17, 1941 at 4:30 o'clock; and when the House of Representatives adjourns this week it reconvene on Monday, March 17, 1941, at 9 o'clock p. m.

JOINT LEGISLATIVE COMMITTEE BE APPOINTED TO ARRANGE CELEBRATION IN HONOR OF ST. PATRICK'S DAY

He also presented for concurrence of the Senate, House Resolution as follows:

In the House of Representatives, March 11, 1941.

Whereas, The present world situation has created a demand for national unity; and

Whereas, Proficiency in this respect can only be acquired by studying the lives and customs of those who have succeeded in the past in effectively establishing unity out of confusion; and

Whereas, St. Patrick, the Patron Saint of Ireland attained great success in uniting most of the peoples of Ireland; and

Whereas, The celebration of the birthday of this immortal will be held on the seventeenth day of March; therefore be it

Resolved, (if the Senate concur), That a legislative Committee is hereby created consisting of six members of the House of Representatives to be appointed by the Speaker and five members of the Senate to be appointed by the President, whose duty it shall be to arrange for a fitting and suitable celebration of the birthday of St. Patrick by the members of the General Assembly and their guests.

The PRESIDENT. The Chair is informed the House wishes action withheld for the time being. If there is no objection, we will suspend action.

RESOLUTION LAID ON TABLE

Mr. SHAPIRO. Mr. President, I move that the resolution be laid on the table.

Mr. McCREESH. I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

REPORTS FROM COMMITTEES

Mr. ZIESENHEIM, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 300, entitled:

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

He also, from the Committee on Municipal Government, reported as committed Senate Bill No. 253, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Mr. EDMONDS, from the Committee on Corporations, reported as committed, Senate Bill No. 291 (House Bill No. 381), entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

PRINTING ADDITIONAL COPIES OF THE "FIRST REPORT ON THE TAX AND FINANCIAL PROBLEMS OF THE COMMONWEALTH"

Mr. CRIDER, from the Committee on State Government to which was referred on March 11, 1941, the following resolution from the House of Representatives reported the same with amendment as follows, viz:

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by the Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly. 1000 of said copies shall be for the use of the Joint State Government Commission.

Mr. THOMAS, from the Committee on Municipal Government, reported as committed, Senate Bill No. 297, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

Mr. TYLER, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 299, entitled:

An Act to further amend section one of the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 737), entitled "A supplement to an act, entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boards, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor'; approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in

the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," providing for the payment of maintenance fees by pupils, and the disposition thereof.

Mr. KEPHART, from the Committee on Public Health, re-reported as amended, Senate Bill No. 9, entitled:

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics, providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court; and imposing duties and powers on such Orphans' Court.

BILL RE-REFERRED

Mr. BARR, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 191, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield; and making an appropriation.

Mr. BARR. Mr. President, I move that Senate Bill No. 191, be re-referred to the Committee on Appropriations.

The PRESIDENT. Is there objection? The Chair hears none.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. DiSILVESTRO, from the Committee on Military Affairs, reported as committed, Senate Bill No. 293, (House Bill No. 402), entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 246, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employees and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 247, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

Mr. REED, from the Committee on State Government, reported as committed, Senate Bill No. 163, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Mr. COLEMAN, from the Committee on Municipal Government, reported as committed, Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

Mr. MILLER, from the Committee on Military Affairs, re-reported as amended, Senate Bill No. 66, entitled:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

REPORT OF JOINT STATE GOVERNMENT COMMISSION AND JOINT LEGISLATIVE COMMITTEE TO STUDY UNEMPLOYMENT COMPENSATION

Mr. HEYBURN. Mr. President and members of the Senate, in pursuance of a House resolution and concurrent Senate resolution of the regular session of 1939, the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation have completed a study of employer experience rating.

As Chairman of the Joint Legislative Committee to Study Unemployment Compensation, it is my privilege to submit this report for your consideration. It is my sincere belief that this work will be of historical value in helping to shape the course of Pennsylvania's industrial future by providing legislators with a more practical understanding of the purpose of experience rating, how it works, and its relation to the tax structure by which unemployment compensation is maintained by industry.

The report which has been placed on your desks is perhaps one of the most valuable and comprehensive ever undertaken by a legislative body and while it makes no recommendation on the adoption or rejection of experience rating for Pennsylvania employers, it lays the ground work for constructive analysis of the possibilities advanced by advocates and opponents of such a plan.

The subject of experience rating is a highly technical and controversial one, because of its many ramifications. As interpreted by the commission report, experience rating is a "method of contribution-rate adjustment based on the relative amount of unemployment for which the employer has been responsible in the past."

The report sketches the purpose of experience rating; methods used in rating experience of employers; experience rating in practice in other states; equity in assessing social costs; efficiency of claim administration; the prevention of excessive reserves; stabilization of employment and many other subjects of corollary importance.

The possible association of employer experience rating with the system of unemployment compensation now set up in Pennsylvania is, of course, directed at the benefits such an arrangement might provide for industries and all forms of business operating in the state.

As you undoubtedly are aware, Pennsylvania employers are required to pay a flat tax rate of 2.7 per cent of their payroll to the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry, and .3 per cent to the Social Security Board, making a

total of 3 per cent in all that employers must pay regardless of variances in operating personnels.

This tax, of course, is the lifeblood of the unemployment compensation system and in its study of the problems evolving around this requirement, the commission was able to draw many interesting comparisons on the basis of experience rating plans now in use in other states.

It is difficult for the commission, on the strength of its study this far, to determine definitely what effect experience rating would have on different enterprises in Pennsylvania.

Advocates of experience rating contend that it will encourage industrial stabilization of employment, introduce equity into the payment of contributions, prevent unnecessary idle reserve surpluses and bring about an efficient and fair administration of unemployment compensation.

You will note that the report draws attention to the Texas Experience Rating Plan which provides for a sliding tax rate. The Texas Plan establishes a ceiling or maximum tax of 2.7 percent and a minimum of 1 per cent. It has been pointed out by proponents of this plan (which, I might add, is the one generally recommended for Pennsylvania's adoption) that this system would have a definite tendency to open new channels of enterprise by establishing a more equitable system of employer payments, based on organization personnel.

The more liberal Texas Plan, it is argued, offers employers direct and continuous incentive to regularize and expand employment and develop a reasonable allocation of the cost of unemployment compensation to be assumed by them.

In January, as you will recall, the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation submitted to the General Assembly a 23 point program of recommendations for amending the Pennsylvania Unemployment Law. Twenty-two of these recommendations were incorporated in Senate Bill No. 80 introduced by Senators Miller, Dent, Wilson and myself.

One of the principal recommendations made at that time was a provision urging that Congress be memorialized to amend the Federal Laws so that the General Assembly could reduce the employer tax rate from 2.7 per cent to 2 per cent when the State Unemployment Compensation Fund was one and one-half times greater than that required to pay all benefits. This likewise was covered by Senate Resolution No. 104, introduced on January 28.

It is important to consider that the only way states could make a flat reduction of this tax would be to get authorization by passage of an amendment to the Federal Social Security Act and the Internal Revenue Code. Otherwise, experience rating would have to be adopted to permit tax rate adjustment.

According to latest reports made available to the commission the reserve fund is now close to $150,000,000. The amount paid out last year in benefits was $44,260,799 and the average paid out during the past three years was approximately $56,800,000.

Consequently, it would appear that since the reserve fund has reached a point that might be considered excessive in proportion to requirements, the Legislature has been presented with a direct avenue of approach to lay the ground work for a reduction in the present employer compensation rate.

Similarly, the recommendations made in January would provide employes with specific advantages in connection with excessive reserves.

Proponents of the employer experience rating plan for Pennsylvania have pointed out that the adoption of such a plan would provide a lower tax rate for employers and enable them to regulate employment with a view to possible expansion in principal industries.

Against this, we have the contention on the part of opponents of the plan that the experience rating system would not stabilize employment but would stabilize underemployment.

Thus, the subject of employer experience rating is a highly debatable one . . . a subject which on the basis of our findings to date, warrants further inquiry to make it complete and applicable to the problems associated with industry in the Commonwealth.

The past history of American business includes many examples of unstable organizations which, by means of more intelligent scheduling of their operations, have been able to iron out the peaks and valleys of employment curves to the mutual advantage of management and labor.

The report on experience rating in intended as a barometer of what might be accomplished in Pennsylvania as compared to the operation of this system in other states.

For example, four states now have experience rating; 13 additional states will put experience rating into effect this year and 19 other states, and the District of Columbia and Hawaii, have provisions for its adoption in 1942.

Only further study will determine whether its adoption will be of benefit to Pennsylvania and how this will take shape.

May I suggest that you scrutinize the report carefully and note particularly the elaborate tables which paint a concise picture of how merit or experience rating is being carried out in other states.

I am confident that the observations made in this direction will be of sound value in helping to map a practical legislative course for Pennsylvania, one in which industry's importance to the social and economic destiny of the Commonwealth will, I am sure, be given your conscientious consideration.

I wish to thank the members of my committee for their sincere attention to this study. In the Senate, I particularly wish to commend the gentlemen from Luzerne, Mr. Miller; the gentleman from Westmoreland, Mr. Dent, and the gentleman from Jefferson, Mr. Wilson.

A vote of acknowledgement is especially due Mr. A. Alfred Wasserman, director of the commission, for the invaluable statistical contributions which have helped make this work possible.

Through their efforts, this final study on unemployment compensation takes its place among other legislative documents which have shown the way to improvement within the Commonwealth.

The PRESIDENT. The Joint Report to the General Assembly of Recommendations for Amending the Unemployment Compensation Law, Part 2, Employer Experience Rating in Unemployment Compensation made by the Joint State Government Commission and the Joint Legislative Committee to study Unemployment Compensation Provisions, which is dated January 1941, will be noted in the Legislative Journal and printed copies distributed on the desks of the Senators.

RESOLUTION CALLED FROM TABLE

Mr. GELTZ. Mr. President, I call up at this time for action concurrent resolution relating to the printing of the first report on tax and financial problems of the Commonwealth, and move its immediate adoption, as amended.

The PRESIDENT. The gentleman from Allegheny, Mr. Geltz, moves that the resolution as amended be adopted.

Mr. SHAPIRO. Mr. President, what is that resolution?

The PRESIDENT. For the information of the Senate, the Clerk will read the resolution, and then the amendment.

The Clerk read the resolution as amended as follows:

In the House of Representatives, February 26, 1941.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by The Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly. 1000 of said copies shall be for the use of the Joint State Government Commission.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, does this resolution come from the House?

The PRESIDENT. The Chair so understands.

Mr. SHAPIRO. Mr. President, are they asking unanimous consent to its consideration at this time?

The PRESIDENT. As amended.

Mr. SHAPIRO. As amended, Mr. President.

The PRESIDENT. Yes.

Mr. SHAPIRO. Mr. President, I am obliged to object, because of the preamble. I do not want to put myself on record as to whether this report is of great value or not. I have no objection, Mr. President, to the purpose of the resolution, but I object to the statement in this resolution that the publication is of great value. The trouble with most of these resolutions is that they have a good purpose, but they start off making legislation and making declarations of fact which I do not agree with.

MOTION TO LAY ON TABLE

Mr. SHAPIRO. Mr. President, I move that the resolution be laid on the table for the time being.

Mr. JASPAN. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, I ask my colleagues to vote against this motion.

The PRESIDENT. The question before the Senate is as to the adoption of the motion made by the gentleman from Philadelphia, Mr. Shapiro, which was seconded by the gentleman from Philadelphia, Mr. Jaspan, that the resolution be laid on the table.

MOTION WITHDRAWN

Mr. SHAPIRO. Mr. President, if the gentleman from Allegheny does not want the resolution laid on the table, I will withdraw my motion, and I will enter my objection to unanimous consideration at this time.

My reason for moving to lay it on the table was for the purpose of having it amended, which can be done promptly without interference. I will withdraw my motion to lay the resolution on the table and ask the seconder to withdraw his motion.

Mr. JASPAN. Mr. President, I withdraw my seconding of the motion made by the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. The motion of the Senator from Philadelphia, Mr. Shapiro, seconded by the gentleman from Philadelphia, Mr. Jaspan to lay the resolution on the table is withdrawn.

The Senator from Philadelphia, Mr. Shapiro, has objected to unanimous consent and the resolution will go over for a day.

BILLS INTRODUCED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 326, entitled:

An Act to authorize school districts and vocational school districts to solicit sealed bids for the purchase of material, supplies and equipment to be used for training or retraining workers and prospective workers for industries essential to national defense; waiving all statutory requirements as to advertising for said bids.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 327, entitled:

An Act to further amend paragraph six of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred eighty-one), entitled "An act for the better government of cities of the first class of this Commonwealth," as heretofore amended by an act, approved the twelfth day of April, one thousand nine hundred and thirty-five (Pamphlet Laws, twenty-five), by authorizing the Civil Service Commission of such cities to make and establish regulations governing the reinstatement of persons who, without fault or delinquency, have resigned or have been separated from the service.

Which was committed to the Committee on Municipal Government.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 328, entitled:

An Act to amend section two thousand one hundred and one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum salaries or compensation for paid fireman and paid employees of the fire department in such cities.

Which was committed to the Committee on Municipal Government.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 329, entitled:

An Act to amend clause (a) of section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," fixing the time of day that the open season shall begin for charr, commonly called brook trout and any species of trout except lake or salmon trout.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. HENRY I. WILSON read in his place and presented to the Chair Senate Bill No. 330, entitled:

An Act to add section one thousand two hundred eighteen to, and to amend section one thousand four hundred one of, the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for the payment to the various counties out of the Game Fund, of the cost of boarding prisoners convicted of violating the game laws.

Which was committed to the Committee on Forests and Waters, Game and Fish.

He also read in his place and presented to the Chair Senate Bill No. 331, entitled:

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 597), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," providing for the return and payment of said county (and in certain cases city and county) tax to the county treasurer on or before February fifteenth of each year.

Which was committed to the Committee on County Government.

Mr. McCREESH read in his place and presented to the Chair Senate Bill No. 332, entitled:

An Act making an appropriation to the Children's Heart Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 333, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Commercial Museum Exhibition and Convention Halls.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 334, entitled:

An Act making an appropriation to the Mercy Hospital and School for Nurses, Fiftieth and Woodland Streets, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SNOWDEN (By request), read in his place and presented to the Chair Senate Bill No. 335, entitled:

An Act to amend clause (e) section two thousand five of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by exempting federal authorities from payment of cost of publication of maps showing complete road surveys of each county furnished such federal authorities upon request by the Department of Highways.

Which was committed to the Committee on State Government.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 336, entitled:

An Act to amend subsection A of section nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further regulating the publication of advertisements and notices required under the provisions of said act.

Which was committed to the Committee on Banking.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 81, as follows:

An Act to amend section one thousand one hundred and forty-seven of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by extending the power to accept roads streets lanes and alleys dedicated as public highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred and forty-seven of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as added by section two of the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1299) is hereby amended to read as follows

Section 1147 Taking Over of Roads Streets Lanes and Alleys Heretofore Dedicated as Public Highways Whenever plans of dedicated roads streets lanes or alleys located in second class townships have been adopted approved and recorded the board of supervisors of any such township may with the consent of the court of quarter sessions upon petition filed accept any roads streets lanes or alleys as public highways if shown in said plans as dedicated to such use and provided the roads or streets shall be not less than thirty-three feet in width and the lanes or alleys not less than fifteen feet in width said acceptance to be evidenced by a resolution of the said board of supervisors properly describing said roads streets lanes or alleys and adopted by a majority thereof by a vote duly recorded and entered upon the minutes of said board Upon the filing with the clerk of courts of quarter sessions of the county in which said township shall be situate a certified and attested copy of said resolution with the consent of the court endorsed thereon such roads streets lanes or alleys shall be and become a part of the public highway system of said township and shall be so recorded in said court of quarter sessions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Ziesenheim,
Dent,	Kephart,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 151, as follows:

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office and validating deeds heretofore so executed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any treasurer who shall have made a sale of seated or unseated land shall die or be removed from office or when the term of office of such treasurer shall have expired before any deed or deeds are executed by him to the purchaser or purchasers then and in very such case it shall be the duty of the treasurer for the time being to perfect such title and execute a deed or deeds to the purchaser or purchasers and they are hereby empowered and required upon the full discharge and payment of the money or price for which the said lands were sold with such costs and charges as remain unpaid to make execute and acknowledge any deed or deeds and to perform and do all other matters and things that by the former treasurer might could or ought to have been performed or done which when done shall be held and adjudged as effectual in law as if the title had been completed by the former treasurer and any deed or deeds heretofore executed by any treasurer in accordance with this section are hereby validated

Section 2 Section two (2) of the act approved the thirteenth day of March one thousand eight hundred and fifteen (P. L. 177) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'" and the amendment thereto is hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Shapiro,
Bartlett,	Ealy,	Lanius,	Snowden,
Becker,	Edmonds,	Letzler,	Stevenson,
Carr,	Farrell,	Mallery,	Stiefel,
Chapman,	Frey,	McCreesh,	Taylor,
Coleman,	Geltz,	McGinnis,	Thomas,
Cox,	Haluska,	McQuiddy,	Tyler,
Crider,	Heyburn,	Miller,	Wade,
Crowe,	Homsher,	Reed,	Walker,
Deitrick,	James,	Ruth,	Wilson, H. I.,
Dent,	Jaspan,	Scarlett,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 244, as follows:

An Act to amend section one of the act approved the fifteenth day of June one thousand eight hundred and ninety-seven (P. L. 159) entitled "An act authorizing controllers of the several cities of this Commonwealth to oppoint probate clerks" by providing for the appointment of additional probate clerks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of June one thousand eight hundred and ninety-seven (P. L. 159) entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That controllers of the several cities of this Commonwealth shall be and are hereby authorized to appoint from among their employes one or more persons to be probate clerks who shall have power to administer oaths or affirmations in all matters relating to accounts against said city

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Kephart,	Shapiro,
Bartlett,	Ealy,	Lanius,	Snowden,
Becker,	Edmonds,	Letzler,	Stevenson,
Carr,	Farrell,	Mallery,	Stiefel,
Chapman,	Frey,	McCreesh,	Taylor,
Coleman,	Geltz,	McGinnis,	Thomas,
Cox,	Haluska,	McQuiddy,	Tyler,
Crider,	Heyburn,	Miller,	Wade,
Crowe,	Homsher,	Reed,	Walker,
Deitrick,	James,	Ruth,	Wilson, H. I.,
Dent,	Jaspan,	Scarlett,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 65, entitled:

An Act permitting and regulating fishing in certain reservoirs used for public water supply purposes in accordance with rules and regulations adopted by the Board of Fish Commissioners; modifying the laws with respect to trespass, and imposing penalties.

ANNOUNCEMENT

Mr. EDMONDS. Mr. President, I wish to announce that the Committee on Insurance will hold its first meeting tonight at 8:30 on "E" floor, where the Senate rooms are located, to consider Senate Bills Nos. 266, 267, 268, and 236.

Mr. President, the sponsor of these bills, who are not members of the committee, are invited to attend the meeting, together with any others who may be interested in these measures.

BILLS INTRODUCED

Mr. COLEMAN. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. If there objection? The Chair hears none.

Mr. COLEMAN read in place and presented to the Chair Senate Bill No. 337, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by exempting the real property of aged persons from liability for repayment.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in place and presented to the Chair Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith: abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

Which was committed to the Committee on Municipal Government.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, I realize some of my colleagues have a dinner engagement so I shall be very brief in giving you my point of personal privilege.

I think all of my colleagues this morning received in the mail a copy of the Johnstown Democrat edited by a lifelong friend of mine known as Hiram G. Andrews. Mr. President, in this column of his this man attacks members of the House and Senate on their votes and on their actions regarding the Eckels Milk Bill.

Mr. President, he goes on and states the bill is very unfair, and I will quote one of his paragraphs:

"What price democracy? A few pints of milk? There is no more reason why families should be required to buy a definite quantity of milk each day than there is why they should be required to buy so many pounds of potatoes each week. The Eckels bill is State Socialism, Naziism, Hitlerism, Fascism gone mad. It is the most outrageous invasion of elementary human rights ever attempted in any democratic country. The men who sponsored the Eckels bill were thoroughly selfish and the legislators who enacted it probably did so in a weak moment.

"Senator Haluska, and at least two of his legislators from the north of the county, are FOR the Eckels bill and will OPPOSE its repeal. Haluska's stand is not surprising, since the milk distributors have always contended that 'Haluska always did whatever we asked him to do.'"

Mr. President, this man, I charge, has gone mad. I shall at a later date read into the journal some of the remarks he has made ever since I have been reelected to

this body. I might state for the information of my colleagues that the same man who wrote this article happened to be my opponent, seeking the same seat I now hold. Ever since the day I defeated him, he has continuously written about me and has been very unfair, and I charge he has gone mad when he states that the milk dealers always told him that I was under their control.

I doubt if I have ever received any votes from the milk dealers; if I have, it was beyond my knowledge. I resent a newspaper man who will send out such an editorial to the members of this body and say they were selfish when they voted for such a bill.

As I said a moment ago, I will probably next week bring before this body certain charges that have appeared in the Johnstown Democrat in the last twelve months.

RECESS

Mr GELZ. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 475, (Senate Bill No. 339), entitled:

An Act to further amend section seven of the act approved the twenty-fourth day of June, one thousand eight hundred and ninety-five (P. L. 212), entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgments", as amended, to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 238, (Senate Bill No. 340), entitled:

An Act requiring cities of the second class A, having fire departments, to allow members of said fire departments twenty-four consecutive hours of rest each week, and fourteen days vacation with pay each year, except in emergency cases.

Which was committed to the Committee on Municipal Government.

House Bill No. 603, (Senate Bill No. 341), entitled:

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn.

Which was committed to the Committee on Judiciary General.

House Bill No. 366, (Senate Bill No. 342), entitled:

To add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Which was committed to the Committee on Highways.

SENATE BILL NO. 79 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 79, (House Bill No. 466), entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Under the Rules this will be placed on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hear none.

Mr. MILLER, from the Committee on State Government, reported as amended, Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER from the Committee on Judiciary General reported as committed, Senate Bill No. 252, (House Bill No. 320) entitled:

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

GRANTING USE OF SENATE CHAMBER FOR PUBLIC HEARING TO COMMITTEE ON MUNICIPAL GOVERNMENT

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON, offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 11, 1941.

Resolved, That the Committee on Municipal Government of the Senate of Pennsylvania be granted the use of the Senate Chamber for a public hearing on Senate Bill No. 7, to be held on Tuesday, March 18, 1941, at 2:00 p. m.

REPORTS FROM COMMITTEES

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH from the Committee on Judiciary General reported as committed, Senate Bill No. 187, entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax or the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

Mr. JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN, from the Committee on Public Utilities reported as committed, Senate Bill No. 237, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act permitting and regulating fishing in certain reservoirs used for public water supply purposes in accordance with rules and regulations adopted by the Board of Fish Commissioners; modifying the laws with respect to trespass, and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 163, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), etitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing pen-

alties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 237, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended, "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employees and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons with the said classifications.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 247, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 252, (House Bill No. 320), entitled:

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 291, (House Bill No. 381), entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain right, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 293, (House Bill No. 402), entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act to further amend section 10 of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation;" by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs towns and townships of the Commonwealth for maintenance, construction, reconstruction resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 299, entitled:

An Act to further amend section one of the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 737), entitled "A supplement to an act, entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boards, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor,' approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," providing for the payment of maintenance fees by pupils, and the disposition thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 300, entitled:

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

INTERROGATION

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. With pleasure, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman tell me whether or not the committee of which he is the Chairman had a meeting this afternoon.

Mr. WALKER. Mr. President, the answer is, yes.

Mr. HALUSKA. Mr. President, will the gentleman tell me whether or not there was any action on Senate Bill 133 which is in his committee.

Mr. WALKER. Mr. President, the answer is, yes.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether or not the bill was read.

Mr. WALKER. Mr. President, I can only answer for one member of the committee and that is myself; as far as I am concerned, the answer again is yes.

Mr. HALUSKA. Mr. President, does the gentleman from Allegheny realize or have any idea as to what Senate Bill 133 relates to?

Mr. WALKER. Mr. President, Senate Bill 133 is commonly described by my colleagues as the bingo bill.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether or not that bill was discussed?

Mr. WALKER. The bill was discussed, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me what action was taken on that bill?

Mr. WALKER. Mr. President, I have no objection to telling the gentleman from Cambria that the action of the committee was to indefinitely postpone the bill.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether the same action was taken on Senate Bill 134.

Mr. WALKER. I might say, Mr. President, the same action was taken on Senate Bills 134 and 135.

Mr. HALUSKA. Senate Bill 134 relates to what, Mr. President.

Mr. WALKER. Mr. President, Senate Bill 134 relates to slot machines and other similar devices of skill or chance.

Mr. HALUSKA. Will the gentleman from Allegheny tell us what Senate Bill 135 relates to?

Mr. WALKER. Mr. President, Senate Bill 135 was the bill to establish horse racing in Pennsylvania—I beg your pardon, Senate Bill 135 is your pin ball game.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether action on that bill was also postponed?

Mr. WALKER. Yes, Mr. President. May I say, Mr. President, in order to clarify what was said as to the horse racing bill, which is Senate Bill 96, and in order to save the gentleman from Cambria further interrogation, this bill was very carefully considered by the committee, and that is the bill to regulate horse racing and wagers on the

results, and I might say for the information of the gentleman from Cambria that that bill was also indefinitely postponed by the committee.

Mr. HALUSKA. Will the gentleman from Allegheny tell me whether or not he has any knowledge of pin ball games being used in different places of amusement such as drug stores, hotels and whatnot in this Commonwealth?

Mr. WALKER. Mr. President, I have observed various citizens of the Commonwealth of Pennsylvania amusing themselves by playing pin ball machines, or machines that I took to be pin ball machines, at various places in the Commonwealth of Pennsylvania.

Mr. HALUSKA. Will the gentleman from Allegheny state whether or not he knows they are illegal?

Mr. WALKER. Mr. President, I am an attorney and I refuse to give legal advice free.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny state whether or not the Commonwealth of Pennsylvania is today collecting a mercantile tax on pin ball machines?

Mr. WALKER. I am so advised, Mr. President.

Mr. HALUSKA. Mr. President, the gentleman does have knowledge they are collecting a mercantile tax from pin ball machines?

Mr. WALKER. I am so advised, that they are collecting a mercantile tax on pin ball machines.

Mr. HALUSKA. Despite the fact that it might be illegal?

Mr. WALKER. Mr. President, there again I refer the gentleman from Cambria to my former answer; I am not passing on the legality of pin ball machines.

Mr. HALUSKA. Mr. President, does the gentleman from Allegheny know whether or not his own county or his own city of Pittsburgh has an ordinance on its books asking and collecting a tax on pin ball machines?

Mr. WALKER. Mr. President, may I say the Borough of Oakmont does not have such an ordinance?

Mr. HALUSKA. Mr. President, does the gentleman know whether or not that statement applies to the City of Pittsburgh?

Mr. WALKER. Mr. President, I do not reside in Pittsburgh and I am not familiar with the ordinances and as yet the bill requiring me to take judicial notice of ordinances is not a law.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cambria may proceed.

Mr. HALUSKA. Mr. President, I wish to state it may be a laughing matter but the fact does remain that a number of counties in this Commonwealth and a large number of cities are collecting revenue from pin ball machines and I have further knowledge that the Commonwealth of Pennsylvania is collecting mercantile taxes on pin ball machines and I have further knowledge that in certain counties after they had collected the revenue from pin ball machines the State Police went back to the same places and had them arrested for gambling and having illegal machines on the floor.

I think a bill of that importance should be brought out of committee, and give to the people of this Commonwealth an opportunity to have a public hearing. We above all should know whether or not when we play these pin ball machines we are playing them legally or illegally.

I think a bill of that type should be brought out of committee and placed before this body and we should decide whether or not we have a right to play those machines.

Some weeks ago the gentleman from Philadelphia, Mr. Kephart, introduced a resolution pointing out that the amount of money received for housing by relief clients is inadequate. I am told the reason they pay such a small sum is because they do not have sufficient revenue to pay more. I have shown in my humble way how it is possible to license these machines and give these folks who are on relief a decent standard of living.

But no, you find fault with my proposals; you find fault with all of them; and I dare say ninety per cent of you will go down the street tonight and play these pin ball machines, and down in your hearts you really believe you are doing it legally.

I say if it is illegal we should ask for enforcement and if it is legal let us here enact legislation and derive a revenue from these machines.

Mr. President, these machines all come from out of the state; are sent in on a commission basis and we spend thousands and thousands of dollars in these machines daily and the Commonwealth of Pennsylvania is not receiving any money from same, only in some cases where they collect a mercantile tax one day and then go back the next day and have them arrested for conducting these games.

So. Mr. President, I am very much surprised—you know, Mr. Walker, your committee saw fit to postpone these bills. I am satisfied that they had no care for the poor people of our Commonwealth and certainly your committee is responsible if Mr. Kephart's resolution stays in committee because there is not sufficient revenue to take care of the people of our Commonwealth.

Mr. WALKER. Mr. President, I interrogate the gentleman from Cambria?

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. With pleasure, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Cambria if it is not true all of the bills that he has referred to in his remarks are revenue producing measures.

Mr. HALUSKA. The preamble of the bill speaks for itself and the gentleman from Allegheny said a while ago he was an attorney and if he is one he knows the question is out of order.

Mr. WALKER. Mr. President, I desire to point out to the gentleman from Cambria, and I am not in the least violating my suggestion as a lawyer who hates to practice law for fun, that the bills referred to by the gentleman from Cambria are revenue producing bills, revenue measures, and it is my impression the Constitution requires that such bills be introduced in the House, so the gentleman from Cambria should not be surprised as to any action taken by the committee.

Mr. HALUSKA. Mr. President, that calls for an answer. Senate Bill No. 135 is a bill to legalize and regulate the practice of playing pin ball games, hi-score games or

other games or devices of skill imposing a license fee on all keepers of such games, providing for the collection of said fee and imposing certain duties upon mercantile appraisers, county treasurers and the Department of Revenue, and appropriating the proceeds from such fees to the Department of Welfare.

That, Mr. President, I believe answers the question as put by the gentleman from Allegheny; it is not a direct revenue raising bill.

Mr. WALKER. Mr. President, I do not care to carry on this discussion any further. I refuse to argue medicine with a doctor for very obvious reasons and I have no desire to argue law with a layman, but may I suggest the gentleman from Cambria has just proven the point they are revenue raising measures and rightfully belong in the House and not in the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I desire to speak on a further question of personal privilege.

The PRESIDENT. The gentleman from Cambria may proceed.

Mr. HALUSKA. Mr. President, I will be very brief. This morning I spoke briefly on an editorial appearing in the Johnstown Democrat. This evening I will speak briefly on another editorial, appearing in the Pittsburgh Press last Sunday, edited by a friend of mine called Ken McFarland. I would like it to be known that Mr. McFarland and I have enjoyed very good friendship but last Sunday he spoke of two of my colleagues, including myself. He pointed out that under the question of personal privilege the Senate has abused it very much. He might be correct. He pointed cut that my friend, the gentleman from Warren, Dr. Chapman, has taken up a lot of space in the editorials or else in the journal and it has cost, I think he quoted a figure of eleven hundred dollars a page. He further quoted that my colleague from Philadelphia, Mr. Shapiro, has cost the Commonwealth of Pennsylvania three hundred dollars per page. Then he goes down the line and points to the Senator from Cambria, myself, and says my speeches were short but I made eight of them and they cost less than ninety dollars per page.

Mr. President, I do not know what we are coming to but it all reminds me of an incident which happened back in 1935 in the House of Representatives when the late Speaker of the House, Mr. Sarig, one afternoon, being in a joyful mood ascended the rostrum, brought down the gavel and said, "All visitors take their seats and the members retire to the gallery."

I think, Mr. President, the Pittsburgh press is now trying to insinuate that all members of this Senate should retire to the gallery and the press writers take our seats.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

GRANTING USE OF SENATE CHAMBER FOR A PUBLIC HEARING TO COMMITTEE ON AGRICULTURE

Mr. SCARLETT. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCARLETT offered the following resolution which was twice read, considered and agreed to:

In the Senate, March 11, 1941.

Resolved, That the Committee on Agriculture of the Senate of Pennsylvania be granted the use of the Senate Chamber for a public hearing on Senate Bill No. 294 (House Bill No. 481), to be held on Wednesday, March 26, 1941, at 1:00 p. m.

REPORT FROM COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, of the Commonwealth of Pennsylvania:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

J. Myron Honigman, Philadelphia, from August 15, 1940, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES.

MEMBER OF THE STATE BOARD OF EXAMINERS FOR THE REGISTRATION OF NURSES

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

(Miss) Margaret R. Gilliland, Clearfield, from November 22, 1940, for the term of six years, and until her successor is appointed and qualified.

ARTHUR H. JAMES.

MEMBERS OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office. Harrisburg.

Earl D. Bond, Philadelphia, from December 17, 1940, for the term of four years, and until his successor is qualified.

George L. Alston, Swarthmore, from December 17, 1940, for the term of four years, and until his successor is qualified.

Meade L. Barr, Haverford, from December 17, 1940, for the term of four years, and until his successor is qualified.

Louis C. Spring, Bristol, from December 17, 1940, for the term of four years, and until his successor is qualified.

George A. Williams, Philadelphia, from December 17, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

RE-APPOINTMENT AS MEMBER OF THE ELK COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harrison Beardsley, Johnsonburg, Elk County, for reappointment as a member of the Elk County Board of Assistance, until December 31, 1943, and until his successor is duly appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF THE FRANKLIN COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Franklin County Board of Assistance, for the terms set opposite their names:

Mrs. Rose G. Holler, 48 North Second Street, Chambersburg, until December 31, 1943. (Reappointment)

Mrs. E. Viola Hockman, Main and Potomac Streets, Waynesboro, until December 31, 1943. (Reappointment)

Mrs. Anna A. McGee, Spring Run, until December 31, 1943. (Reappointment)

Miss Rhoda Berger, Cove Gap, until December 31, 1941, and until her successor is duly appointed and qualified, vice Edgar W. Diehl, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, January 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Susquehanna County Board of Assistance, for the terms set opposite their names:

E. E. Corey, Auburn Center, (Meshoppen P. O.) until December 31, 1943.

Miss Mercedes O. Cubria, Montrose, until December 31, 1943.

Mrs. Nellie Ness, Susquehanna, until December 31, 1943.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE FOR THE BOROUGH OF JAMESTOWN, MERCER COUNTY

Commonwealth of Pennsylvania.
Governor's Office. Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. A. Hudson of Jamestown, Mercer County, for appointment as Justice of the Peace in and for the Borough of Jamestown, Mercer County, until the first Monday in January, 1942, vice S. A. Willson, deceased.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE FOR TOWNSHIP OF NEWBERRY, YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James W. Blessley, of R. D. 1, Etters, York County, for appointment as Justice of the Peace in and for the Township of Newberry, York County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE FOR TOWNSHIP OF CARBONDALE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward S. Battle, 115 Powderly Street, Carbondale, Lackawanna County, for appointment as Justice of the Peace in and for the Township of Carbondale, Lackawanna County, until the first Monday in January, 1942, vice John F. Haran, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBERS OF THE BUSHY RUN BATTLEFIELD COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 3, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Bushy Run Battlefield Commission:

H. L. Good, Second and Oak Street, Irwin, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, to fill a vacancy.

C. Martin Bomberger, Jeannette, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice H. Burns Smith, whose term expired.

H. D. Diffenderfer, Export, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, to fill a vacancy.

James Gregg, Mt. Pleasant Road, Greensburg, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified, vice James K. Clarke, whose term expired.

M. A. Gillespie, 106 North First Street, Jeannette, Westmoreland County, until the third Tuesday of January, 1943, and until his successor shall have been appointed and qualified. (Reappointment)

Mrs. Caroline Lynch, Greensburg, Westmoreland County, until the third Tuesday of January, 1943, and until her successor shall have been appointed and qualified, vice Mrs. Kittie Painter Laffoon, whose term expired.

ARTHUR H. JAMES.

MEMBERS STATE BRIDGE AND TUNNEL COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg

Elmer D. Harshbarger, Pittsburgh, Allegheny County, until January 1943, and until his successor shall be duly appointed and qualified.

William H. Neely, Esq., Harrisburg, Dauphin County, until January 1943, and until his successor shall be duly appointed and qualified.

W. R. Wolfinger, Norristown, Montgomery County, until January 1943, and until his successor shall be duly appointed and qualified.

STATE BOARD OF PUBLIC ASSISTANCE LEBANON COUNTY

Hon. George T. Spang, Lebanon, Lebanon County, until January 1945, and until his successor shall be duly appointed and qualified.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS JUSTICE OF PEACE OF MONTOURSVILLE

William Nairn Hutchison, 354 Cherry Street, Montoursville, Lycoming County, for appointment as Justice of the Peace in and for the Borough of Montoursville, Lycoming County, until the first Monday in January, 1942, vice George Hanner, deceased.

APPOINTMENT AS ALDERMAN OF YORK COUNTY

John R. Lafean, 121 South Beaver Street, York, York County, for appointment as Alderman in and for the Fourth Ward of the City of York, York County, until the first Monday in January, 1942, vice Jacob Stager, deceased.

ARTHUR H. JAMES

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. TAYLOR

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. TAYLOR

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. Is it the desire of the Senate that the nominations be acted on individually or collectively?

Mr. SHAPIRO. Mr. President, I suggest that we act on them as a whole, unless there is objection.

The PRESIDENT. The Chair hears none. It is so ordered.

Mr. SHAPIRO. Mr. President, I should like to make a statement in connection with the nominations for the Board of Trustees of the Philadelphia State Hospital. There has been some evidence here of the method of appointments by the Governor and I want to say very frankly that I do not like the proceedings under which we are now working. The Constitution of the Commonwealth of Pennsylvania provides the Governor shall ask our advice and consent and for many years I have taken the position the Governor does not seek our advice and our consent does not mean anything because if we do not consent the Governor appoints them again after we leave. Generally speaking we are handed a list of names and we are told to approve or disapprove of these people and we are becoming more and more in the nature of a rubber stamp.

One thing I do object to and I think we can make it a matter of record, is that when an institution is to be governed it ought to be governed, if it is local, by people in the locality. It is possible if we wanted to take the time to examine the qualifications of each person—but it would not make any difference because if they did not suit us and we did not approve the nominations the Governor would appoint them anyway.

As to Philadelphia, Mr. President, ordinarily I would have raised an objection and withheld action on the Board of Trustees for the Philadelphia Hospital as far as it was in my power, if it were not for the fact that the hospital has been unlawfully and illegally operated for a period of almost two years now, because the law requires it shall be operated by a Board of Trustees. A Board of Trustees was nominated by the former Governor of this Commonwealth and the nominations were withdrawn within two days after the present Governor took office and for eighteen months thereafter no reappointments were made.

Recently, Mr. President, when we convened or right before we convened appointments were made to that institution and of the five persons appointed, three of them do not live in Philadelphia and of the other two, so far as I am concerned, only one is known to me and that is Dr. Bond, who was a member of the old board, and while I am voting for these people because I cannot do anything else about it I am making the statement for the purpose of this record that I think appointments to institutions of this type should be made by people who know something about what is going on and by persons who live in the community.

Mr. President, I make the statement now that information has come to my knowledge within the last forty-eight hours that one man was within the last four or five days beaten up by one of the guards, and all that was done with regard to the guards in Byberry was to have one of them suspended and the other may or may not be discharged. The man is still on his back, he has been physically beaten up by one of the guards who was drunk, and under those circumstances, as an illustration, in addition to the fact that there were over four hundred deaths in Byberry in 1940, the people in charge of such institutions should know something about them. I am voting in favor of these people because there is nothing else we can do about it.

I may say very frankly I propose to introduce a bill which would make it impossible for the Governor to reappoint persons after they were once refused or rejected by the Senate, or not acted upon but from a study of the Constitution and cases decided under the provisions of the Constitution I am of the opinion we can do nothing about it and under all the circumstances all I can do is to voice my protest and make it a matter of record.

Mr. EDMONDS. Mr. President, there is only one of those five nominees known to me but I think it only fair to state that Dr. Earl Bond is a man not only of the highest character but of the highest professional reputation and it seems to me if the other appointments equal that grade they certainly ought to be satisfactory to the people of this Commonwealth.

Mr. SHAPIRO. Mr. President, Dr. Bond was one of the men I originally recommended to Governor Earl for appointment to the Board. The original Board of Trustees consisted of men who were known in the community of Philadelphia. When all of us, Democrat and Republican appointees alike, proceeded to organize that Board of Trustees we unanimously chose Mr. William A. Schnader, former Attorney General and a Republican, as chairman of our board.

Another very eminent man on there was Dr. William A. Krusen, a Republican, and formerly Director of Health in Philadelphia.

We had a very fine board, Mr. President, and the fact

that I was a member of that board prevents me from saying anything, but outside of myself there could not have been a word of criticism directed against them.

I know Dr. Bond and I know he is a man that knows his business but I venture to fear very much for what will happen when he is confronted with four or five other people on the board about whom nobody knows anything, and certainly people who do not live in the community, and as I am informed, one of them happens to be a painter somewhere in North Philadelphia.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Ealy,	Lanius,	Shapiro,
Bartlett,	Edmonds,	Letzler,	Snowden,
Becker,	Farrell,	Mallery,	Stevenson,
Carr,	Frey,	McCreesh,	Stiefel,
Cavalcante,	Geltz,	McGinnis,	Taylor,
Chapman,	Haluska,	McQuiddy,	Thomas,
Coleman,	Heyburn,	Miller,	Tyler,
Cox,	Homsher,	Reed,	Wade,
Crider,	James,	Ruth,	Walker,
Crowe,	Jaspan,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations reported without recommendation the following nominations, made by His Excellency, the Governor, of the Commonwealth:

RETURNING NOMINATION OF MEMBER OF BOARD OF TRUSTEES OF SHAMOKIN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on January 7, 1941, for the appointment of Charles Petrovich, Kulpmont, as a member of the Board of Trustees of Shamokin State Hospital.

ARTHUR H. JAMES.

RETURNING NOMINATION OF MEMBER OF BOARD OF TRUSTEES OF THADDEUS STEVENS INDUSTRIAL SCHOOL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination made to your Honorable Body on January 7, 1941, for the appointment of the following persons as members of the Board of Trustees of Thaddeus Stevens Industrial School:

Mrs. Helen Trescher Arnold, R. F. D. No. 5, Lancaster, Lancaster County.

Clifford C. Aument, Quarryville, Lancaster County.

Louis B. Bond, Christiana, Lancaster County.

Claude W. Breneman, Elizabethtown, Lancaster County.

Wm. A. Brock, 340 North Mulberry Street, Lancaster, Lancaster County.

Dr. E. P. Clark, Intercourse, Lancaster County.

Park H. Lutz, R. F. D. No. 1, Denver, Lancaster County.

Hon. Oliver S. Schaeffer, 1124 Wheatland Avenue, Lancaster, Lancaster County.

Theodore Schwalm, 304 Atkins Avenue, Lancaster, Lancaster County.

ARTHUR H. JAMES.

Mr. JAMES. Mr. President, these nominations are reported from the Committee on Executive Nominations without recommendation in order that they might be returned to the Governor in accordance with his request.

The PRESIDENT. The question is whether the Senate will agree that the nominations be returned to the Governor.

On the question,

Will the Senate agree to returning the nominations to the Governor.

It was agreed to.

SAINT PATRICK'S DAY DINNER

The PRESIDENT. The Chair understands the gentleman from Philadelphia, Mr. McCreesh, desires to make a statement.

Mr. McCREESH. Mr. President, I would like to remind the Senate of the fact that next Tuesday night there is to be a dinner at the Penn Harris Hotel and the committee would like to have the members of the Senate procure their tickets as quickly as possible so that we may make arrangements to seat them.

The Chair has a letter which I would like to have read for the information of the Senate.

The letter was read as follows:

"March 11, 1941.

"Senator McGinnis,
State Senate.

"Dear Senator:

"Will you please address the Senate today, explaining to them that the Bi-Annual Dinner of the Legislative Sons of Saint Patrick will be held at the Penn-Harris Hotel, Tuesday, March 18, 1941 at 8 p. m.

"Tickets will be $4.00 per plate. This includes dinner, refreshments and entertainment.

"Please impress the senators with the necessity of making reservations before the session ends this week.

"Tables for 6 persons and 8 persons are available.

"Make reservations at the office of the Chief Clerk of the House of Representatives."

APPOINTMENT OF COMMITTEE TO INVESTIGATE APPOINTMENTS TO SHAMOKIN STATE HOSPITAL

The PRESIDENT. On behalf of the President Pro Tem, the gentleman from Somerset, Mr. Ealy, in conformity with the resolution offered by the gentleman from North-

umberland, Mr. Dietrick. to investigate the Shamokin State Hospital, the following appointments are announced.

The gentleman from Northumberland, Dr. DIETRICK.
The gentleman from Warren, Dr. CHAPMAN.
The gentleman from Washington, Mr. REED.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny, Mr. McGinnis, will state his question of personal privilege.

Mr. McGINNIS. Mr. President, in connection with the letter just read I might state that for a number of years the Legislative Sons of St Patrick at every regular session of the Legislature have arranged for a dinner to celebrate St. Patrick's birthday. I happen to be a member of that committee, appointed by the President Pro Tempore of this Senate, working with the members from the House appointed by the Speaker of the House, the committee met last night and arranged for the dinner, refreshments and entertainment next Tuesday evening at eight o'clock at the Penn-Harris Hotel.

Tickets are four dollars each and ladies are welcome—at four dollars each.

Tables are arranged for six and eight at a table. Any group that wishes a table of six or eight may have it.

The committee, in order to have a successful entertainment and lay all the plans, ought to know this week how many intend to be present. It is difficult for the hotel to arrange and it is difficult for the committee to arrange for entertainment and space and so forth unless the committee knows this week just how many are going to attend.

Mr. President, the entertainment will be of the best; we will have music, Irish music, with Irish tenors direct from the Emerald Isle and Irish music galore.

I can assure all of those who have not attended any of those dinners previously that they will have a delightful evening and will never regret attending.

Mr. SHAPIRO. Mr. President, I should like to say a word in behalf of this dinner. For years I have been trained in the theory and the practice of the Catholic religion. I recall as a boy when I passed St. Augustine's Church at Fourth and New Streets, between Green and Fairmount Avenue, if I did not raise my hat I always got my block knocked off.

I remember the great consternation in my family when I came home and told them some of the young gentlemen who were my colleagues at that time had dragged me into the Church and baptized me with holy water, and as a result of that I have acquired a feeling of kinship toward the whole movement and feel it ought to be encouraged.

I am going to attend the dinner myself, even if I have to buy a ticket, and I am going to assure the gentlemen, as soon as they get this on a paying basis, I am going to arrange for Rabbi Bookstaber of Harrisburg to take it over—just as soon as you put it on a paying basis.

The PRESIDENT. The Chair might as well set an example for the Senators and purchase his ticket.

Mr. McGINNIS. Mr. President, I might add for the information of the Senators that the tickets for this dinner of the Legislative Sons of St. Patrick to be held next Tuesday evening at eight o'clock may be purchased downstairs from the Chief Clerk of the House.

Mr. BARR. Mr. President, you may return that money because the Chair is invited, as is the Governor, the President Pro Tempore, and the Speaker of the House. You are the only ones who will get in free.

The PRESIDENT. The Chair does not desire to be under any obligation to the Irish. The Chair hopes the Governor and the President Pro Tempore will do likewise because the Chair knows it will cost money to put on entertainment like the Legislative Sons of St. Patrick puts on.

Mr. STIEFEL. Mr. President, the gentleman from Philadelphia, Mr. Shapiro, mentioned that he is going to invite Rabbi Bookstaber to attend the dinner and in connection with that let me say that in 1937 the then Speaker of the House, Roy Furman, introduced the Rabbi to the Assembly as the Archbishop of the local Jewish Diocese.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, March 12, 1941, at 11:00 o'clock, a. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:40 o'clock, p. m. until Wednesday, March 12, 1941, 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 11, 1941

The House met at 1 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

Dear Heavenly Father, This day, we pause to ask for strength that we may work the works that Thou would'st have us to do, while it is day. May we not be mindful only to the needs of self but to the needs of those around about us-our neighbors. Remind us, O God, that this matter of 'doing good' is not optional, but is a commandment from Thee, which if obeyed will bring great joy to the hearts of those we are privileged to minister unto as well as a warning of our own heart in the effort put forth. Help us to be good servants of Thine, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. O'CONNOR, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. TURNER. HOUSE BILL NO. 729.

An Act to further amend section three hundred nine and subsection (a) of section three hundred eleven of the act,

approved the eleventh day of July, one thousand nine hundred and twenty-three, (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," imposing the expense of clothing persons admitted to schools for mental defectives on institution districts in certain cases; and giving the Commonwealth preference against the estates of such persons in such cases.

Referred to the Committee on State Government.

By Mr. PROSEN. HOUSE BILL No. 730.

An Act imposing certain duties on prosecuting or district attorneys and attorneys for the defendant in the trial of criminal cases.

Referred to the Committee on Judiciary General.

By Mr. PROSEN. HOUSE BILL No. 731.

An Act to amend section two of the act approved the fifteenth day of June, one thousand nine hundred and thirty-seven (P. L. 1743), entitled "An act relating to magistrates and magistrates' courts in the city of Philadelphia; imposing certain duties upon, and prohibiting certain practices by, magistrates; imposing certain duties on the city controller in regard thereto; authorizing the employment by him of additional clerks and fixing their compensation; regulating the practice in magistrates' courts, the entering of bail, and the issuance of discharges in criminal cases in the county of Philadelphia; conferring certain powers over magistrates and magistrates' courts, and imposing certain duties in connection therewith upon the judges of the courts of common pleas of the county of Philadelphia; providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates; fixing salaries of persons employed by authority of this act; providing penalties for violations of the provisions thereof; and repealing certain prior acts," increasing the number of magistrates.

Referred to the Committee on Cities—First Class.

By Mr. PROSEN. HOUSE BILL No. 732.

An Act to amend section two of the act, approved the tenth day of May, one thousand nine hundred twenty-seven (P. L. 866), entitled "An act relative to the establishment and jurisdiction of magistrates' courts in Philadelphia, and creating a board of magistrates; providing for a chief magistrate; prescribing their powers and duties; providing for clerks; establishing a central administrative office; imposing upon the City of Philadelphia the cost of establishment and maintenance of magistrates' courts, including payment of all salaries; fixing salaries and restricting magistrates to duties of office; and repealing certain prior acts," increasing the number of magistrates.

Referred to the Committee on Cities—First Class.

By Mr. TROUT. HOUSE BILL No. 733.

A joint resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Referred to the Committee on Constitutional Amendments.

By Mr. DIX. HOUSE BILL No. 734.

An Act to amend section thirteen and to further amend section eighteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock; poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs; and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," permitting certain dogs to be brought into the Commonwealth for hunting purposes by holders of nonresident hunting licenses, without securing a Pennsylvania dog license.

Referred to the Committee on Game.

By Mr. HIRSCH. HOUSE BILL No. 735.

An Act to further amend sections three, five, eleven, fourteen, and fifteen, of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled; as amended, "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for the mandatory appointment of justices of the peace, aldermen, magistrates and notaries public upon request, as agents of the Department of Revenue, supervising the issuance of dog and kennel licenses.

Referred to the Committee on Game.

By Mr. DALRYMPLE. HOUSE BILL No. 736.

An Act to further amend section two thousand five hundred and sixty-three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the penalties and interest imposed for the nonpayment of taxes.

Referred to the Committee on Cities—Third Class.

By Mr. MORAN. HOUSE BILL No. 737.

An Act providing a referendum to ascertain the will of the electors with respect to the adoption of daylight saving time as the official time during a portion of each year throughout the Commonwealth.

Referred to the Committee on State Government.

By Mr. STOCKHAM. HOUSE BILL No. 738.

An Act to amend the title, and sections one and two of the act approved the seventh day of May, one thousand nine hundred seven (P. L. 175), entitled "An act to provide revenue by imposing a license tax on all stock brokers,

bill brokers, note brokers, exchange brokers, merchandise brokers, factors or commission merchants, real estate brokers and agents, and pawnbrokers, whether persons, firms, limited partnerships, or corporations; providing for the collection of said tax, and imposing certain duties on county treasurers and mercantile appraisers," excluding real estate brokers and agents from the provisions of said act.

Referred to the Committee on Ways and Means.

By Mr. STOCKHAM. HOUSE BILL No. 739.

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process; and providing penalties," by further defining State employe.

Referred to the Committee on State Government.

By Mr. HABBEYSHAW. HOUSE BILL No. 740.

An Act to further amend the act approved the eleventh day of May, one thousand nine hundred twenty-one (P L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," making dog licenses valid throughout the Commonwealth.

Referred to the Committee on Game.

By Mr. PETROSKY. HOUSE BILL No. 741.

An Act prescribing a method for supplying or perfecting county records of births which occurred within the Commonwealth prior to the establishment of a State system for registering vital statistics authorizing the clerk of the orphans' court to supply or perfect missing or inaccurate records of such births upon the submission of certain evidence; providing for searches of birth records and the issuance of birth certicates by such officers in certain cases; prescribing fees and imposing penalties.

Referred to the Committee on State Government.

By Messrs. RUSSELL E. REESE and NUNEMACHER. HOUSE BILL No. 742.

An Act to place the burden of taxation equitably, fairly and justly upon all those who possess wealth by providing certain exemptions against the value of property.

Referred to the Committee on Ways and Means.

By Mr. JAMES. HOUSE BILL No. 743.

An Act authorizing the splitting of assessment on pieces of real property heretofore or hereafter assessed as a whole, and the payment and receipt of proportionate parts of the taxes levied thereon, and the separate return and sale of the purparts of such property; and validating such actions heretofore taken.

Referred to the Committee on Municipal Corporations.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 744.

An Act to further amend section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" authorizing payment by the board to a credit union where rights have been assigned and the note is unpaid and empowering the board to make additional deductions from member's salary for the repayment of such amounts into the member's savings account.

Referred to the Committee on State Government.

By Mr. BRETHERICK. HOUSE BILL No. 745.

An Act to amend the title and sections one and two of the act, approved the twenty-ninth day of June, one thousand nine hundred and twenty-three (P. L. 957), entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," permitting the zoning of undeveloped portions only of boroughs; and removing provisions of said act heretofore repealed.

Referred to the Committee on Boroughs.

By Mr. BRETHERICK. HOUSE BILL No. 746.

An Act to further amend subsection (b) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and the legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing refunds," decreasing the lawful rate of speed between the hours of sunset and sunrise.

Referred to the Committee on Motor Vehicles.

By Messrs. HOLLAND and HAINES.

HOUSE BILL No. 747.

An Act to add Section 699.6 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled, "An act to consolidate, amend and revise the penal laws of the Commonwealth," relating to printing or other reproduction of certain political literature.

Referred to the Committee on Judiciary Special.

By Mr. LEYDIC. HOUSE BILL No. 748.

An Act making an appropriation to the Department of Property and Suplies for the acquisition of a site, and for the erection, construction, equipment and furnishing of a Veterans' Administration Building thereon; and authorizing the Commonwealth to accept loans and grants therefor from the Federal Government.

Referred to the Committee on Appropriations.

By Mr. VOORHEES. HOUSE BILL No. 749.

An Act making an appropriation to the Board of Finance and Revenue for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Messrs. HARE and WAGNER. HOUSE BILL No. 750.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the county commissioners of Somerset County certain real property located in said county and heretofore acquired by the Commonwealth for development as an airport.

Referred to the Committee on State Government.

By Mr. HEATHERINGTON. HOUSE BILL No. 751.

An Act to amend section two thousand one hundred and one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum salaries or compensation for paid firemen and paid employees of the fire department in such cities.

Referred to the Committee on Cities—Third Class.

By Messrs. CORDIER and KENEHAN.

HOUSE BILL No. 752.

An Act authorizing cities of the second class A, with the consent of the owners thereof, to improve and beautify property devoted to park purposes, within such cities.

Referred to the Committee on Cities—Second Class.

By Messrs. CORDIER and KENEHAN.

HOUSE BILL No. 753.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to, and for the use of the Scranton State Hospital; providing for the improvement and use thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. POWERS. HOUSE BILL No. 754.

An Act requiring the Department of Welfare to institute a course of military instruction for boys and first aid and nursing instruction for girls, in each State Industrial and correctional school or institution.

Referred to the Committee on State Government.

By Mr. SHAW. HOUSE BILL No. 755.

To further amend section seventeen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

Referred to the Committee on State Government.

By Mr. WRIGHT. HOUSE BILL No. 756.

Providing for probation officers and court investigators of the several courts of record having jurisdiction in criminal proceedings; prescribing their powers and duties; providing for their compensation and expenses. and for assistants, offices, rooms for detention of defendants, prisoners and others, and for furnishings and supplies; and imposing the cost thereof on the county.

Referred to the Committee on Judiciary General.

By Mr. WRIGHT. HOUSE BILL No. 757.

Providing for and regulating the validation of certain borough ordinances.

Referred to the Committee on Boroughs.

By Mr. BRETHERICK. HOUSE BILL No. 758.

An Act to further amend sections four and nine of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers. and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contract with and to accept grants from the Federal Government or any agency thereof; and for other purposes," including incinerators for rubbish and garbage as projects.

Referred to the Committee on Municipal Corporations.

By Messrs. RUSSELL E. REESE and NUNEMACHER.

HOUSE BILL No. 759.

An Act to prohibit discrimination against doctors of medicine in the use of the facilities of State-aided hospitals, and requiring the Department of Welfare to withhold the payment of state appropriations in certain cases.

Referred to the Committee on Public Health and Sanitation.

By Mr. KLINE. HOUSE BILL No. 760.

An Act to further amend clause (c), section 2406 of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or

Teachers Colleges; abolishing, creating, reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined;" further regulating the distribution of the Pennsylvania Manual.

Referred to the Committee on Printing.

By Messrs. WEISS and MAXWELL. HOUSE BILL No. 761.

An Act to amend section seven hundred and thirty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by limiting jurisdiction in cases of desertion and nonsupport to courts in the counties where the separation or neglect first occurred.

Referred to the Committee on Judiciary Special.

By Messrs. MAXWELL and WEISS.
HOUSE BILL No. 762.

An Act to further amend section twelve of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners: providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," permitting dogs kept in a kennel to be taken out for training, exercise or entry in field trials.

Referred to the Committee on Game.

By Mr. DALRYMPLE. HOUSE BILL No. 763.

An Act to further amend subsection (b) of section twenty-seven, and to amend section thirty-one, subsection (b) of section thirty-two, to add section thirty-two and one-tenth, to amend subsection (e) of section thirty-seven, and subsection (b) of section thirty-eight of the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing that no persons shall lose their right to vote by reason of moving from one residence to another in the same election district; and further regulating the check-up and cancellation of electors' registration by the commission, and the challenge of electors at primaries and elections.

Referred to the Committee on Elections.

By Messrs. MAXWELL and WEISS.
HOUSE BILL No. 764.

An Act to add section nine hundred thirty-eight to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," providing for the establishment, regulation and use of special dog training areas.

Referred to the Committee on Game.

By Mr. BAKER. HOUSE BILL No. 765.

An Act to amend the title, to further amend section one, and to reenact sections two, four and five of the act approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class; and imposing fines, penalties and forfeitures for violation thereof," extending the provisions of said act to certain boroughs, incorporated towns and townships.

Referred to the Committee on Professional Licensure.

By Mr. HARKINS. HOUSE BILL No. 766.

An Act to further amend sections one and two of the act, approved the thirty-first day of May, one thousand eight hundred and ninety-three (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance, and protesting of bills, notes, drafts, checks, and other negotiable paper on such days," declaring Constitution Day, the seventeenth day of September, a legal holiday.

Referred to the Committee on Banking.

By Messrs. RUSSELL E. REESE and MORAN.
HOUSE BILL No. 767.

An Act to further reenact and amend the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing the classes of dependents entitled to compensation in case of death; increasing the amounts of compensation to be paid; reducing powers and duties of the board; reducing penalties and generally amending, clarifying and changing the provisions of said act.

Referred to the Committee on Workmens Compensation.

By Mr. SARRAF. HOUSE BILL No. 768.

An Act creating a Committee of Citizens to Investigate Adequate and Necessary Standards of Milk Sanitation with

directions that such committee report the results of their investigation, together with any proposed legislation which they may recommend to the General Assembly; providing for its appointment; authorizing the employment of necessary assistants including counsel and experts; authorizing the subpoenaing of witnesses and records, and making an appropriation, and postponing effective date of legislation on subject.

Referred to the Committee on Dairy Industries.

By Mr. TARR. HOUSE BILL No. 770.

An Act to further amend section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing subsidies and aid to certain school districts.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 176. (HOUSE BILL No. 769.)

An Act for the judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class and for proof thereof and to make uniform the law with reference thereto.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DALRYMPLE. RESOLUTION No. 51.

In the House of Representatives, March 10, 1941.

Whereas, The Pennsylvania State Legislature has authorized and caused to be constructed a superhighway in Pennsylvania from Carlisle, Pennsylvania to Irwin, Pennsylvania, at an expenditure of about seventy-five million dollars ($75,000,000); and

Whereas, The continuation of the above highway from Carlisle to Philadelphia, Pennsylvania has later been authorized by the Pennsylvania State Legislature at an expenditure of about fifty million dollars ($50,000,000); and

Whereas, The only outlet of the Commonwealth of Pennsylvania on the Great Lakes is located at the City of Erie on Lake Erie; and

Whereas, United States Highway Route 20, which is a practically level highway connecting Chicago and Buffalo and is one of the most heavily travelled and important highways in the country, passes through the City of Erie; and

Whereas, The nearest point on United States Route 20 from the present western terminus of the Pennsylvania superhighway is at the City of Erie; and

Whereas, Both economic considerations and considerations of national defense require that the Pennsylvania superhighway be continued from its present western terminus at Irwin, Pennsylvania, on through Pennsylvania to the City of Erie; now therefore be it

Resolved, That suitable enabling legislation be adopted for the financing and extension of the present superhighway from Irwin, Pennsylvania, to Erie, Pennsylvania.

Referred to the Committee on Highways.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

PORT OF PHILADELPHIA

A communication from the Port of Philadelphia Maritime Society, addressed to the Speaker, endorsing the enactment of House Bill No. 49, making an appropriation of $300,000.

Referred to the Committee on Appropriations.

FIREMEN, POLICEMEN, PARK GUARDS

Communications from

James L. Stevenson, Jr., Philadelphia
William A. Woodruff, Philadelphia
John F. Dougherty, Philadelphia

endorsing enactment of legislation increasing salaries of Firemen, Policemen, and Park Guards.

Referred to the Committee on Cities—First Class.

LIQUOR LICENSES

A communication from Lillian B. Tatcher, Philadelphia, protesting passage of legislation increasing hours during which liquor may be sold by licensees.

A petition from members of the Men's Bible Class of Devereaux Memorial Methodist Church, Philadelphia, protesting passage of legislation increasing hours during which liquor may be sold by licensees.

Referred to the Committee on Liquor Control.

NATIONAL DEFENSE

A communication from the Pennsylvania Chemical Society, endorsing passage of House Bill No. 225, and suggesting an appointee on State Council of Defense.

Referred to the Committee on State Government.

OCCUPATIONAL DISEASE

A resolution from Local 616, Erie, United Electrical Radio and Machine Workers of America, endorsing a deficiency appropriation to meet claims and liabilities to workmen.

Referred to the Committee on Workmens Compensation.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

The White House, March 7, 1941.

My dear Mr. Callahan:

The President has asked me to acknowledge the receipt of your letter of March fifth, transmitting a copy of Resolution No. 19, adopted by the House of Representatives of the State of Pennsylvania and concurred in by the Senate. He much appreciates your courtesy in sending this Resolution to him.

Very sincerely yours,

(Signed)

M. H. McINTYRE
Secretary to the President

Honorable Thomas J. Callahan,
Chief Clerk,
House of Representatives,
Harrisburg,
Pennsylvania.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Reuben E. Cohen for Mr. WEISS for the remainder of the week on account of a birth in his family.

Mr. MAXWELL. Mr. Speaker, I would like to ask for leave of absence for the Honorable JOHN H. WEISS, who is now engaged in a very desperate and crucial race; a race of himself against the stork to see which one arrives first. Mr. Weiss has asked me to act as his personal bookmaker and take all bets. I will guarantee you immediate and final returns by special wire. If any one wishes to place bets on this event please see me.

The SPEAKER. Leave of absence for Mr. Weiss has already been asked and granted.

Mr. Tarr for Mr. COCHRAN for the remainder of the week on account of illness.

Mr. Trout for Mr. ROYER for the remainder of the week on account of illness.

REPORTS FROM COMMITTEES

Mr. MOONEY, from the Committee on Labor reported as committed, House Bill No. 136, entitled:

An Act to further amend section four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for payment of costs; and repealing all acts or parts of acts inconsistent herewith," by extending the provisions thereof to certain additional cases.

Mr. OWENS, from the Committee on Labor reported as committed, House Bill No. 98, entitled:

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by further regulating the employment of females in certain establishments with respect to their hours of labor.

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 551, entitled:

A supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

Mr. READINGER, from the Committee on Appropriations, reported as committed, House Bill No 581, entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

Mr. READINGER, from the Committee on Appropriations, reported as committed, House Bill No. 468, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease.

Mr. D'ORTONA, from the Committee on Liquor Control, reported as committed, House Bill No. 550, entitled:

An Act to repeal the act, approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

Mr. CULLEN, from the Committee on State Government, reported as committed, House Bill No. 83, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the state; and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency therof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 578, entitled:

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Mr. MODELL, from the Committee on Judiciary General, reported as committed, House Bill No. 704, entitled:

An Act to validate and quiet the title to real estate

in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Mr. FALKENSTEIN, from the Committee on Appropriations, re-reported as committed, House Bill No. 208, entitled:

An Act to further amend the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports changing the necessary favorable vote in referenda on the creation, addition of, territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defining the powers of districts; and making an appropriation.

BILLS RE-REFERRED

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 335, entitled:

To safeguard life, health and property; defining, regulating and licensing contractors and journeymen engaged in the business of painting, paperhanging and decorating: fixing license fees; providing for the revocation of such licenses and appeals therefrom; creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry, and conferring powers and imposing duties thereon; providing penalties and making an appropriation.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 672, entitled:

An act to create and provide for the Fund of the State Board of Examiners for Licensure of Nurses covering all license fees recording fees and other moneys received or collected under the laws administered by the State Board of Examiners for Licensure of Nurses and regulating the handling and disposition thereof.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 673, entitled:

To further amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purpose or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended establishing a Fund of the State Board of Examiners for Licensure of Nurses by adding clause twenty-one to section three hundred two of said act.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 674, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by making certain changes in the name qualifications powers and duties of the State Board of Examiners for the Registration of Nurses and providing for the election of a Director of Nursing Education who shall also be Secretary and Executive Officer of the Board and an Assistant Director of Nursing Education who shall also be Assistant Secretary and Assistant Executive Officer of the Board and other officers and employes thereof.

The SPEAKER. The Bill is now now re-referred to the Committee on Professional Licensure.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 675, entitled:

An Act providing for and regulating the State Licensing and registration of nurses of several classes the biennial recording of licenses regulating nursing imposing penalties and repealing certain existing laws.

The SPEAKER. The Bill is now now re-referred to the Committee on Professional Licensure.

JOINT REPORT OF JOINT STATE GOVERNMENT COMMISSION PENNSYLVANIA UNEMPLOYMENT COMPENSATION LAW—PART 2

Mr. TROUT. Mr Speaker, in pursuance of a House Resolution of the Regular Session of 1939, the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation have completed a study of employer experience rating. As a member of the Joint Legislative Committee, it is my privilege to present this Report for your consideration.

The Report is perhaps one of the most important studies ever undertaken by a legislative group and it is my sincere belief that this work will be a vital aid in charting the course of Pennsylvania's industrial future. It provides a comprehensive analysis of the purpose of experience rating and its relation to the tax structure by which unemployment compensation is maintained by industry.

The subject of experience rating is one which has occupied the attention of legislators for some time now because, in a sense, it represents a barometer of industry's progress and provides a method for regulating employment so that the problems of unemployment compensation can be brought within understandable focus.

Experience rating, in its basic definition, is a system for determining the ratio of employer payments into the unemployment compensation fund. It is a highly technical and controversial subject because of its many ramifications.

The study of experience rating was one involving extensive research and you will find that in its effort to present an accurate picture of this subject, the Committee went far afield to make sweeping probes of similar systems now in use in other states.

As a result of its findings, the Committee and the Commission make no recommendation for the adoption or rejection of an employer experience rating plan for Pennsylvania and it modifies its stand by introducing a list of "pro and con' arguments which indicate very clearly that further inquiry into the subject is necessary before its benefits to the Commonwealth can be fully ascertained.

It is significant, however, that this exhaustive study lays a solid groundwork for constructive analysis of the possibilities advanced by advocates and opponents of such a plan. From this broad base, it is believed a progressive course of action will spring.

The report provides an interesting summary of experience rating as interpreted on a national scale; methods used in rating the experience of employers' comparison of systems used by different states; equity in assessing social costs; stabilization of employment; efficiency of claim administration and the prevention of excessive reserves.

Proponents of the experience rating plan have drawn a sharp comparison between the flat tax rate now paid by Pennsylvania employers and the fluctuating scale observed under the Texas Experience Rating Plan.

Here in Pennsylvania, employers are obliged to pay a standard tax of two and seven-tenth per cent to the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry, and three per cent to the Social Security Board, or a total of three per cent.

Under the Texas Plan, it is pointed out, the ceiling or maximum scale is two and seven-tenth per cent with provision for a minimum of one per cent, as based on variances in operating personnel. This plan, its sponsors contend, encourages industry to stabilize employment because of the lower tax incentive.

Advocates of this plan for Pennsylvania have pointed out that its adoption would give industry new outlets for its energies and create a wave of expansion that would be felt in all branches of trade and commerce.

The past history of American business is filled with examples of organizations which have been able to iron out the ups and downs of employment by a more intelligent scheduling of their operations and the report on experience rating is intended to show what might be accomplished in Pennsylvania if a system applicable to its requirements can be developed.

It is difficult for the Commission and the Joint Legislative Committee, on the strength of its study this far, to determine definitely what effect experience rating would have on different enterprises in Pennsylvania.

The more liberal Texas plan, it is argued, offers employers direct and continuous incentive to regularize and expand employment and develop a reasonable allocation of the cost of unemployment compensation to be assumed by them.

In January, as you will recall, the Joint Legislative Committee to Study Unemployment Compensation and the Joint State Government Commission submitted to the General Assembly a twenty-three point program of recommendations for amending the Pennsylvania Unemployment Law. Twenty-two of these recommendations were incorporated in Senate Bill No. 80 introduced by Senators Miller, Dent, Wilson and Heyburn.

One of the principal recommendations made at that time was a provision urging that Congress be memorialized to amend the Federal laws so that the General Assembly could reduce the employer tax rate from two and seven-tenth per cent to two percent when the state unemployment compensation fund was one and one-half times greater than that required to pay all benefits. This likewise was covered by Senate Resolution No. 104, introduced on January 28th.

It is important to consider that the only way states could make a flat reduction of this tax would be to get authorization by passage of an amendment to the Federal Social Security Act and the Internal Revenue Code. Otherwise, experience rating would have to be adopted to permit tax rate adjustment.

According to the latest reports made available the reserve fund is now close to one hundred and fifty million dollars. The amount paid out last year in benefits was forty-four million, two hundred sixty thousand and seven hundred ninety-nine dollars and the average paid out during the past three years was approximately fifty-six million, eight hundred thousand dollars.

Consequently, it would appear that since the reserve fund has reached a point that might be considered excessive in proportion to requirements, the legislature has been presented with a direct avenue of approach to lay

the groundwork for a reduction in the present employer compensation rate.

Similarly the recommendations made in January would provide employes with specific advantages in connection with excessive reserves.

Only further study will determine whether its adoption will be of benefit to Pennsylvania and how this will shape.

May I suggest that you scrutinize the report carefully and note particularly the elaborate tables which paint a concise picture of how merit or experience rating is being carried out in other states.

I am confident that the observations made in this direction will be of sound value in helping to map a practical legislative course for Pennsylvania, one in which industry's importance to the social and economic destiny of the Commonwealth, will, I am sure, be given your conscientious consideration.

I wish to thank the members of the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation for their sincere attention to this study.

A vote of acknowledgment is especially due Mr. A. Alfred Wasserman, Director of the Commission, for the invaluable statistical contributions which have helped make this work possible.

Through their efforts, this study on unemployment compensation takes its place among other legislative documents which have shown the way to improvement within the Commonwealth.

Mr. Speaker, I present the Joint Report to the General Assembly of Recommendations for amending the Pennsylvania Unemployment Compensation Law, Part 2, Employer Experience Rating in Unemployment Compensation by the Joint State Government Commission and the Joint Legislative Committee to Study Unemployment Compensation Provisions.

The report was read by the Clerk.

The SPEAKER. The report will be noted in the Journals of the House and printed in the Appendix to the Legislative Journal.

The Chair would inquire of the gentleman from Lancaster, Mr. Trout, whether copies of the report are available to the members of the House?

Mr. TROUT. Mr. Speaker, the copies are now in the front part of the House ready for distribution. The names of the members appear on the envelopes.

The SPEAKER. The Chair understands that they are to be distributed by the pages.

Mr. TROUT. That is correct, Mr. Speaker.

The SPEAKER. The pages will distribute copies of the report as presented by the gentleman from Lancaster, Mr. Trout.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 589, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes, "limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McINTOSH. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 450, entitled:

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 465, entitled:

An Act to amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto,'" authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," for the compensation paid to township commissioners.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TARR. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GOODWIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 475, as follows:

An Act to further amend section seven of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (P. L. 212) entitled "An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments" as amended to extend the original jurisdiction of the Superior Court to include mandamus and prohibition in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section seven of the act approved the twenty-fourth day of June one thousand eight hundred and ninety-five (P. L. 212) entitled "An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments as amended is hereby further amended to read as follows

Section 7 The said court shall have no original jurisdiction except in actions of mandamus and prohibition to courts of inferior jurisdiction where such actions are ancillary to proceedings within its appellate jurisdiction and except that it or any judge thereof shall have full power and authority when and as often as there may be occasion to issue writs of habeas corpus under like conditions returnable to the said court but it shall have exclusive and final appellate jurisdiction of all appeals [which are now allowed to the Supreme Court] in the following classes of cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Rosenfeld,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Baugher,	Gillette,	McDermott,	Schwab,
Bentley,	Goodwin,	McDowell,	Serrill,
Bentzel,	Greenwood,	McFall,	Shaffer,
Boles,	Gross,	McGrath,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Shepard,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cohen, M. M.,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hirsch,	Nunemacher,	Turner,
Cordier,	Holland,	O'Brien,	Van Allsburg,
Corrigan,	Huntley,	O'Connor,	Verona,
Croop,	Imbrie,	O'Dare,	Vincent,
Cullen,	James,	O'Mullen,	Vogt,
Dalrymple,	Jefferson,	O'Neill,	Voldow,
Dennison,	Jones, G. E.,	Owens,	Voorhees,
DiGenova,	Jones, P. N.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
Fisher,	Lesko,	Regan,	Woodside,
Fiss,	Levy,	Reynolds,	Wright,
Fleming,	Leydic,	Rhea,	Yeakel,
Fletcher,	Lichtenwalter,	Riley,	Yester,
Flynn,	Longo,	Rooney,	Young,
Foor,	Lovett,	Rose, S.,	Kilroy,
	Lyons,	Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 238, as follows:

An Act requiring cities of the second class A having fire departments to allow members of said fire departments twenty-four consecutive hours of rest each week and fourteen days vacation with pay each year except in emergency cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All cities of the second class A having fire departments shall allow every member of such fire departments to have at least twenty-four consecutive hours of rest in every calendar week exclusive of the time when the change of shifts occurs except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration public celebrations and to have an annual vacation of not less than fourteen days without the diminution of the salary or compensation fixed by ordinance or statute

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	French,	Malloy,	Rosenfeld,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Baugher,	Gillette,	McDermott,	Schwab,
Bentley,	Goodwin,	McDowell,	Serrill,
Bentzel,	Greenwood,	McFall,	Shaffer,
Boies,	Gross,	McGrath,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Shepard,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
	Lyons,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 603, as follows:

An Act requiring prothonotaries to return jury fees where cases are settled before a jury is sworn

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever a jury fee is paid in any court of record of this Commonwealth and the case for which the fee was paid is settled discontinued and ended before trial so that it is not necessary that a jury be sworn the prothonotary shall upon request of counsel when an order to mark the case settled discontinued and ended is filed return the amount paid as such jury fee to the party who paid the same

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	French,	Malloy,	Rosenfeld,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Baugher,	Gillette,	McDermott,	Schwab,
Bentley,	Goodwin,	McDowell,	Serrill,
Bentzel,	Greenwood,	McFall,	Shaffer,
Boies,	Gross,	McGrath,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Shepard,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Lichtenwalter,	Rooney,	Young,
Flynn,	Longo,	Rose, S.,	Kilroy,
Foor,	Lovett,	Rose, W. E.,	Speaker.
	Lyons,		

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 366, as follows:

An Act to add clause seven to subsection (b) and to further amend subsection (c) of section one thousand two of the act approved the first day of May one thousand

nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby amended by adding thereto after clause six a new clause to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * *

7 Seventy (70) miles an hour speed limit All vehicles when being operated on highways under the supervision and control of a turnpike commission except those otherwise restricted by this act to lower maximum speeds and except when restricted to lower maximum speeds by such turnpike commission upon the highways under its supervision and control or any zones or sections thereof where official signs erected by such turnpike commission on the highway facing the traffic to be controlled are displayed

Section 2 Subsection (c) of section one thousand two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided except when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commission as hereinbefore provided the maximum speed limits shall be twenty miles per hour greater than hereinafter provided

Commercial motor vehicles and truck tractors R class fifty miles per hour

Motor buses and omnibuses forty-five miles per hour

Commercial motor vehicles and truck tractors S T and U classes forty miles per hour

Commercial motor vehicles and truck tractors V and W classes thirty-five miles per hour

All other commercial motor vehicles and truck tractors thirty miles per hour

All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers thirty miles per hour

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	French,	Marks,	Rosenfeld,
Allmond,	Gallagher,	Maxwell,	Rush,
Auker,	Gates,	McClanaghan,	Scanlon,
Baker,	Gerard,	McClester,	Sarge,
Balthaser,	Gillan,	McDermott,	Sarraf,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boies,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Skale,
Bradley,	Haberlen,	McMillen,	Snyder,
Breth,	Haines,	McSurdy,	Sollenberger,
Bretherick,	Hall,	Melchiorre,	Sorg,
Brown,	Hamilton,	Mihm,	Stambaugh,
Brunner, C. H.,	Hare,	Modell,	Stank,
Brunner, P. A.,	Harkins,	Monks,	Stine,
Burns,	Harmuth,	Mooney,	Stockham,
Burris,	Harris,	Moran,	Tarr,
Cadwalader,	Heatherington,	Moul,	Tate,
Chervenak,	Helm,	Muir,	Taylor,
Chudoff,	Hering,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nunemacher,	Trout,
Cook,	Hewitt,	Lichtenwalter,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Fisher,	Lesko,	Reynolds,	Wright,
Fiss,	Levy,	Rhea,	Yeakel,
Fleming,	Leydic,	Riley,	Yester,
Fletcher,	Longo,	Rooney,	Young,
Flynn,	Lovett,	Rose, S.,	Kilroy,
Foor,	Lyons,	Rose, W. E.,	Speaker.
	Malloy,		

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. MARSHALL M. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, approximately two months ago this House convened for the performance of its Legislative duties. Likewise, approximately two months have elapsed since I took my oath of office as a Member of this august body, representing the city of Lancaster. When I assumed my official duties, I then and there determined that I would not embark on any oral outbursts unless something of vital importance to my community particularly, and to the state of Pennsylvania generally, would confront us for attention.

Just such a situation has been foisted upon us by the antics of the Chief Executive of this Commonwealth which we proudly call our own.

This fair-haired lad has traded punches in public with his genial Secretary of the Department of Commerce and thus provoked a conflagration that will lead ultimately to the extermination of the Department of Commerce, that surplus commodity of the Chief Executive's imagination.

The Department of Commerce was conceived amid great fanfare on the part of the Chief Executive who at that time vowed a holy vow that this new creation would be the divine saviour of industry in this state. He averred that this new creation would seduce the Gods of Commerce and siren-like would attract industry to Pennsylvania, the new Utopia. He imputed that Governor Earle through the medium of the detested emergency taxes had turned Pennsylvania into a barren land where neither fowl or vegetation could thrive. This twenty century version of Jeremiah raised his voice in denunciation of the emergency taxes and at the propritious moment pulled out of his hat the optical illusion which we all now know as the Department of Commerce. The Chief Executive gleefully purred that he had found the panacea for all our ills—the Department of Commerce.

All of us had misgivings when the Chief Executive set afloat on the sea of controversy this pious fraud known as the Department of Commerce. This new creation was an expensive extravanganza "a la Ziegfeld" which imposed an unnecessary burden on the taxpayers of this state of three hundred fifty-eight thousand dollars in the 1939-41 biennium.

The Chief Executive in his new Budget for the biennium beginning 1941 desired to add a few new frills to the already grossly ornamented Department and has asked for a fifteen per cent additional appropriation. He has asked us to appropriate four hundred twelve thousand dollars for this new fad. I wonder if this increase is to glamorize, with Hollywood settings, probably with Heddy Lamar as the referee, the championship bouts between the Chief Executive and the succeeding Secretaries of the Commerce. In the light of past experience, when I refer to the Secretaries of the Department of Commerce I use the plural advisedly. I do not believe that I am unduly optomistic.

This extravaganza "a la Ziegfeld," more familiarly known as the Department of Commerce is the fifth wheel to the vehicle of state. It serves no useful purpose commensurate with its expenses and hence should be deleted, bag and baggage and sunk without a visible trace except a few tell-tale bubbles reminiscent of a great fight between the Chief Executive and his stablemate Dickie Brown. It was a great fight while it lasted.

But to become serious, and serious it is to the taxpayers who have been called upon to spend four hundred twelve thousand dollars in order to amuse the Chief Executive with his newest plaything, permit me to call your attention to a glaring defect. The Department was allegedly created for the purpose of stimulating and fostering harmony between the various industries, classes and sections of this state in order to attract an influx of industries seeking a Pennsylvania domicile. How then, by all the laws of logic, can this happy goal be attained when there is a complete absence of harmony between the Chief Executive and his Cabinet official? How can one seek harmony in discordant ranks when there is no harmony among the sponsors of the harmony movement? Corporations, methinks, will be fearful of moving into Pennsylvania for fear that internal combustions emanating from the office of the Chief Executive may be contagious and blow the corporations right out of Pennsylvania and back to the soil from whence they came. Furthermore, permit me to focus your attention on another incongruity of this Department. If the substitution of an advertising agency from one favored son to another has caused a major crisis in the Department of Commerce, then is it not behooving to conclude that the Department cannot have very important functions to perform for the people generally nor can it attain very beneficial results? What would the Department do if an important matter was actually encountered It defies ones power of imagination to appraise the efficacy of a Department which suffers an internal hemorrhage when an advertising agency is booted from a rich pork barrel. We in Pennsylvania don't want to be amused by the antics of a spoiled stepchild. Fun is fun and it has its place in our everyday life, but it has passed beyond the point of satiation when we must pay four hundred twelve thousand dollars to be entertained.

Mr. Chief Executive, we have had enough of your spoiled stepchild. We are going to relegate it to the refuse heap from whence this tinselled Cinderella sprang. A blooming morning glory that blooms no longer when fat contracts are bandied about.

Since the various Chambers of Commerce throughout the State perform the function of attracting industry to the respective communities and have done so efficiently and effectively, what useful purpose did the Department of Commerce serve? Since statistics compiled by reliable sources clearly indicate that more industries were attracted to Pennsylvania than removed therefrom because of the emergency taxes, what useful purpose did the Department of Commerce serve? Since we have machinery in the existing Departments that can coordinate the task of attracting industry to the state of Pennsylvania, what useful purpose did the Department of Commerce serve? Since the Governor very lucidly stated that it certainly is a simple matter to obtain a successor to the retiring Secretary of Commerce, thereby inferring that the position is not a heavy one, what useful purpose did the Department of Commerce serve? Since the Governor emphatically stated, directly or indirectly, that he is giving orders in the administration of the Department of Commerce and

that he wants his orders in the administration of the Department of Commerce and that he wants his orders obeyed by his hirelings, even though they be ten thousand dollar ones, what useful purpose did the Department of Commerce serve? And since Colonel Estes, the modern Joseph who sports a coat of many hues, Democratic, Republican and Carpet-Bagger, and a combination of all, jointly and severally, like a modern alladin, has had some control and still exercises such control in the dispensation of political favors in the awarding of advertising contracts, what useful purpose did the Department of Commerce serve?

To all these questions and many more of a similar nature my answer is simply this: the Department of Commerce was created for the sole purpose of ballyhooing the Presidential aspirations of the present Chief Executive. As it ignobly failed in this sub-rosa undertaking, it should take a leaf from those famous lines of Longfellow:

"And the night shall be filled with music
And the cares that infest the day
Shall fold their tents like the Arabs
And as silently steal away."

Mr. Speaker, I have spoken my piece and I, therefore, submit my bill to extirpate, exterminate, delete, destroy and to forever banish this misconceived, ill-gotten and utterly worthless Department of Commerce.

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I arise to call the attention of the House to an instance which I think is an instance of a Department of this Commonwealth making rules and regulations which supersede and nullify the effect of the particular statue governing the operation of that Department. I refer to the action of the Department of Public Assistance as set forth in Memorandum No. 799 issued September 5, 1939, Memorandum 800 issued the same date, and Memorandum No. 30 issued January 31, 1941.

Section No. 4. which is the effective section of the Act which we passed in 1939, known as Act No. 168, approved June 9, 1939, intended to clarify for the recipients of relief the question of what real property and personal property would be liable for repayment of sums received from relief.

In that particular act the Legislature intended to prevent personal property, such as household furnishings, from being liable to repayment of sums granted by the Commonwealth to relief recipients, and the Legislature also intended that the persons on relief against whom agreements known as "reimbursement agreements," were obtained, containing a judgment clause in the amount of two thousand dollars, which were recorded or to be recorded, such persons should not lose their homes. As I said, the Legislature intended to remove the possibility that relief recipients would have their homes taken from them by foreclosure proceedings, but by their positive and clear statement the Legislature also intended that persons inheriting personal property while on relief should reimburse the Commonwealth for the amounts which they received.

I am informed that there has been no practical application of that particular principle. Now, it well may be that this Legislature does not correctly understand the particular social principle involved. The point that I wish to call to the attention of the group here is that so long as Act No. 168 of 1939 is the law, that particular philosophy should be enforced by the Department of Public Assistance which is entrusted with the carrying out of the administration of that particular law.

When we turn to Memorandum No. 30, which is the regulation promulgated on January 31, 1941, we see that instead of the entire amount which has been received by a relief recipient being sought to be collected by the Department from any real estate or personal property which he owned during the time that he received relief, only part is to be collected.

We know that this new regulation says in affect that that real estate will only be liable for such payments as were made during the time of ownership of that property, for that portion of relief that was received during the time his property was owned. Under the prior rules and regulations, and under the act as passed by this House, the policy of the House was to require the entire amount which has been received, and which under the law could be collected, to be collected by the Secretary of Public Assistance or his agents.

The important thing to me, Members of this House, is not how correct the social philosophy of the Department of Public Assistance is, but it is rather a flouting of the expressed will of the membership of the legislature by the rather arbritrary rules and regulations put forth by this Department. Certainly we cannot hope to have real enforcement of any law we pass so long as our Department heads continue to abrogate the mandatory provisions, the specific statements of law we pass, so long as they can do it without fear of being called to account by the House itself. I say we cannot hope to raise our standards of relief to those people who are on relief and who should be taken care of by the Commonwealth, if our Department of Public Assistance continues to enforce the acts that we pass, not in the spirit in which they are passed but in the way they interpret them, when interpreted according to the particular social philosophy of the person who writes each new rule and each new regulation.

It was my understanding of Act No. 168 that it was introduced at the request, or at least with the approval of the Department of Public Assistance, to rectify certain errors then present in the enforcement of the support law of 1937. I think it would behoove the Secretary of Public Assistance to have again presented to this Session of the Legislature a new act proposing to us that we change it, rather than to accomplish the same thing in an indirect way, which quite likely might have escaped the attention of the majority Members of the House. I think it would have been a grand thing for us to have had advantage of the views of the Secretary of Public Assistance so that we could have written the act anew and could have made the specific changes that were desired.

However, if this particular memorandum were not called to the attention of the House, we might as well have written a new law, because the effect would be the same. In order that we may know upon what basis, or authority the Secretary of Public Assistance has seen fit to issue a memoranda which thus negatived the written intent of the Legislature as expressed in a mandatory act, I wish Mr. Speaker, to introduce a resolution requesting and directing—

The SPEAKER. For the information of the gentleman, he has received unanimous consent to address the House, not to introduce a resolution.

Mr. HARKINS. Mr. Speaker, I will desist before I introduce the resolution.

The SPEAKER. Will the gentleman file his resolution with the clerk.

Mr. HARKINS. Mr. Speaker, after I finish my speech I shall be glad to.

The SPEAKER. The gentleman will proceed.

Mr. HARKINS. Mr. Speaker, I have not introduced the resolution and I shall ask to be recognized for that purpose before I do so. I shall not discuss the terms of the resolution in making the announcement.

I believe, Mr. Speaker, that the dignity of this body will be furthered by calling the Secretary of Public Assistance to account, if my interpretations of this memorandum is correct, for the authority which his department has assumed.

I intend to introduce a resolution asking that this House be furnished with data to justify such action on the part of the Secretary of Public Assistance, and to inquire of him what formal opinions of the Attorney General of this Commonwealth were given him to justify such a course of action.

Mr. Speaker, I asked to be recognized for the purpose of introducing a resolution.

The SPEAKER. Under the rules resolutions are filed with the Clerk. The resolution offered by the gentleman from Allegheny, Mr. Harkins, will take that course.

RESOLUTION

SYMPATHY EXTENDED

Mr. GEORGE E. JONES offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 11, 1941.

This House has been shocked by the sorrowful news of the death of one dear to a fellow-member.

Mary E. Stine, sister of the Honorable J. Howard French, died on Wednesday, March 5th, at her home in McVeytown.

She was the widow of Samuel R. Stine, former postmaster of McVeytown, and a resident therein for fifty years. She was born on October 20, 1865, and was active in the affairs of the Methodist Church, the Ladies Aid Society, superintendent of the home department, and the Ladies Fire Auxiliary. She is survived by seven children, twenty-three grandchildren, and four great-grandchildren, as well as the Honorable J. Howard French and a sister.

The tie that so closely binds a brother to his sister has been severed, and that wonderful and constant admiration that was such a help throughout life is forever gone; therefore be it

Resolved, By this House of Representatives of the General Assembly, That, realizing the great grief and deep sorrow that is his, we sincerely extend our deepest sympathy, and direct the Chief Clerk of this House to transmit a copy of this resolution to him, the said Honorable J. Howard French.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair requests the following gentlemen to meet him in his office immediately after the adjournment of this session: Messrs. Moran, Holland, O'Mullen, Achterman, and Woodside.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Military Affairs, Wednesday, March 12 at 10:30 a. m. in Room 330.

Banking, Tuesday, March 11 after the session in Room 330.

Cities-Third Class, Wednesday, March 12 at 11 a. m. in Room 325.

Motor Vehicles, Tuesday, March 11 after the session in Room 324.

Public Utilities, Tuesday, March 11 after the session in Room 331.

Welfare, Tuesday, March 11 after the session in Room 246.

Philadelphia Democratic Members to meet one-half hour after adjournment today, March 11 in House Caucus Room, First Floor.

Dairy Industries, Wednesday, March 12, at 10 a. m. Room 329.

ADJOURNMENT

Mr. SERRILL. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 12, 1941, at 12 m.

The Motion was agreed to, and (at 2:17 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, MARCH 12, 1941. No. 21.

SENATE

WEDNESDAY, March 12, 1941

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

With the dawn of each new day, Our Father God, new duties and grave responsibilities are born, the rightful discharge of which we can fully accomplish only with Thy gracious aid. Howsoever much we may think their discharge is through our own power and wisdom nevertheless even the by-products of religious endeavor, if no other, mightily enter into the entire procedure. For this accept our humble thanksgiving.

From time to time in this Senate chamber clear decisions and political expressions and legislative choices must be made. In these let wisdom be the dynamic and truth the spiritual yardstick by which they are made that withal they may be right and just and true. So much in our lives as well as in those of the people of this State may be vitally affected that we can not afford to do otherwise before Thee and our fellowmen.

Vouchsafe Thy life-giving, peace-bestowing Presence through the Holy Spirit unto us in this day of grace, for we may never have another. It is in Thee we live and move and have our being. Therefore, seal Thou unto Thyself the true motives of our hearts this day. We pray in the name of the Supreme Ruler of the universe. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD.

Mr. Walker asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 12, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Richard A. Jones, Pittsburgh, 1515 Carson St.
Miss C. Moll, Pittsburgh, 60901 Lynn Way.

CAMBRIA COUNTY

Miss Grace T. Leonard, Johnstown.

CHESTER COUNTY

Mrs. Mary Josephine MacElree, Tredyffrin Twp., Paoli.

LUZERNE COUNTY

Samuel R. Lewis, Wilkes-Barre.

PHILADELPHIA COUNTY

Charles B. Ester, Phila., Fidelity-Phila. Tr. Building.
John A. Shaw, Phila., 4400 Frankford Ave.
Alfred J. Snyder, Phila., Fidelity-Phila. Tr. Building.

SOMERSET COUNTY

R. E. Craver, Somerset.

WYOMING COUNTY

Miss Gladys A. Salsman, Tunkhannock.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

FRANKLIN COUNTY

Miss C. Gladys Willhide, Chambersburg, March 24, 1941.

ALLEGHENY COUNTY

Edw. S. Sheinberg, Pittsburgh, 1008 Law and Finance Building, March 26, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. GELTZ

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Lanius,	Snowden,
Bartlett,	Eaby,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF PEACE OF MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Arnold C. Snyder, Main Street, Green Lane, Montgomery County, for appointment as Justice of the Peace in and for the Borough of Green Lane, Montgomery County, until the first Monday in January, 1942, vice Edwin K. Kline, deceased.

ARTHUR H. JAMES.

REPORTS OF COMMITTEES

Mr. CROWE, from the Committee on Insurance, reported as committed, Senate Bill No. 268 entitled:

An Act to further amend section three hundred one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

Mr. REED, from the Committee on County Government, reported as committed, Senate Bill No. 270 entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

Mr. COX, from the Committee on Insurance, reported as committed, Senate Bill No. 266 entitled:

An Act to further amend clause (i) of section four hundred ten, of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

QUESTION OF PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. STIEFEL. Mr. President, this matter of personal privilege is in the nature of criticism of a report.

Gentlemen of the Senate I hope I am not going to bore you with discussion on the problem of taxation but I believe taxation today is one of the most paramount problems facing the Senate of Pennsylvania and the General Assembly.

Two weeks ago the Joint State Government Commission of the General Assembly submitted its First Reports on the Tax and Finance Problems of the Commonwealth of Pennsylvania.

I desire at the very outset of my remarks to stress and underscore that it is not my intention to engage in carping criticism of this Report. On the contrary, I desire to compliment the Commission on the wealth of statistics that is incorporated in this Report. Graphically speaking, the Report is a vast brick-yard which contains ample building material for the tax-experts and political scientists to erect an edifice which will be of instructive value to the membership of the General Assembly.

Mr. Wasserman, the Director of the Commission, was indeed candid when, in his introductory remarks, he stated inter alia as follows: "The members of this commission are of the opinion that it should be one of the future tasks of the commission to factually strengthen the materials and to undertake intense and comprehensive studies of such consequential matters as school and subsidy procedures and investigate further the effects of different types of taxes

upon business and the taxes which are now payable by different types of families resident in the Commonwealth. It is only after such intensive analytical studies have been made that the members of the General Assembly can be definitely assured that their legislative acts will produce the effects they contemplate."

This Report, like many of its predecessors, simply "brought coal to New Castle." It is a fine excursus into the realm of what Senator Cavalcante coined last week as "statisticology", but fails to present a much needed answer to the pressing and thorny problems of our State Taxation system.

In my opinion the title of the Report is a misnomer since it fails to present the tax and finanical problems of Pennsylvania at all. Reduced to its quintessence, our problem consists of ascertaining as to whether or not the present state tax system of Pennsylvania:

(a) Obtains the maximum revenues;

(b) With the minimum disturbance and cost to industry and the community, and

(c) With complete justice to the taxpayers.

Should these three acid tests of taxation show that Pennsylvania's Tax System is cumbersome and archaic, then immediate scientific tax-research and tax planning should further evolve a much needed and long-delayed sound tax system for Pennsylvania.

The First Report on the Tax and Financial Problems of Pennsylvania is bulky and contains 328 pages. Of these the first 122 pages represent the body of the report and the remainder three hundred appendices.

Appendix A—running from page 123 to page 255, deals with the Legislative History of our various taxes and contains also a memorandum on "Constitutional Limitations of the Taxing Power in Pennsylvania" by Sheldon C. Tanner.

Appendix B—deals with Estimations and devours another 38 pages and, finally, Appendix C contains a list of tables and some additional tables.

The Report under discussion is an expression of the interest of the Legislature in state and local government tax problems which contains much useful information in a statistical form concerning the fundamental economic and financial position of the Commonwealth. It will be especially valuable in providing background material for an understanding of Pennsylvania tax problems.

The Report does not attempt to furnish a critical evaluation of the taxes employed in Pennsylvania or of Taxes utilized by other states, such as the personal income tax, nor does it deal with the peculiar problems of particular taxes as revenues. The report does not show the advantages and disadvantages from the fiscal and economic standpoints of the capital stock, corporation income, and other taxes, nor does it indicate the probable incidence and economic effects of specific taxes.

Highly important questions, such as these, are left unanswered. What taxes should form the foundation of the Pennsylvania revenue system? What should be the relative revenue importance of each tax? What reforms are desirable in our present taxes? How can our taxes be made less burdensome to business and to consumers? What lessons may be learned from a study of the tax problem of other states and the federal government?

As the report explicitly declares, the need for further study of Pennsylvania tax problems is urgent. We reached the juncture when scientific reasearch in our tax problems is highly desirable and necessary. Readable monograph studies of the taxes paid by business and consumers should be very helpful in the appraisal of present revenues and in planning tax reforms which will assure adequate revenues with the minimum social cost.

Compliation is not research. Heretofore the General Assembly received statistical compilations—now we crave for scientific research that will once and for all enable the General Assembly of Pennsylvania to erect a new and sound edifice of taxation.

I hope a day will come when each phase of our state taxation will become a subject of a separate study in a form of a monograph prepared by outstanding scientists, in the field of public finance and taxation. Let us take for example the corporation taxes in Pennsylvania.

CORPORATION TAXES IN PENNSYLVANIA

Pennsylvania has developed corporation taxation to an unusual degree of importance in the state revenue system. This is well illustrated by the data recently released by the Bureau of the Census for the year 1939.

In that year Pennsylvania obtained $16,500,000 from the corporation income tax as compared with the total corporation income tax receipts among the forty-eight states of $113,000,000.

In the same year the various taxes imposed upon the capital stock of corporations provided to the state government of Pennsylvania $39,000,000 or far more than the capital stock taxes of any other state.

The leading position of Pennsylvania among the states in the use of corporation taxes and the long history of corporation taxation in the Commonwealth indicate the importance of these taxes as revenues as well as their importance to business and to the community.

Despite the great importance of corporation taxation in Pennsylvania there is a lack of reliable information concerning the operation and the fiscal and economic effects of the taxes employed.

In a period in our history when the revenue and social problems of governmental spending and taxation are daily becoming more urgent, it would be especially appropriate to inaugurate a program of research as a source of information for the Legislature and the public at large in the planning of the tax program.

As I have already stated, tax planning, which necessitates tax research, is essential in the development of a tax system which will accomplish the following objectives:

A. Obtain the maximum revenues, with
B. The minimum disturbance and cost to industry and the community, and
C. With more complete justice to the taxpayers.

A SUGGESTED OUTLINE OF RESEARCH IN CORPORATION TAXATION

A study of the corporation income and capital stock taxes would provide answers to such important questions as the following:

1. How have these taxes arisen and what have been their outstanding developments?
2. What place do these taxes have in the revenue system of Pennsylvania, of other states, and of the federal government?
3. What are the principles of corporation and business taxation? What is the applicability of these principles in Pennsylvania?

4. How are the capital stock and income of corporations engaged in interstate commerce allocated for taxation by Pennsylvania and other states?
5. What problems arise in the taxation of foreign corporations chartered in other states?
6. What are the revenue potentialities of the corporation taxes? How are the revenues affected by the bases of taxation, the tax rates, evasion, etc.?
7. What are the methods of administration? What are the costs of administration to the state and costs of compliance to the taxpayers?
8. What are the legal and constitutional problems of these taxes?
9. What are the economic effects and problems of the corporation taxes? What is the incidence of the taxes? Are the tax burdens distributed equally or unequally upon business? What are the effects of the taxes upon enterprise and investments? Of what importance are the taxes as factors in business?
10. What is the future outlook for these taxes? What improvements may be recommended?

Mr. PRESIDENT, it is important to have the problem of taxation studied on a scientific basis. There is an ancient Arabic proverb as follows:

"He who knows not and knows not that he knows not is a fool—shun him.

"He who knows not and knows that he knows not is ignorant—teach him.

"He who knows but knows not that he knows is asleep—wake him.

"He who knows and knows that he knows is wise—follow him."

I believe that I, personally, speaking in my own behalf, belong to the second class. I do not know but I know that I do not know and I want someone to teach me, show me what should be done to evaluate a new system of taxation in Pennsylvania and for that purpose I believe these discussions should be followed by scientific research and scientific planning.

BILL RE-REFERRED

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 289, (House Bill No. 225), entitled:

An Act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

with the request that it be recommitted to the Committee on Appropriations.

BILLS INTRODUCED

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the Courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations" by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

Which was committed to the Committee on Agriculture.

Mr. SNOWDEN, by request, read in his place and presented to the Chair Senate Bill No. 344, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551), entitled "An act relating to roads, highways, and bridges," as amended, by making the maximum width of a public road two hundred feet.

Which was committed to the Committee on Highways.

Mr. CRIDER read in his place and presented to the Chair Senate Bill No. 345, entitled:

An Act to amend subsection (a) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," decreasing the period within which appeals may be taken from decrees of registers of wills probating or refusing to probate wills.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 346, entitled:

An Act to amend section two hundred one and to further amend sections two hundred two and four hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to tatxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending revising and consolidating the law relating thereto; and repealing existing laws," making the levying of a tax on trades, occupations, professions and per-

sons who follow no occupation or calling optional in counties.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 347, entitled:

An Act to further amend section one thousand and twenty-five of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making it a misdemeanor for the driver of any vehicle, street car or trackless trolley omnibus involved in an accident resulting in injury or death to any person or damage to property, attended or unattended, to fail to stop at the scene of such accident, or to notify the owner or custodian of such property of his identity.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 348, entitled:

An Act to amend subsection (a) of section forty-six of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, insluding legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcript to the court of common pleas and balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," increasing the time within which an executor or administrator may be cited to file his account.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 349, entitled:

An Act to amend section four hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," reducing the fee for permits to taxidermists desiring to practice taxidermy for profit.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 350, entitled:

A Joint Resolution proposing an amendment to section one of article fourteen of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 351, entitled:

An Act authorizing the sheriffs in counties of the sixth, seventh and eighth classes to appoint a sheriff's solicitor for their respective counties to be paid by the proper county, and prescribing the duties and limiting the compensation of such solicitors.

Which was committed to the Committee on County Government.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 352, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties.

Which was committed to the Committee on County Government.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 79, on concurrence in House amendments, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase

of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value

go over in its order, as there have been several amendments made by the House.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 9, as follows:

An Act concerning the permanent recordation of certain births birth certificates the issuance of copies of such certificates and prescribing the procedure therefor and enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be the duty of the Bureau of Vital Statistics of the Department of Health to issue copies of birth certificates as hereinafter recorded and in accordance with such rules and regulations as the Department of Health may promulgate from time to time for the issuance thereof

Section 2 In any case where an individual born in this Commonwealth applies for a certified copy of his or her birth certificate which birth is not at the time of such application a part of the permanent record of the Bureau of Vital Statistics of the Department of Health of the Commonwealth it shall be the duty of said Bureau to accept for recording from such person either

(1) a certified copy of a county record of birth or if it is impossible to obtain such record then

(2) a statement written in the English language signed and sworn to by the doctor or midwife in attendance at the birth of such person or if it is impossible to obtain such statement then

(3) a statement written in the English language signed and sworn to by such person accompanied by a baptismal record kept by a bona fide ecclesiastical body and certified by a priest minister or other officer of said body or if it is impossible to obtain such records then

(4) a statement written in the English language signed and sworn to by such person and by a parent or near relative of such person who has lived with the person or family and has knowledge of the facts contained in such affidavit and accompanied by other record or records satisfactory to the Bureau or if it is impossible to obtain such statement then

(5) a statement written in the English language signed and sworn to by such person and by two other persons who have had adequate means of knowledge of the facts contained in such affidavit or of the family tradition thereon Provided That such last mentioned persons need not be related by blood or marriage if they have been connected with the family so long and so intimately as to have acquired knowledge of the facts and accompanied by other record or records satisfactory to the Bureau

The said Bureau may register a birth on the basis of public or private records satisfactory to it

The following items shall be included in such statement

(a) Place and date of birth including State county city borough town township or village If in a hospital or other institution the name of the same shall be given as well as the residence of the parents and the post office address of the parents

(b) Full name

(c) Sex

(d) Whether a twin or other plural birth

(e) Whether the birth was legitimate or illegitimate

(f) Full name of father when legitimate"

(g) Color or race of father

(h) Birthplace of father and age at birth of applicant if known

(i) Occupation of father if known

(j) Residence of parents if living and known

(k) Occupation "

(l) Maiden name of mother

(m) Color or race of mother

(n) Birthplace of mother and age at birth of applicant if known

(o) Occupation of mother if known

(p) Number of children of this mother if known and number of children of this mother now living if known

(q) The doctor or midwife in atendance if known

(r) Such other information as may be required by the Bureau

From the information received in such statements and records the Bureau of Vital Statistics shall prepare and keep on permanent file a certificate of the birth of such person and issue copies thereof in accordance with such rules and regulations as the Department of Health shall promulgate from time to time governing the issuance of the same provided a fee of two dollars and fifty cents ($2.50) shall first be paid to the Bureau This fee shall be the only fee charged an applicant for an original birth certificate under the provisions of this act The fee for the issuance of a copy of a birth certificate granted under the provisions of this act shall be one dollar ($1.00) All applicants for birth certificates under provisions of existing legislation shall continue to pay only those fees prescribed in such legislation In the event the Bureau of Vital Statistics shall deem the evidence adduced insufficient it shall notify the applicant for a birth certificate in writing by registered mail of its refusal to issue such certificate within thirty days after application has been made to it for such birth certificate and shall set forth in such letter the grounds for its refusal

Section 3 Any person who shall feel himself aggrieved by the refusal of the Bureau of Vital Statistics to issue such birth certificate shall have sixty days after receipt by him of such notice or refusal to appeal to the Orphans' Court of the county in which he resides Such appeal shall be made in accordance with the provisions now governing appeals from the decisions of the register of wills of said county and a copy of said appeal shall be served on the Bureau of Vital Statistics of the Department of Health In the event the applicant fails to file an appeal as aforesaid after such sixty day period the decision of the Bureau of Vital Statistics shall be final In the event an appeal is taken to the Orphans' Court the matter shall be heard de novo in the said Orphans' court and if in the opinion of the said Orphans' Court the evidence adduced is sufficient the said Orphans' Court shall order the Bureau of Vital Statistics to issue a brith certificate to the aggrieved party The Orphans' Court shall render its decision in any such appeal within sixty days after argument has been heard thereon and its judgment shall be final

Section 4 Any person who shall make any affidavit statement record or certification under the provisions of this Act knowing the same to be false shall upon summary conviction therefor be sentenced to pay a fine of not less than twenty dollars ($20.00) nor more than one hundred dollars ($100) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not less than ten (10) days nor more than thirty (30) days

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I am going to vote for this bill but I call attention to the fact that I think there is a defect in this bill in that the title does not disclose the fact that there is a charge to be made of two dollars and a half for registration of these birth certificates. I think that ought to be made a matter of record so that we know what we are doing.

Mr. GELTZ. Mr. President, we appreciate the suggestion and criticism of our colleague from Philadelphia but we are not certain ourselves whether that is necessary in the title or not. We want, if possible, to pass a bill at this time and if necessary the bill can be corrected or amended over in the House.

Mr. CAVALCANTE. Mr. President, I am very frank to say I am going to vote against this bill. This bill since it was introduced by the gentleman from Warren, Dr. Chapman, has been mutilated, disgraced and outraged until now it does nothing more or less than to place in statute form the very practices that have been heretofore pursued by the Bureau of Vital Statistics.

As originally introduced by the gentleman from Warren this bill set up a few rules that were a mandate to those who in this body helped to make the law. Up to this very moment the Bureau of Vital Statistics has established a course of red tape through which citizens must travel in order to effect the registration of their birth. We tried very emphatically to impress upon those who have been playing with this bill the fact that the persons whose births were unregistered in this state and who were born in the state should not be charged with any fault because their births were not registered. I think that on the day they were born and for quite a few weeks or months thereafter they did not possess the capacity to see that their births were registered, but here we find these hundreds, probably thousands of citizens born in the Commonwealth of Pennsylvania who through no fault of theirs find that their births were not registered.

When they attempted to have their births registered in the Bureau of Vital Statistics they were immediately confronted with a mountain of bureaucracy and red tape, some of that red tape and bureaucracy unsurmountable; they could not get through that and are unregistered to this day.

Mr. President, I studied this bill very carefully with the gentleman from Warren, Dr. Chapman, and I thought we had done a pretty good job in establishing rules for the correction of the injustices done to those hundreds and thousands of persons whose births are unregistered. We had provided compulsory rules where the Bureau of Vital Statistics had to accept what the Legislature here would say was sufficient evidence to warrant the registration of a birth. Lo, and behold, before this bill finally reaches the Senate floor we find in Section 2, sub-paragraph 3, lines 23 and 24, this amendment placed: "And accompanied by a record or records satisfactory to the bureau", God in heaven alone knows what that bureau is going to require.

Again on page 3 of the bill, lines 5 and 6, they have inserted this: "and accompanied by other record or records satisfactory to ehe bureau." On page 4 lines 7 and 8 they have inserted this: "such other information as may be required by the bureau."

Why, Mr. President, that is wnat we are doing today. That is how we are trying to get births registered, by evidence required by the Bureau of Vital Statistics, and this bill does nothing else but tell us that we must continue to fight and get into disagreement with the Bureau of Vital Statistics upon what records and documents are sufficient to register the birth of a citizen of this Commonwealth.

There is one very particular case that I wish to call to the attention of the President of this Senate. We have an act of assembly that was enacted back in seventeen hundred and I think it was ninety-six, and that is still the law of this Commonwealth, which says that a baptismal record kept by a proper ecclesiastical body shall be prima facie evidence of what it contains. When we present a baptismal certificate to the Department of Vital Statistics, properly certified by a proper ecclesiastical body of this Commonwealth, the Bureau of Vital Statistics has consistently refused to accept that baptismal certificate.

Mr. President, I am glad that at least in this bill they have taken cognizance of that situation and say that a copy of—I thought it was in here; maybe they have even struck that out. Well, glory be, I cannot find it—well, it is not there—page 2 sub-section 3 reads that if a person presents a statement written in the English language, signed and sworn to by such person, accompanied by the baptismal record kept by a bona fide and eccleastical body and certified by a priest, minister or other officer of said body but if it is impossible to obtain such records" and so forth. That is what the bureau is requiring now, Mr. President, despite the fact that the act of Assembly I have referred to say a baptismal certificate is prima facie evidence of what it contains, yet this act is going to require a citizen in addition to presenting his baptismal certificate to also prepare and deliver a sworn statement conformable to whatever rule the Bureau of Vital Statistics may promulgate in the matter.

I say we hoped that a bill involving this subject would be drawn up in such a way that it would take away some discretion from those powers here at the state capital and that we would put in the bill what we, the makers of the law, say is sufficient upon which a registration may be had. But this bill, I repeat again, because I do not think I can emphasize the point too much, merely throws the thing back into the lap of the Bureau of Vital Statistics. The only way you can get a birth registered is if you follow the rules set up in the discretion of the Bureau of Vital Statistics.

Mr. President, I intend to vote against this bill in its present form.

Mr. DENT. Mr. President, when this bill first came out of committee I objected to it on the ground I did not feel it would do what I thought it ought to do and, in talking it over with a good many Senators, what they thought it ought to do. We are back practically in the same position as Hitler. Hitler has been threatening to invade England

for a long time and we have been threatening to pass a good birth certificate bill and we have both missed the bus.

Recently I went over to the department and was discussing with one of the girls—one of the many girls—the question of issuing a certificate based upon a certificate sent out by the department itself at the time of the registration of the birth. On the reverse side of this particular certificate that is sent out by the department it states that this certificate can be used for employment purposes and for purposes of identification. So I said to the girl, "Why can't this party use this particular certificate you sent out when the doctor registered the birth, as a birth certificate in order to obtain a position in the defense industry or wherever they may be needed." She said, "That is not a birth certificate, that is only a notice sent to the baby's mother telling her the baby is born." That is absolutely true, Mr. President. In most cases the mothers know it.

I have here a notice given to me, rather, shown to me about a week ago, of a girl in Detroit that is out of work and who has prospects of getting a job in the defense industry and since the middle of 1940 she has been trying to get a birth certificate out of the department. Some of her letters have been answered and some of her letters have not been answered. In desperation this girl wrote to one of the local newspapers in Harrisburg, the Harrisburg Patriot, and asked the paper if it would see if it could do something to help her get a certificate so that she could go to work.

On the certificates they sometimes make mistakes in spelling. They mispelled a certain name three different times on the same certificate, and I called attention of this Senate to that certificate, so in desperation the young man, who was awaiting a job at the Westinghouse Manufacturing Company, at home, took and corrected the mispelled name so it would be correct, and now the poor devil has been notified he could be arrested and sued for five hundred dollars.

Mr. President, let us cut out this ridiculous position in the matter of birth certificates. We are all born or we would not be here. You stand up in front of one of those clerks over there and they look right at you and say "It ain't you." I will tell you the biggest trouble. In discussing the problem with one of the doctors on the Senate floor he agreed with me, that doctors in making these certificates in many instances were very careless in the spelling of names. Twenty-five or thirty years ago the doctors only received—well, my Dad said he only paid the doctor three dollars and a half for me and sometimes he doubts whether it was worth it. For three dollars and half a doctor was not going to take much time in spelling names.

The biggest trouble in the department today, the greatest difficulty, is the fact that the doctors in making their registration reports have misspelled names. They put a "c" where a "k" should have been or they put an "e" where an "a" ought to have been or they put an "sky" where it should have been "ski", or something like that, and so the poor devils were born and cannot prove it, are now being kept out of jobs because they cannot prove where they were born and why.

I say this bill is absolutely worthless; you might as well leave the situation just as it is. Sometimes I am glad we have an intelligent House majority over there because I am sure they will correct the bill and make it worth while.

You will never get anywhere at the present time unless you do something for the sons and daughters of emigrant fathers and mothers whose names have been misspelled, either on the part of a doctor or through carelessness or perhaps through ignorance; and you have got to take care of those persons because they are decent and American citizens and it is not their fault their names are misspelled.

I know that personally because when my father tells me my name should be spelled "D-e-n-t-e" and Wendell Wilke's name should be spelled "W-i-l-l-k-i-e" or something like that we cannot help it, because some Irish foreman on a railroad job would not take the time to spell our names right and we have to go through life with names we have picked up as we go along. Nevertheless this is me and that is Barney McGinnis and when you go over there they will not believe it.

Mr. President, I want a bill that says any person with a proper certificate or proof, if a midwife for instance, or the mother of a child says "that is my child" shouldn't that be sufficient to prove that is her child?

You know, Mr. President, the trouble is everybody's afraid a lot of fifth columnists are running around with bombs in their pockets to blow up things, and you are going to get someone in the defense industry who is not the person he represents himself to be. I do not care how stringent you make a law, when a person has in mind any such subversive activities he will find a way to accomplish his purpose and his aim and all we are doing with a bill like this is kidding ourselves and costing the taxpayers a lot of money for printing the bill, because it does not help the condition one iota. As much as I want a new vital statistics law, and as much as I want to help these people who are in trouble today, I intend to vote "No" on this bill in protest against the fact the bill does not do what it ought to do.

Mr. KEPHART. Mr. President, I think we should understand first of all this bill is a bill to register births, and not a bill to change people's names. If some of these names have been misspelled or earlier birth certificates have been registered containing erroneous names, there is now a method of procedure whereby they can go in and correct that and get the name changed to whatever it ought to be, but certainly the Bureau of Vital Statistics should not be a name changing body; so that would eliminate the argument of the gentleman from Westmoreland.

The second thing I would like to point out to the members of this Senate is that the purpose of this bill is to permit the Bureau of Vital Statistics to register people who were born before 1906, which right they now do not have, and those are the people who wish to get in the defense industry.

Of course we were all born. A lot of people who were born would like to have been born in Pennsylvania. This bill makes them prove that they were born in Pennsylvania before we give them the privilege of citizenship and put the stamp of state approval on them.

Mr. President, there is no unfairness in this, in asking that those sworn statements be accompanied by some sort of a record satisfactory to the bureau. If you did not require such a record a man could come in and swear he was born in Pennsylvania and have two of his friends swear to the same thing and he could get a birth certificate and become a citizen of the Commonwealth of Pennsylvania without any more trouble than that. It would be easy to get somebody to swear he had been born in Pennsylvania, especially a couple of Nazi sympathizers who for subversive purposes wanted him to become a citizen of Pennsylvania.

It is our duty in this Senate to protect the citizens of Pennsylvania from conditions such as that, and that is the reason for some sort of a record, whatever it may be, and they are too numerous to mention, which have been required in Section 2, sub-sections 4 and 5. Those additional records might be a school record, a census record, a family Bible or any such thing as that, but there should be some such record as that to corroborate the sworn statements, which anybody can go out and get.

Now then, Mr. President, if a man wants to register his birth and he can not get those sworn statements this act further provides, and in all fairness, the right of appeal to the Orphans' Court and the Bureau must either refuse to give him a certificate or give it to him within thirty days after the appeal. That thirty days is necessary so as to give him time to get the records together when he is applying and has found out what they want him to produce. It certainly is not too short a time, or too long either.

Now then, Mr. President, if he can not get those records, then the bureau has a right to refuse and must refuse within thirty days, at which time he can go into the Orphans' Court in his own county and apply for citizenship papers there, get an order on the bureau to issue to him a birth certificate and the Orphans' Court is required to hear the case de novo on any evidence he may present within sixty days. If that does not protect his rights I do not see how you can do it, but we can not open the doors to anybody who comes in to prove he is a citizen of Pennsylvania because a few people want it. Our national safety is more important than the temporary inconvenience of a few persons, and that is what we have to protect.

Mr. REED. Mr. President, I desire to interrogate the gentleman from Warren.

The PRESIDENT. Will the gentleman from Warren permit himself to be interrogated?

Mr. CHAPMAN. Yes, Mr. President.

Mr. REED. Mr. President, I would inquire of the gentleman from Warren what was the reason for increasing the fee from one dollar to two dollars and a half.

Mr. CHAPMAN. Mr. President, that was put in to cover the cost, because of the extra work which would be imposed on the Health Department. That has been estimated as the lowest possible cost to issue these certificates under these circumstances. The cost of the other certificate, for those born since 1906, will be one dollar, as it is at the present time.

Mr. REED. That cost would not include the expense of an appeal to the Orphan's Court, would it, Mr. President?

Mr. CHAPMAN. No, Mr. President, it would not.

Mr. REED. Mr. President, a few years ago the fee for obtaining a birth certificate, I believe, was fifty cents, It was later increased to one dollar. Now the trouble today, Mr. President, as I see it, is the difficulty in getting a birth certificate. I have been over to the Department quite a few times in the last few weeks at the request of some of my people back home, and I find the bureau flooded with people seeking birth certificates.

As I understand the situation, a bill was introduced to make the obtaining of birth certificates easier, more convenient. Now, it seems to me from what I have learned here today, and what the good doctor from Warren has stated, that under this amended bill, it is going to become more difficult. The gentleman from Warren states that the fee was raised because of the additional work involved. As I see it, the bill as amended is too stringent, and for that reason I propose to vote against it.

Mr. SHAPIRO. Mr. President, this discussion has had a peculiar affect on me. I have been thinking that sometimes a vote is changed or about to be changed on a bill.

I listened to the gentleman from Fayette, Mr. Cavalcante, discuss this bill and I thought there was a great deal of merit in what he said until two thoughts struck me. One of them was discussed by the gentleman from Philadelphia, Mr. Kephart, and I need not go into it further, and that is the matter with what we are doing now, namely, we are allowing a certain group of people who claim to be citizens by registering their births. That is more than a matter of convenience, it is a matter of seeing people registered, it is the setting up of the machinery by which certain persons who otherwise cannot be registered as having been born here, may be so registered, but in doing that I think we have an important thing to remember, and that is that we have citizenship involved.

The second answer to the objection raised, and I am heartily in favor of what the gentleman says, is to reluctantly give the departments the right to decide what is satisfactory proof to the department. I have had plenty of experience, I might say, plenty of evidence, of it; I do not have any experience, because I very seldom appear before these departments, for which I am thankful.

There is an appeal here to the Orphans Court which did not exist before, and that appeal in my opinion, safeguards any body who is entitled to registration and does not get it. If the requirements are harsh and unreasonable, I am satisfied to trust the Orhan's Court of any county on a question of this kind, and I think the only way you can put a safeguard around it is, as this bill has now been drawn.

With regards to the costs, I can readily understand why these costs would amount to two dollars and a half. The registration of an ordinary birth in Philadelphia is a matter of machinery, machines that do almost the work of human beings, and fifty cents is ample, but under this procedure, a new department, a new bureau will have to be set up, what we might call a department under which different kinds of records will be kept, and those are individual records which can not be treated en masse, and it is easy to see that it might cost two dollars and a half. It must be remembered that two dollars and fifty cents charge only applies to new ones, to that particular type of persons who are asking to be registered, and as I can read it, it also includes the one dollar fee which is ordinarily charged for a certified copy of a birth certificate.

Certainly the cost of court procedure could not be included in that two dollars and a half, and I am afraid if the Commonwealth loses, the Commonwealth will bear the cost and not the gentleman who takes the appeal. If he loses he should bear the cost. The important thing to remember, in my opinion, is that we are not only dealing with birth registrations, we are dealing with citizenship, and I want to say in pasing that most of the objection to this bill arises from the fact the departments are not doing their duty, and I do not know of any law you could pass that would instil intelligence, decency, honesty of activity in any employe of a department. This department, like most departments in Pennsylvania today, does not have sufficient help. The cry for economy has gotten to the point where we are getting economy but we are not getting good government. We are paying a lot of money even with the economy but we do not get anything for our money. You can very well ask, what price economy.

You can go over to this Department or any other department and find as the gentleman from Westmoreland has pointed out, mistakes, lack of action, delays, all due to the fact that the people over there either do not know their job or they do not have enough people over there to do the job. In any event you can not correct that by legislation.

Mr. President, this bill ought to pass if, as I understand it, it involves the right of a number of people who are entitled to get a job, to be able to get that job and prove their citizenship. As I gathered the argument from the very beginning it was not a question of a birth certificate, as has been stated by the gentleman from Westmoreland, it was a question of people going to national defense industries trying to get jobs and being refused jobs on the ground they were not citizens, and then they could not prove their citizenship because they did not have a birth certicate. It seems to me, considering all that has been said about this bill, giving due weight to the very able arguments of my friends from Fayette and Philadelphia, this bill answers those arguments and if those arguments are answered by the bill in its present form, I am going to vote for it.

Mr. CHAPMAN. Mr. President, we have spent a great deal of time upon this bill; it was referred to committee for study. This bill will be a bill that will conform with the Federal Bureau of Vital Statistics, and that is quite a thing for us, to get that sort of a bill, that says this and that and so forth. Before, when they endeavored to obtain jobs in national defense they could not secure birth certicates or recognition, but under this bill that conforms to the Federal statute.

The gentleman was talking about two things, about the present bill, and about other certificates that have been issued to 1906, and the cost. For those certificates issued since 1906, there is no additional cost. This applies only to certicates coming under this bill prior to 1906, and I call on my colleagues in this body to support this bill.

Mr. KEPHART. Mr. President, I would like to say one further word on this bill. This problem of birth certificates has only arisen within about the last year, when there has been an increase in defense industry. The requirements are that employes prove their citizenship in the United States and in the State of Pennsylvania.

Now then, if our laws are relaxed so as to issue birth certificates to persons on their own sworn statements, these defense industries will not accept those birth certificates, and we are not doing the thing that we set out to obtain in any event. Therefore, for that reason it is necessary to have a law that will be acceptable to the Federal government, and I think this one is.

In addition to that, Mr. President, the gentleman from Philadelphia has cast reflection on the administration officials' failure to issue these certicates and I would like in defense of them to point out that several employes have been taken on in the Bureau of Vital Statistics since this demand increased, but it takes a little time to train these people and to handle this flood of applications that have come in during the past year, and it can not be done over night.

Mr. CAVALCANTE. Mr. President, I trust that we can consider this bill with an open mind, and honestly try to evade some of the hysteria that is gripping our nation today.

I, like the rest of the members of this body, have listened very carefully to the arguments advanced by the two gentlemen from Philadelphia, Mr. Kephart and Mr. Shapiro. Both of them are attorneys; I am an attorney, but I am not ready to bolster legal business for myself at the expense of hundreds and thousands of unfortunate citizens of this Commonwealth. The gentleman from Philadelphia, Mr. Kephart seems to be disturbed about Nazism, and he might add to that Fascism and Communism. We who were born prior to 1906 know there was no such thing as Nazism or Fascism or Communism at that time. Why, I recall in my youth there had been created in my mind a deathly fear of what they call Socialists, and then again, during the war hysteria of 1917, there was the horror created in our minds about I.W.W. But I think we should not be taken away by any hysteria in considering this bill and make the mistake of believing those who were born prior to 1906 did not know anything about Nazism, Fascism or Communism. Those things are of modern creation, things that have developed since 1906.

It is my opinion this bill was introduced in order to lend a hand to hundreds and thousands who were born, who can prove they were born, and through no fault of their own, their births were not properly registered.

Now gentlemen, just pause for a moment and consider whether you in your fair minds and honest consciences feel you ought to penalize someone born prior to 1906 for the failure or neglect of a midwife or a doctor or a hospital to register their births.

Now, I do not want to outdo any members of this body in concern over our national defense. I am vitally concerned, for if we take heed to the old adage that blood is thicker than water, I have quite a number of brothers who are of conscription age and who will carry guns in defense of this country if and when in danger. I have probably sixteen first cousins that are of military age, who will also carry a gun in defense of this country if and when needed. Although I am a little too old, I think that I still have enough life in me that I too would like to take up a gun again even now to defend this nation if need be. I can not see, Mr. President, that anybody who was born prior to 1906 should be the type of individual that could endanger our national defense today. If we are to look for danger, danger such as was listed by both of the gentlemen from Philadelphia, these people pursuing this avenue of birth registration as a means of becoming citizens, that danger comes from those who were born after 1906 and during the period in which Nazism, Fascism and Communism were being born and taught in this world.

For instance, I am not afraid of the gentleman from Montgomery, Mr. Edmonds, if he should find that by some fault of the doctor or midwife or somebody, his birth was not registered. I am not afraid of him being a danger to America, if I say, "all right, it was no fault of yours," I will swear, I will make an affidavit that I have known you for fifty years and that you have been a good law-abiding citizen, and if you say and and your brothers says that you were born, I am willing to take your word that you are born. There is no danger to the country to help people register their births who were born prior to 1906.

Mr. President, I would like to answer the point raised by the gentleman from Philadelphia, Mr. Kephart, that this registration law is not a law by which a man should effect a change in his name. Members of this Senate, remember this, that the gentleman from Philadelphia's name is Kephart, and it has been used for generations and generations,

and if some midwife or some doctor that did not know how to spell his name wrote his name "Kepharski" or something else, and Mr. Kephart did not find out that his birth was so registered until now at the present time, why should we penalize Mr. Kephart, if we can show and if he can show that for generations his name has been Kephart and it was no fault of his when he was born that the doctor or the midwife made that mistake. Why shouldn't Mr. Kephart be permitted to open the affidavit of his mother or his father to correct that birth certificate and show that his name is Kephart, and not Kephartski or something else.

Now, as to this appeal to the courts, Mr. President, as I stated, I am an attorney but I am not willing by any legislation here to promote business for lawyers; I am not concerned in that at this time in opposition to this bill; I am interested in those hundreds and thousands who were born and who are trying to prove they were born, and born in the Commonwealth of Pennsylvania. Mark you, Mr. President, what will happen under this provision of the bill, granting an appeal. There is not an attorney in this body who has had legal work in workmen's compensation cases who does not know that the attorneys, that the bureaus, the departments, refuse to do things on the theory that they are not certain about the law, or that they do not want to take the responsibility of deciding what the fact might be, or they take an appeal on general principles in order to make the court, to pass the buck as we say, to the court to determine the question in issue, and then they know they are protected, as they say, when the court itself has passed upon it and decided the fact.

Members of Senate, I make the prophecy that if you pass this bill there will be less and less births registered in the Bureau of Vital Statistics, on the theory it is better to let the court pass on it and then they know they have made no mistakes in the registration of the birth. When this happens I would like to see a holding up of hands of attorneys in this Senate and the House of Representatives who will say that they will take one of these appeals as a charitable case, or whether under their fee bill they will charge the poor devil twenty-five dollars for preparing the petition and presenting it to the court, and then probably an extra twenty-five dollars to sit in court and have a hearing, and take the testimony of witnesses.

You just pause a moment, you who are attorneys, and see if I am not telling at least some degree of truth when I tell you that bureaus of this government, bureaus to which apply sections similar to this one, that gives an individual the right of appeal from the action of the bureau, just pause for a moment and see how many cases you know where the bureau has taken an appeal merely to pass the buck and not assume the responsibility of deciding the question involved. The Calendars of the Orphan's Court of Pennsylvania are still cluttered with hundreds and thousands of similar cases, they are cluttered enough without these cases.

I also would like to answer this point made by the gentleman from Philadelphia, Mr. Kephart. He complains that it is an easy proposition for a man who wants to have a birth registered fraudently by merely going out and getting two citizens to make an affidavit under oath, and then bring it here and have the birth registered. Why, Mr. President, how can you elicit the truth from any mortal being. We have forgery, we have fraud, we have perjury, we have everything going on now, desipite the fact that the law imposes very severe penalities for telling falsehoods, for committing perjury and crimes of that kind. The most that a human body like this can do is to encourage the telling of the truth, encourage the making of truthful affidavits and statements, by imposing a penalty upon those who would falsify statements, who would make false affidavits, and what more can a mortal body like this do to encourage the substaining of the truth. If this bill provides a penalty for the man who would make a false affidavit, or a false statement, what more can be asked, and how will the bill in its present condition encourage the telling of the truth more than the state in which the bill was before these amendments?

Now, in answer to the gentleman from Philadelphia, Mr. Shapiro, he is very much concerned with the people who in truth have been born here in the Commonwealth of Pennsylvania, and who are entitled to have their births registered, and who should not be penalized because of any fault of their own, but yet he is willing to subscribe and vote for a bill which does not facilitate, which does not give any aid or remedy to that unfortunate person, but makes it more difficult, which exposes him to the possibility of spending fifty or sixty dollars for an appeal to the Orphan's Court in order to prove what you and I might very readily see to be the truth that he was born. My heavens, nobody needs to tell me what I do not know, practically all of my brothers that were born after me were not born, or that I do not know they were born. I have lived with them, I have carried them in my arms, why should I be submitted to a test by the Orphan's Court, my affidavit upon my oath, backed up by a penalty if false, why should my affidavit or the affidavit of any citizen of this Commonwealth be denied in a matter of this kind?

Now, gentlemen, it is true that our experience in a body of this kind has shown that our arguments do not change votes when our mind is made up and is following a particular course, but I tell you very frankly and sincerely, if you are honest and sincere in wanting to help this situation, if you want to correct the wrong to those hundreds and thousands whose births were not registered through no fault of their own, you are not helping them by voting for this bill; you are making it more drastic, you are making it impossible in many cases for the individual to have his birth registered.

Mr. WALKER. Mr. President, I have listened with a great deal of interest to the discussion on this bill and I assure my colleague from Fayette that if during my lifetime the roll is called on this bill I intend to vote for it.

Mr. President, I am not perturbed by the suggestion of the gentleman from Fayette that there was a mysterious, shadowy connivance or unholy alliance among members of the legal profession being in league to drum up a little surplus business on the side by voting for this bill; neither am I alarmed by suggestions that members of the medical profession are unable to spell correctly or write legibly.

I am against the evils of bureaucracy. I do not approve of it as it exists here in Harrisburg nor do I approve of it as it exists in our capital at Washington but in my humble way I am attempting to do something to correct it here in Harrisburg.

As has been very carefully suggested by the distinguished representatives of this body from Philadelphia, Mr. Shapiro, and Mr. Kephart, this is not a question of

facilitating registration to prove that somebody was born, but it is the question they must prove they were born in the Commonwealth of Pennsylvania. There is a very stringent requirement when an alien desires to become a citizen of the United States; there is no short cut to that, and I think we would be derelict in our duty if we gave an alien an opportunity to take a short cut.

The evils in this bill as originally introduced can not be corrected by a demonstration such as we just had on the floor of this Senate when, as I understood the remarks of the gentleman from Fayette, Senator Cavalcante, he said he was not afraid of the distinguished gentleman from Montgomery, Mr. Edmonds, and that if Mr. Edmonds' family said he was born here that he, the gentleman from Fayette, would be willing to make affidavit he had known the gentleman from Montgomery for fifty years and he would make an affidavit the gentleman from Montgomery was born in Pennsylvania.

Mr. President, that is just the danger of having enthusiastic affidavits taken by people who do not know the facts. The first thing you know we would throw the gate wide open and throw the cloak of citizenship around people who were not entitled to it.

Let us keep in mind that in 1939 there was no sudden outburst of demand for birth certificates over there in the Bureau of Vital Statistics and therefore there was not this hue and cry as to having a cleaning up or remodeling of the legislation involved, but under our federal national defense procedure it suddenly became necessary that many citizens who were seeking employment prove that they were born in the Commonwealth of Pennsylvania and that they were automatically citizens of this great Commonwealth and the United States of America.

As a result of that, Mr. President, thousands upon thousands of applications were poured into the Bureau of Vital Statistics, which was equipped to handle a normal demand and not an abnormal demand, and as a result the machinery did slow down. However, Mr. President, there have been as I understand it approximately seventy new employes put in there to try to take care of this rush and they are being trained and they are trying to take care of the work but I want to say in all fairness to those people who are working over there morning, noon and night—the forty hour plan does not involve them because they are trying to render a service, about which complaint has been made so frequently.

We have recently had a run of people applying for registration. It is not the fault of the Bureau of Vital Statistics that registration of those born prior to 1906 was not required in the Commonwealth and I appreciate the fact that in a great many instances those of us who were born prior to that effective date may have difficulty in producing birth records or statistical data to show we were born in Pennsylvania.

Mr. President, I would like to make it clear and I want to say first of all there is no attempt to make you prove you were born; the question is the situs of the birth, that is the thing you must prove.

We should not embarrass our federal government, when all political leaders from all political factions are pleading for national unity and elimination of partisanship, we should not embarrass our government by permitting aliens to take a short cut to citizenship.

Here in this department, Mr. President, a few years from now, I would venture to say in 1942, the Department of Vital Statistics once more will be back to normal but here we are asking them to assume the registration of thousands of citizens who were born in this country prior to 1906, and the machinery is tremendous. As the gentleman from Philadelphia says, the charge of two dollars and a half is not exorbitant. I have sympathy for the person who can not produce documentary evidence to prove he was born in Pennsylvania prior to 1906 and would have to seek recourse in the Orphans' Court but I say that the law, ever since the time of Justinian the Great, by its universality has worked hardship in individual cases.

Mr. President, I refuse to accept the gentleman from Fayette as the sole keeper of righteousness and neither will I permit any other Senator to say he has a monopoly on righteousness or justice or equity and I think the members of the legal profession should ignore the suggestion that we are an avaricion group who stand back of this law to drum up business.

I think this law will protect the citizenship of the Commonwealth of Pennsylvania. I think the committee has done everything it could do, everything in its power to expedite and facilitate and streamline the procedure without endangering the right that a person as an individual acquires when he is born in this country. That is a sacred right and we should protect it.

I think the committee has done an excellent job and I think this bill is as carefully drawn and as adequate as we can make it at this time. The mistakes in procedure will appear in any procedural act or any machinery act after it has been in operation will appear during the course of procedure of this bill but I want to assure the gentleman from Fayette that the bureaucracy that he and I both refuse to tolerate is something we will have to put up with temporarily in order to protect our rights of citizenship.

Mr. REED. Mr. President, I want to rise in defense of the employes of the Department of Vital Statistics. In all of my experience with the departments here I have never found employes that have been more faithful, more courteous and more willing to help than the employes from the Department of Vital Statistics.

Mr. President, that is not where the trouble lies. The trouble lies in the complicated and difficult machinery of procedure. I believe and a repeat that this bill will make the machinery more complicated, make the procedure more difficult and that is exactly what we must stay away from. We want reasonable rules but we do not want burdensome rules.

I have listened very attentively to the discussion here today and a great part of that discussion has been aimed at aliens. This bill does not alone concern aliens; this bill concerns everybody. I have had in the last two or three weeks letters from some of the best farmers in my county, asking and inquiring why it was so difficult to get birth certificates for their children, and I have not got them yet. I had a letter from one of the best church fathers in this state four or five weeks ago. I took that case up immediately and I have gotten no results as yet.

Mr. President, I am not blaming the employes in the department; I am blaming the cumbersome procedure over there. I tell you, Mr. President and members of this Senate, if you make the rules and regulations so stringent that the people cannot comply with them, then you are doing more to break down Democracy than you would by

passing this bill in its present form, making the rules and regulations more stringent, and giving this department more and more power and more authority, the very thing which the gentleman from Allegheny, Mr. Walker, has been condemning on the floor of this Senate for sometime.

Mr. President, I think this bill ought either be voted down or be put back in committee, in order that it might be prepared along a middle ground so that the rules and regulations will be reasonably strict but not be burdensome, not be overly burdensome as they are in this bill in its present form.

Mr. McGINNIS. Mr. President, I think the question here is; does this bill improve the old conditions or not. As I see it, I do not think it does. I think this bill is just as cumbersome to handle as the other bill. I think we ought to decide this question, what is going to do the most good for our own people.

I know people born in this country who are vicious citizens, and I know people born in foreign countries that are our best citizens and I do not think it so very important just where a man is born, but the important thing is how has he lived since he was born, and I do not think a birth certificate makes much difference when a man goes to get employment. Today I am sure every industry in this state not only looks at that birth certificate but looks more at his life since and they go into that very carefully.

Now, if we have a system and it is provided under this bill to make it impossible or well nigh impossible for thousands and thousands of our citizens here, that we all know are loyal and faithful citizens, if we do not provide some way for these people, and they are the great majority, I say there are only a few, only a few in this State that are trying to slip in and get a false birth certificate; if they are that bad, they are doing other things worse.

Mr. President, you know in these days there is a great danger of hysteria. I happened to have served during the other war; I was assistant United States Attorney at Pittsburgh and had charge of alien enemies, and I want to say to those of you who went through that period I hope we will not go through another, with the false patriotism, the hysteria that seizes people when we are in war or near war. Let me give you an example. Out at the Pennsylvania College for Women, back in the old war, there was an old German there who took care of the lawns, flowers and shrubbery, and that lawn of the Pennsylvania College for Women was beautiful for a great many years. Lo and behold, that poor old gentleman was arrested by a United States Marshal one day and brought to my office and every Pittsburgh paper, on the front page, set forth in type two inches long, "a spy found in the Pennsylvania College for Women; he has an instrument that will burn the building down across the street; he has a gun that will shoot without making any noise." The New York World sent down a correspondent; the New York papers ran the same story, and do you know what it was this poor old fellow, when they searched his trunk, they found he had a sling-shot he could shoot without making any noise; he had a magnifying glass so that he could read, and that was the truth. Now, many things like that happened, and I hope that hysteria will not sieze this body.

Mr. President, I feel that the easier we can make it for our thousands of honest citizens who were born here, to get their certificates and get to work, when jobs are waiting for them, that is a great deal more important than perhaps letting some crook slip through. If he does slip through, I do not think he can do much harm, because if he is that deproved he will go further, so it is not so important just about a birth certificate.

I think, Mr. President, we should make this thing as reasonable as we can; cut out this red tape. It is not important to prove other things in this country. I think any person in any community can get a couple of affidavits from decent honest men and women who will come in and say this man lived here forty years, was born here. We take it in other things. Why cannot we take such evidence when it comes to birth certificates back before 1906? I think we are making a mountain out of a molehill, and I do not think this bill does what you intend it to do. I think we ought to send this bill back to committee and provide some reasonable, sensible way so that our thousands upon thousands of people in this state who have jobs waiting for them cannot get those jobs simply because we are afraid that some poor foreigner, half-baked foreigner might get a couple of affidavits and slip in. I think if he did slip in a man of that type would be caught otherwise.

Mr. DENT. Mr. President, before I asked for a matter of information, I just want to make this observation: This bill is based on the assumption that all people are dishonest and have to prove that they are honest. The thing I have been talking about and asking the co-operation of this Senate was covered very ably by the gentleman from Allegheny, that is, to make it easier for a person to establish the fact that he is whom he represents himself to be, that he may get his certificate and get into a job. What you men perhaps do not realize is this, maybe this will make you realize it. I would be willing to wager as much as my financial status would allow me to wager that not more than ten percent of all the persons in this room, taking all ages into consideration in total, ten per cent could not get their birth certificates within thirty days from now, and I think everybody in here is an American. I just want to make that statement to prove to you just how bad the situation really is.

Now, what I am interested in finding out, those who were born after 1906, and I just want to bring this out—for my information, Mr. President, I would like the reporter to read the opening remarks made by the gentleman from Allegheny, Mr. Walker, where he referred to the statements made about doctors not being able to read or write. I want to hear that.

(The Senate was at ease for a short time.)

Mr. DENT. Mr. President, I had understood the gentleman from Allegheny to say one thing and that is why I wanted it read to me from the record, because a certain doctor on this floor had discussed this matter with me and I did not want any reflections cast on him, but the gentleman from Allegheny, Mr. Walker, has explained it to me and we understand each other.

Mr. President, I do want to say before I close that this bill does not do what I personally want it to do and therefore I shall vote against it.

Also, Mr. President, I just want to say that today out at the Robertshaw plant in Westmoreland County the requirements are not only the presentation of birth certificates but also the matter of taking photos of their employes and fingerprints, and so, Mr. President, we are in

this country getting like a group of girls in a boarding school when somebody hollers "Fire". Everything that comes up now is referred to as a matter of national defense. I have a bill which concerns national defense because of certain contingencies in there, which might crop up. I will tell about that when the bill comes out. The gentleman spoke about war hysteria. This is not a defense bill. This bill started out to be a bill that would enable citizens of this country, citizens of Pennsylvania, if you please, and residents here, to get birth certificates in order that they could get jobs. You can not out-legislate crooks, thieves, and embezzlers; if you could we would not have them.

Mr. President, I agree with the gentleman from Fayette, this is going to cost an exorbitant amount of money to the individual who is obliged to go to the Orphan's Court. I am a layman, and I have had to pay some lawyers, and I think the gentleman from Fayette made a very good point on that, because I did not see any hands raised in the Senate when the gentleman from Fayette asked the attorneys whether they would take the cases for charity and you certainly would not be able to go before the Orphan's Court for much less than twenty-five dollars, and with the charges already specified in the bill you are making it exhorbitant to get a birth certicate. My goodness, if a person wants to work you should not prevent him and, you know, according to the rules, the Reds, Nazis, Facists, Communists, do not want to work and that is why they are Reds, Nazis, Facists, and Communists.

Mr. MILLER. Mr. President, it is not my intention to prolong this discussion any further, but I have listened with a great deal of interest to the oratory of those of the legal profession, and have arrived at the conclusion there is great deal of logic in what has been said. It was my intention to speak as a layman, but I must now make apologies to the gentleman from Westmoreland, who has also spoken on that subject.

Mr. President, I had the privilege of serving on the subcommittee in preparing these amendments, and I will say the same committee spent considerable time in their preparation. They brought before them heads of the Department of Vital Statistics, as well as the Director, and those people in my opinion ought to be in a position to at least know the requirements necessary.

In studying this bill I am of the opinion that as these stipulations here set forth, which make possible the issuing of a certified birth record, combined with a final appeal to the Orphan's Court, if any particular case is rejected by that court, there is something mysteriously wrong in the case of the applicant and I am willing to rest my case on this bill and intend to vote for it.

Mr. HALUSKA. Mr. President, as pointed out by my colleague from Allegheny yesterday, I am not a lawyer and I probably should not debate this bill, but I am a layman and a member of this body.

When I first came down to this body, I had a great deal of respect for the Senate of Pennsylvania, because I was always told that they were a law making body and I was anxious to become a member of this body, but I find since I have been here that we are not a law making body. We ought to convene one day and pass a resolution stating that the various departments will have the power to make their own rules and leave.

That is what this bill contains and that is why I have been prompted to introduce eighteen or nineteen measures trying to take away from these departments that right and I think we have sufficient intelligence here to make our own rules. I think that is our duty, and I further think that in this bill this body should stipulate the provisions, how it is possible to obtain a birth certificate, and if the applicant cannot meet those requirements, then it is too bad for the applicant, but we say "if satisfactory to the department."

Therefore, Mr. President, I would like to interrogate the Senator from Luzerne, Mr. Miller.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Luzerne tell me whether or not the department dictated the amendments that now appear in this bill.

Mr. MILLER. Mr. President, I am of the opinion the gentleman from Cambria misunderstood my remarks. I do not believe I said the department dictated the amendments set forth in this bill.

Mr. HALUSKA. Mr. President, did the gentleman from Luzerne consult with the department as to the amendments?

Mr. MILLER. I beg your pardon.

Mr. HALUSKA. I said, Mr. President, did the gentleman consult with the department as to the amendments?

Mr. MILLER. Mr. President, I said as a member of the sub-committee that the department heads and the director himself appeared before that committee.

Mr. HALUSKA. Mr. President, did they recommend any of the amendments?

Mr. MILLER. I do not know as they did, Mr. President.

Mr. HALUSKA. Mr. President, were they orignated with the Committee?

Mr. MILLER. I would say, yes.

And the question recurring,

Will the Senate agree to the bill on third reading

It was agreed to.

And said bill having read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barr,	Deitrick,	Kephart,	Tallman,
Bartlett,	Ealy,	Letzler,	Taylor,
Becker,	Edmonds,	Mallery,	Thomas,
Carr,	Farrell,	Miller,	Tyler,
Chapman,	Geltz,	Scarlett,	Wade,
Cox,	Heyburn,	Shapiro,	Walker,
Crider,	Homsher,	Snowden,	Wilson, H. I.,
Crowe,	James,	Stiefel,	

NAYS—9

Cavalcante,	Haluska,	McGinnis,	Reed,
Coleman,	Lanius,	McQuiddy,	Ruth,
Dent,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 66, as follows:

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section four hundred thirty-nine of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of April one thousand nine hundred and thirty-seven (P. L. 329) is hereby further amended to read as follows

Section 439 Duties of Grave Registrar and Compilation of War Records

* * * *

For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a veterans' grave registrar who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

It shall also be the duty of the Veterans' Grave Registrar to perform duties similar to those performed by the Service Officers in Veterans' organizations in assisting war veterans and their families in securing their rights as such in matters relating to their person property and care of family and for such services the Grave Registrar shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,	Deitrick,	Kephart,	Shapiro,
Bartlett,	Dent,	Lanius,	Snowden,
Becker,	Ealy,	Letzler,	Stiefel,
Carr,	Edmonds,	Mallery,	Tallman,
Cavalcante,	Farrell,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 50, on second reading, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO. Mr. President, so that there may be no suggestion that I waited until this bill was on final passage for the purpose of suggesting amendments, I desire to suggest that this bill, in my opinion, is certainly not the type of bill we should pass at this time. This bill provides that no department of the Commonwealth of Pennsylvania, no political sub-division of the Commonwealth shall employ aliens—

I am not in favor of this bill. I think if a man comes here and wants to become a citizen and declares his intention of becoming a citizen, he ought to be given the same rights as any other citizen, because he has shown he is taking advantage of the opportunities we have offered for years to people who come over here and enjoy our democracy and its benefits.

It takes five years, several years, before a man can become a citizen. If he has declared his desire to become a citizen, and he cannot secure employment, then he would have to do this, he would have to get on our unemployment lists, get on our relief, and we would be paying him money from relief at a time when he was willing to work, he could get employment, but we make it a penal offense, a misdemeanor, for any department head in any department of the Commonwealth or any political subdivision of the Commonwealth to give him a job, and it strikes me that is bad legislation at this time. Certainly it does not sound very Democratic to me.

Mr. President, I have therefore suggested that this bill go over in order until it can be given further consideration or some motion made in connection with it.

BILL OVER IN ORDER

SENATE BILL No. 65

The PRESIDENT. The Chair wishes to call the attention of the members of the Senate to the fact that Senate Bill No. 65, on second reading, has not been printed correctly; there are some errors and a reprinting of the bill has not yet been effected.

If there is no objection Senate Bill No. 65, on second reading, entitled:

An Act permitting and regulating fishing in certain reservoirs used for public water supply purposes in accordance with rules and regulations adopted by the Board of Fish Commissioners; modifying the laws with respect to trespass, and imposing penalties.

will go over in its order.

Is there objections? The Chair hears none.

Mr. MALLERY. Mr. President, I want to call the Senate's attention to Senate Bill No. 65, Printer's No. 40. I do not know when I was more surprised than when, in looking over the Calendar, I saw that this bill had gotten out of committee.

Mr. President, I do not know of anything that we should be more zealous and careful about than to protect our

public water supply. At home the municipal authorities do not even permit trespassing on the water shed.

This is a most important matter, gentlemen, and I do not think the legislature in any manner wants to let down safeguards pertaining to our public water supply.

I spoke to the sponsor of the bill but he did not care to make a motion himself to have the bill referred back to committee, as he said that the locality in which he lives obtains its water supply from the Allegheny River, and of course there is no prohibition at the present time against fishing in the Allegheny River.

Therefore, Mr. President, on Monday I shall move that Senate Bill No. 65 be rereferred to the Committee on Forests, Waters, Game and Fish.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 163, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 187, entitled:

An Act to amend section thirty-eight of article four of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 237, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons with the said classifications.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 247, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 252, (House Bill No. 320), entitled:

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 253, entitled:

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 254, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 291, (House Bill No. 381), entitled:

An Act to amend section nine hundred eight of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations, defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations, conferring certain rights, powers, duties and immunities upon them and their officers and shareholders, prescribing the conditions on which such corporations may exercise their powers, providing for the inclusion of certain existing corporations of the second class within the provisions of this act, prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers, authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act, imposing penalties and repealing certain acts and parts of acts relating to corporations" by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation and making the rights and remedies herein provided for exclusive.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 293, (House Bill No. 402), entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation;" by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. WALKER. Mr. President, I would like to ask the sponsor of Senate Bill No. 299, if he has any objection to the bill going over in its order, so that we may have a chance to study it.

Mr. CROWE. No, Mr. President.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 299, on second reading, entitled:

An Act to further amend section one of the act approved the eighth day of July, one thousand nine hundred and

nineteen (Pamphlet Laws seven hundred thirty-seven), entitled "A supplement to an act entitled 'An act to establish a Board of Commissioners of Nevigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boards, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor,' approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," providing for the payment of maintenance fees by pupils, and the disposition thereof.

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

Mr. WALKER. Mr. President, I desire to make the same request of the sponsor of Senate Bill No. 300, whether he has any objection to this bill going over in its order.

Mr. CROWE. No, Mr. President.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 300, on second reading, entitled:

An Act to further amend subsection (h) of section one hundred two of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

go over in its order.

The PRESIDENT. Is there objection? The chair hears none.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 450, (Senate Bill No. 353), entitled:

An Act to further amend section 1902 of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two), entitled "Third Class City Law," exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts.

Which was committed to the Committee on Municipal Government.

House Bill No. 465, (Senate Bill No. 354), entitled:

An Art to amend section four thousand four hundred nine of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (Pamphlet Laws nine hundred thirty-two), entitled "Third Class City Law," authorizing each civil service board in said cities to employ legal counsel when it deems it necessary.

Which was committed to the Committee on Municipal Government.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 2:00 o'clock, p. m.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Sennate will be in order.

RESOLUTION CALLED FROM TABLE

Mr. GELTZ. Mr. President, I move that the resolution from the Finance Committee relative to the Joint State Government Commission laid on the table yesterday be taken from the table for consideration.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

It was agreed to.

The resolution was twice read as follows, as amended, considered and agreed to.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore be it

Resolved, (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by the Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly, 1000 of said copies shall be for the use of the Joint State Government Commission.

REPORTS FROM COMMITTEE

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL from the Committee on Appropriations reported as committed, Senate Bill No. 289, (House Bill No. 225), entitled:

An Act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor.

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN from the Committee on Appropriations reported as committed, Senate Bill No. 144, entitled:

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do

now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 144, entitled:

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act to further amend clause (i) of section four hundred ten, of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciproral and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to further amend section three hundred one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 270, entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three), entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 289, (House Bill No. 225), entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 17, 1941, at 4:30 o'clock, p. m.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:17 o'clock, p. m. until Monday, March 17, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 12, 1941.

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Heavenly Father we seek Thy favor as we begin and end this session. We implore Thy guidance in all the deliberations of this body of law makers. We ask that Thou mightest grant unto each 'good speed' as he journeys homeward. As each finds his place in Thy House on his appointed day of worship may there be a consciousness of Thy presence come in such power as to cause each man to return to this House of Representatives with a firm and steadfast resolution to pass only those laws which will glorify Thy Name and give honor to Thy Day. In Jesus' Name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. TAYLOR, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. DUFFY and CORRIGAN.

HOUSE BILL No. 771.

An Act to amend subsection (d) of section two hundred eight of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep rec-

ords and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," further regulating the fixing and the increasing of salaries of persons employed for the purpose of administering said act, in certain cases.

Referred to the Committee on Labor.

By Mr. WOLF. HOUSE BILL No. 772.

An Act making an appropriation to state teachers colleges to enable such institutions to add certain courses to their curricula.

Referred to the Committee on Appropriations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 773.

An Act to repeal the act, approved the tenth day of May, one thousand nine hundred and thirty-nine (P. L. 111), entitled "An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws."

Referred to the Committee on State Government.

By Mr. PRESLEY N. JONES. HOUSE BILL No. 774.

To promote the general public health and welfare by regulating the business of "strip mining" or mining coal by removing the overlying soil or strata therefrom; authorizing the Department of Mines to issue permits for "strip mining" operations; requiring those proposing to engage in strip mining operations to file a bond with the Department of Mines to secure the leveling and replacement of the surface soil; imposing certain additional duties upon the Department of Mines and the various mine inspectors; and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. WATKINS. HOUSE BILL No. 775.

Requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds; making the provisions of the act retroactive, and repealing existing laws.

Referred to the Committee on Municipal Corporations.

By Mr. RUSH. HOUSE BILL No. 776.

To amend subsection (b) of section one of the act, approved the twentieth day of June, one thousand nine hundred thirty-nine (P. L. 508), entitled "An act defining the rights, powers and duties of collectors of county taxes, except in counties of the second class and counties having local or special laws relating thereto, and of collectors of city, in cities of the third class, borough, town, township, school district and institution district taxes; providing for the collection of such taxes by suit, distraint, and lien and sale of the chattels of taxables and of tenants on the real estate affected, and from employers of delinquent taxables; authorizing the appointment of deputies by the tax collectors; defining certain definite defaults of tax collectors as embezzlements; and imposing penalties," defining certain rights and duties of tenants on real property when demand is made on them for the payment of taxes assessed against such property.

Referred to the Committee on Municipal Corporations.

By Messrs. D'ORTONA and DiGENOVA. HOUSE BILL No. 777.

An Act to amend section two thousand five hundred five A of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further regulating the fixing of maximum and minimum salaries by the Department of Public Assistance and the employment Board, and providing for increases of salaries in certain cases.

Referred to the Committee on State Government.

By Messrs. HEATHERINGTON and WILLIAMS. HOUSE BILL No. 778.

An Act to amend section three hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the issuance of resident hunters' licenses, free of charge, in certain cases.

Referred to the Committee on Game.

By Messrs. HEATHERINGTON and WILLIAMS. HOUSE BILL No. 779.

An Act to further amend section two hundred and twenty of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuance of fishing licenses, free of charge in certain cases.

Referred to the Committee on Fisheries.

By Mr. ROSENFELD. HOUSE BILL No. 780.

An Act to further amend clause (f) of section two hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of

licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the fixing of salaries of persons employed under the provisions of said act, and increasing such salaries in certain cases.

Referred to the Committee on Liquor Control.

By Mr. PETROSKY. HOUSE BILL No. 781.

An Act authorizing cities, boroughs, incorporated towns and townships to abate certain interest charges and penalties added to municipal claims imposed or assessed for certain improvements; prohibiting the sale of real property for the non-payment of such claims for a certain period; preserving the liens of such claims; and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Mr. POWERS. HOUSE BILL No. 782.

To further amend subsection (j) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local; or any parts thereof, that are or may be inconsistent therewith," eliminating appeals to the Superintendent of Public Instruction from rulings on charges against professional employes.

Referred to the Committee on Education.

By Mr. POWERS. HOUSE BILL No. 783.

To further amend the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 414), entitled as amended "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing additional duties and powers on fingerprint experts and on certain district attorneys, police officers, wardens or keepers of jails, prisons, workhouses or other penal institutions.

Referred to the Committee on Municipal Corporations.

By Mr. POWERS. HOUSE BILL No. 784.

To further amend the second paragraph of section one thousand two hundred one, and sections one thousand two hundred fourteen and one thousand two hundred fifteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," removing supervising principals from the class of professional employes; and providing for their employment for terms of three years.

Referred to the Committee on Education.

By Mr. WALTER E. ROSE HOUSE BILL No. 785.

An Act to further amend section sixteen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by giving county commissioners the right to recover possession of real property purchased at tax sales and to rent such lands, and providing for the disposition of moneys received from such rentals.

Referred to the Committee on Counties.

By Mr. KEENAN. HOUSE BILL No. 786.

An Act to further amend section forty-three of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure, and registration of persons, firms, or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations, and requirements for the construction of plumbing, house drainage, and cesspools in cities of the second class; and imposing fines, penalties, and forfeitures for violation thereof," by permitting the use of enclosed woodwork about sinks in all except tenement-houses and lodging-houses.

Referred to the Committee on Professional Licensure.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 787.

To further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," abolishing the Department of Commerce; and reestablishing the State Planning Board as an independent administrative board.

Referred to the Committee on State Government.

By Messrs. ELLIOTT and DOLON.

HOUSE BILL No. 788.

To promote the general public health and welfare by regulating the business of "strip mining" or mining coal by removing the overlying soil or strata therefrom; authorizing the Department of Mines to issue permits for "strip mining" operations; requiring those proposing to engage in strip mining operations to file a bond with the Department of Mines to secure the leveling and replacement of the surface soil; imposing certain additional duties upon the Department of Mines and the various mine inspectors; and providing penalties.

Referred to the Committee on Mines and Mining.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 81. (HOUSE BILL No. 789.)

An Act to amend section one thousand one hundred and forty-seven of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto", by extending the power to accept roads, streets, lanes and alleys dedicated as public highways.

Referred to the Committee on Townships.

SENATE BILL No. 151. (HOUSE BILL No. 790.)

An Act authorizing and directing county treasurers to execute deeds for unseated and seated lands sold by their predecessors in office, and validating deeds heretofore so executed.

Referred to the Committee on Counties.

SENATE BILL No. 244. (HOUSE BILL No. 791.)

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealtn to appoint probate clerks," by providing for the appointment of additional probate clerks.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. HARKINS RESOLUTION No. 52.

In the House of Representatives, March 12, 1941.

Whereas, The Legislature of the Commonwealth of Pennsylvania established by Act No. 168 of 1939 amending Act No. 397 of 1937 a certain and definite policy with respect to repayment from the real and personal estate of relief recipients of sums granted by the Commonwealth of Pennsylvania according to the provisions of said Act No. 168 of 1939; and

Whereas, From an examination of Departmental Memoranda No. 799 and No. 800 issued September 5, 1939 and Departmental Memorandum No. 30 issued January 31, 1941 it appears that the Department of Public Assistance has nullified various portions of the aforesaid Act No. 168 of the session of 1939, now therefore be it

Resolved, That the House of Representatives does hereby request the Secretary of the Department of Public Assistance of the Commonwealth of Pennsylvania to report to it to what extent, if any, Act No. 168 of 1939 is being enforced; to what extent, if any, it is being modified by departmental rulings with respect to both real and personal property not specifically exempted by the said Act; be it further

Resolved, That the House of Representatives does hereby request the Secretary of the Department of Public Assistance of the Commonwealth of Pennsylvania to inform the House of Representatives whether such nullification, if there be any, is based upon formal opinions of the Attorney General of the Commonwealth of Pennsylvania and to send the House of Representatives copies of said formal opinions.

Referred to the Committee on Welfare.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

FIREMEN, POLICEMEN AND PARK GUARDS

A communication from D. M. Allebach, addressed to the Speaker, endorsing enactment of legislation increasing salaries of firemen, policemen and park guards.

Referred to the Committee on Cities First Class.

CONSOLIDATION OF COUNTIES

Resolutions from the borough of Folcroft, Lansdowne and Yeadon, Montgomery and Delaware counties protesting passage of House Bill No. 410, proposing merger of parts of these counties with Philadelphia County.

Referred to the Committee on Counties.

SCHOOL CODE

A communication from Raymond O. Latsha, Spring Glen, requesting that consideration be given to increased salaries for teachers in Fourth Class School Districts.

A petition addressed to Messrs. Haberlen and Lesko from the township and borough of Ligonier, Westmoreland County, requesting that consideration be given to increased salaries for teachers in Fourth Class School Districts.

Referred to the Committee on Education.

ANTI-POLL TAX

A communication from Leonard R. Tittleman, Philadelphia, requesting memoralization of Congress relative to Geyer Anti-poll Bill.

Referred to the Committee on Elections.

LIQUOR LICENSES

Communications (12) from citizens of Philadelphia, addressed to the Speaker, protesting passage of legislation increasing hours during which liquor may be sold by licensees.

Referred to the Committee on Liquor Control.

EMPLOYES OF LIQUOR LICENSEES

A communication and resolutions from hotel and restaurant employes International Alliance and Bartenders International League of America, McKeesport, addressed to Mr. Moran, requesting that the provisions of the Act of June 9, 1939, P. L. 307, be made to apply to all licensees.

Referred to the Committee on Liquor Control.

OPTOMETRY LAW

A communication from Pennsylvania Optometric Association addressed to the Speaker, requesting support for House Bills Nos. 684 and 685.

Referred to the Committee on Professional Licensure.

PENSIONS

A communication from Joseph S. Hogan, Philadelphia, addressed to the Speaker, requesting passage of pension legislation.

Referred to the Committee on Welfare.

REPORTS FROM COMMITTEES

Mr. SCANLON, from the Committee on Public Utilities, reported as committed, House Bill No. 64, entitled:

Imposing regulations and restrictions upon persons, associations, partnerships and corporations owning, leasing or having control over electric light or power lines, conduits, telephone and telegraph wires located near certain public highways or near flying fields.

Mr. D'ORTONA, from the Committee on Welfare, reported as committed, House Bill No. 604, entitled:

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure, "by defining further the duty of support of indigent persons by children or grandchildren.

Mr. RAUSCH, from the Committee on Motor Vehicles, reported as committed, House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

Mr. HOLLAND, from the Committee on Military Affairs, reported as committed, House Bill No. 180, entitled:

An Act providing that every county, city, borough, town and township, may, upon application, furnish meeting rooms for war veterans and sons of veterans' organizations.

Mr. KOLANKIEWICZ, from the Committee on Military Affairs, reported as committed, House Bill No. 182, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 106), entitled "An act prohibiting the discharge from public positions of Union soldiers without reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union soldiers except for good reason," by extending the provisions thereof to veterans and nurses of any war in which the United States has engaged.

Mr. MALLOY, from the Committee on Military Affairs, reported as committed, House Bill No. 89, entitled:

Authorizing the Department of Property and Supplies to allocate, or provide, rooms for State Headquarters of the United Spanish War Veterans, Veterans of Foreign Wars of the United States, American Legion, and Disabled American Veterans of the World War; and providing that expenses for heat, light, water, and janitor services, shall be borne by the Commonwealth.

Mr. HAMILTON, from the Committee on Military Affairs, reported as committed, House Bill No. 90, entitled:

Providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as United Spanish War Veterans, Inc.

Mr. GATES, from the Committee on Banking, reported as committed, House Bill No. 561, entitled:

To amend section six hundred and eight of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the voting of shares held by incorporated institutions.

Mr. JEFFERSON, from the Committee on Military Affairs, reported as committed, House Bill No. 6, entitled:

An Act to amend the act, approved the twenty-first day of April, one thousand nine hundred and thirty-seven (P. L. 331), entitled "An act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals," providing for the issuance of such medals free of charge, and for the reimbursement of the cost thereof heretofore paid.

Mr. DIX, from the Committee on Military Affairs, reported as committed, House Bill No. 104, entitled:

To further amend section seven of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; providing the method of making payment to representatives or persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," extending the time during which application may be filed for veterans' compensation.

BILL RE-REFERRED

Mr. SARRAF returned from the Committee on Public Health and Sanitation with the recommendation that it be re-referred to the Committee on Professional Licensure, House Bill No. 707, entitled:

An Act to further amend section nine of the act approved March thirtieth, one thousand nine hundred seventeen, (P. L. 21) entitled, "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby

the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith;" and further regulating advertising by optometrists.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 136, entitled:

An Act to further amend section four of the act approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by extending the provisions thereof to certain additional cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof." by further regulating the employment of females in certain establishments with respect to their hours of labor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 551, entitled:

A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 581, entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 468, entitled:

An Act making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 550, entitled:

An Act to repeal the act approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act to further amend section five hundred and three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or report under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 704, (Senate Bill No. 198), entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 450, as follows:

An Act to further amend section 1902 of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" exempting certain contracts for public utility service from the provisions of said act regulating advertising and bidding for contracts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section 1902 of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" as last amended by section one of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 927) is hereby further amended to read as follows

Section 1902 Regulations Concerning Contracts All work and materials required by any city of the third class or any department thereof where the amount exceeds the sum of five hundred dollars shall be furnished and performed under written contract and the contract shall be awarded and given to the lowest responsible bidder after advertising three times each publication on a different day in not more than two newspapers in accord with the provisions of section one hundred and nine of this act and the bids shall not be opened until at least ten days have elapsed after the first advertisement Provided That the requirements of this section as to advertising and contracts and bidding and to the sum of five hundred dollars shall not apply to contracts for any public utility service where the service is to be provided by a public utility under tariffs on file with the Pennsylvania Public Utility Commission or to repairs of highways sewers and other public improvements or to resurfacing or maintaining of highways or to street and sewer cleaning or to the collection of rubbish ashes and garbage made done and provided by the officers and employes of the city or to any agreement with the Commonwealth whereby the city agrees to pay a portion of the cost of any improvement made under contract let by the Commonwealth or any department thereof And further provided That where the roadway of a street is to be paved originally and for the first time or reconstructed by putting down a new base or a sewer is to be constructed or grading done such work shall be done under written contract after advertising as provided in section one hundred and nine of this act and such contract shall be given to the lowest responsible bidder

The council shall by ordinance provide for and regulate the purchase of supplies and materials and the sale of personal property

The council may also by ordinance provide a contingent fund or funds for necessary repairs and incidental expenses not otherwise provided in the general appropriations and such funds may be expended without advertising for bids

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Flynn,	Longo,	Rose, S.,
Allmond,	Foor,	Lovett,	Rose, W. E.,
Auker,	French,	Lyons,	Rosenfeld,
Baker,	Gallagher,	Malloy,	Royer,
Balthaser,	Gates,	Marks,	Sarraf,
Baugher,	Gerard,	Maxwell,	Scanlon,
Bentley,	Gillan,	McClanaghan,	Schwab,
Bentzel,	Gillette,	McClester,	Serrill,
Boies,	Goodwin,	McDermott,	Shaffer,
Boney,	Greenwood,	McDowell,	Shaw,
Boorse,	Gross,	McFall,	Shepard,
Bower,	Gryskewicz,	McGrath,	Simons,
Bradley,	Gyger,	McIntosh,	Skale,
Breth,	Habbyshaw,	McKinney,	Snyder,
Bretherick,	Haberlen,	McLanahan,	Sollenberger,
Brown,	Haines,	McLane,	Sorg,
Brunner, C. H.,	Hall,	McMillen,	Stambaugh,
Brunner, P. A.,	Hamilton,	McSurdy,	Stank,
Burns,	Hare,	Melchiorre,	Stine,
Burris,	Harkins,	Mihm,	Stockham,
Cadwalader,	Harmuth,	Modell,	Tarr,
Chervenak,	Harris,	Monks,	Tate,
Chudoff,	Heatherington,	Mooney,	Taylor,
Cohen, M. M.,	Helm,	Moran,	Thompson, E. F.,
Cohen, R. E.,	Hering,	Moul,	Thompson, R. L.,
Cook,	Herman,	Muir,	Turner,
Cooper,	Hersch,	Munley,	Verona,
Cordier,	Hewitt,	Nagel,	Vincent,
Corrigan,	Hirsch,	Nunemacher,	Vogt,
Croop,	Holland,	O'Brien,	Voldow,
Cullen,	Huntley,	O'Connor,	Voorhees,
Dalrymple,	Imbrie,	O'Neill,	Wagner,
DiGenova,	James,	Owens,	Watkins,
Dix,	Jefferson,	Petrosky,	Weingartner,
Dennison,	Jones, G. E.,	Pettit,	Weiss,
Dolon,	Jones, P. N.,	Polaski,	Welsh, E. B.,
D'Ortona,	Keenan,	Polen,	Welsh, M. J.,
Duffy,	Kenehan,	Powers,	Wilkinson,
Early,	Kline,	Prosen,	Williams,
Eckels,	Knoble,	Rank,	Winner,
Elder,	Kolankiewicz,	Rausch,	Wolf,
Elliott,	Komorofski,	Readinger,	Wood, L. H.,
Ely,	Krise,	Reagan,	Wood, N.,
Falkenstein,	Lee, E. A.,	Reese, D. P.,	Woodring,
Finestone,	Lee, T. H.,	Reese, R. E.,	Woodside,
Finnerty,	Leisey,	Regan,	Wright,
Fisher,	Leonard,	Reynolds,	Yeakel,
Fiss,	Lesko,	Rhea,	Yester,
Fleming,	Levy,	Riley,	Young,
Fletcher,	Leydic,	Rooney,	Kilroy,
	Lichtenwalter,		Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 465, as follows:

An Act to amend section four thousand four hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing each civil service board in said cities to employ legal counsel when it deems it necessary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand four hundred nine of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4409 Secretaries of Boards Counsel Compensation—Each of said civil service boards may appoint a secretary and prescribe his duties He shall be subject to removal at any time by the board appointing him and such board shall have power to change his duties Whenever a matter is before the board for which it deems additional legal advice or services necessary it may employ legal counsel The compensation to be paid said secretaries and such legal counsel and all necessary stationery and supplies for said board shall be such as council shall by ordinance direct

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Foor,	Lovett,	Rooney,
Allmond,	French,	Lyons,	Rose, S.,
Auker,	Gallagher,	Malloy,	Rose, W. E.,
Baker,	Gates,	Marks,	Rosenfeld,
Balthaser,	Gerard,	Maxwell,	Royer,
Baugher,	Gillan,	McClanaghan,	Sarraf,
Bentley,	Gillette,	McClester,	Scanlon,
Bentzel,	Goodwin,	McDermott,	Schwab,
Boles,	Greenwood,	McDowell,	Serrill,
Boney,	Gross,	McFall,	Shaffer,
Boorse,	Gryskewicz,	McGrath,	Shaw,
Bower,	Gyger,	McIntosh,	Shepard,
Bradley,	Habbyshaw,	McKinney,	Simons,
Breth,	Haberlen,	McLanahan,	Skale,
Bretherick,	Haines,	McLane,	Snyder,
Brown,	Hall,	McMillen,	Sollenberger,
Brunner, C. H.,	Hamilton,	McSurdy,	Sorg,
Brunner, P. A.,	Hare,	Melchiorre,	Stambaugh,
Burns,	Harkins,	Mihm,	Stank,
Burris,	Harmuth,	Modell,	Stine,
Cadwalader,	Harris,	Monks,	Stockham,
Chervenak,	Heatherington,	Mooney,	Tarr,
Chudoff,	Helm,	Moran,	Tate,
Cohen, M. M.,	Hering,	Moul,	Taylor,
Cohen, R. E.,	Herman,	Muir,	Thompson, E. F.,
Cook,	Hersch,	Munley,	Thompson, R. L.,
Cooper,	Hewitt,	Nagel,	Turner,
Cordier,	Hirsch,	Nunemacher,	Verona,
Corrigan,	Holland,	O'Brien,	Vincent,
Croop,	Huntley,	O'Connor,	Vogt,
Cullen,	Imbrie,	O'Dare,	Voldow,
Dalrymple,	James,	O'Mullen,	Voorhees,
Dennison,	Jefferson,	O'Neill,	Wagner,
DiGenova,	Jones, G. E.,	Owens,	Watkins,
Dix,	Jones, P. N.,	Petrosky,	Weingartner,
Dolon,	Keenan,	Pettit,	Welsh, E. B.,
D'Ortona,	Kenehan,	Polaski,	Welsh, M. J.,
Duffy,	Kline,	Polen,	Wilkinson,
Early,	Knoble,	Powers,	Williams,
Eckels,	Kolankiewicz,	Prosen,	Winner,
Elder,	Komorofski,	Rank,	Wolf,
Elliott,	Krise,	Rausch,	Wood, L. H.,
Ely,	Lee, E. A.,	Readinger,	Wood, N.,
Falkenstein,	Lee, T. H.,	Reagan,	Woodring,
Finestone,	Leisey,	Reese, D. P.,	Woodside,
Fisher,	Leonard,	Reese, R. E.,	Wright,
Fiss,	Lesko,	Regan,	Yeakel,
Fleming,	Levy,	Reynolds,	Yester,
Fletcher,	Leydic,	Rhea,	Young,
Flynn,	Lichtenwalter,	Riley,	Kilroy, Speaker.
	Longo,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 208, Printer's No. 41, was passed over at the request of Mr. ACHTERMAN.

PERMISSION TO ADDRESS HOUSE

Mr. JAMES asked and obtained unanimous consent to address the House.

Mr. Speaker, I have the proud distinction this morning of speaking to you as an honorary Irishman. I am quite sure the Members of the House will recognize at once that the distinction could never be achieved by any man who did not possess well defined merits.

It reminds me of an incident that is said to have happened in the colorful career of Harry Mackey, one time Mayor of the City of Philadelphia. It appears that His Honor was taking one of his frequent vacations and visited the Black Hills of Wyoming. A tribe of Indians hearing of the coming of His Honor raised a great celebration, the climax of which was that they made His Honor a member of their tribe. Word of this distinction reached City Hall in Philadelphia. The next morning the mayor received a telegram which read as follows:

"So now you are an Indian. Stop. Well, I'll be damned. Stop."

What I really want to do is to give the Members of the House a report of the committee that is preparing the celebration of St. Patrick's Day on behalf of the Legislative Sons of St. Patrick. This committee has at last planned a program which will be great in the memory of all of us. It will be a very, very disastrous thing for any Member of the House in this session to live through the rest of his life and be compelled to say to those he encounters that he did not attend the St. Patrick's banquet of 1941.

There has been a little misunderstanding, however, about making reservation, and I am asked by the committee to try to rectify the misunderstanding. It has been announced from the rostrum on two occasions that reservations are to be made in tables of six or eight, and that has been a matter of confusion in the minds of some of the Members. However, any Member can individually secure a ticket for this great occasion by applying at any time between now and next Monday noon to Mr. O'Neill, Mr. Moran or Mr. "McJames." I thank you.

COMMUNICATION

The SPEAKER laid before the House a telegram which was read by the Clerk as follows:

WESTERN UNION

Monessen, Penn.
12 1150 A

Elmer Kilroy,
Speaker House of Representatives
Harrisburg, Penn.

Daughter mother and father resting well. Best regards.

Representative David H. Weiss

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

UNITED STATES SENATE
Committee on Finance

March 11, 1941

Mr. Thomas J. Callahan
Chief Clerk
House of Representatives
Harrisburg, Pa.

Dear Mr. Callahan:

I have your letter of March 4th together with Resolution No. 19 adopted by the House of Representatives memorializing the Congress of the U. S. to designate December 15, 1941 as a National Holiday and authorize the appointment of a Bill of Rights Sesqui-Centennial Commission to sponsor appropriate ceremonies and celebrations upon that day.

I shall introduce the Resolution into the Congressional Record when the Senate meets again Thursday, March 13th, together with some of my own remarks. At the same time I shall introduce a Senate Joint Resolution to comply with your Resolution. A copy of the proposed Resolution is enclosed.

With every kind wish, I am

Most cordially yours,

James J. Davis

To provide for the celebration of the one-hundred and fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States.

Whereas the 15th day of December, 1941, is the day on which occurs the one-hundred and fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States; and

Whereas such day assumes unusual importance and significance during the present critical period in the history of our Nation and of the world when the fundamental rights of free people, as set forth in such amendments, are being threatened by totalitarian forces abroad and their sympathizers at home: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order that the one-hundred and fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States may be duly commemorated, the 15th day of December, 1941, is hereby declared to be a national public holiday throughout the United States.

Sec. 2. For the purpose of providing for appropriate ceremonies and celebrations on such day, there is hereby established a commission to be known as the Bill of Rights Sesqui-Centennial Commission (hereinafter referred to as the "Commission"), to be composed of seven commissioners, as follows: three persons to be appointed by the President of the United States, two Senators to be appointed by the President of the Senate, and two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The members of the Commission shall serve without compensation and shall select a chairman and vice-chairman from among their number. If any vacancies occur in the membership of the Commission, such vacancies shall be filled in the manner provided for the original appointments.

Sec. 3. It shall be the duty of the Commission to sponsor appropriate ceremonies and celebrations to be held throughout the United States on December 15, 1941, in commemoration of such anniversary.

Sec. 4. The Commission is authorized to make such expenditures for the purpose of carrying out its functions under this joint resolution as it may deem advisable, but no expenditure shall be made except for the purposes authorzied by a majority of the members thereof. Expenditures of the Commission shall be paid upon the presentation of vouchers approved by the chairman of the Commission.

Sec. 5. The authority of the Commission under this joint resolution shall cease and terminate on June 30, 1942, at which time the commission shall make a report of its expenditures and activities under this joint resolution to the Congress.

Sec. 6. There is hereby authorized to be appropriated the sum of $10,000 to be expended by the Commission for the purpose of carrying out the provisions of this joint resolution.

COMMUNICATION

The SPEAKER. The Chair wishes to read a letter from Matthew E. Welsh, Member of the General Assembly of Indiana.

Mr. WELSH. Mr. Speaker, that is a private affair and I object to having it read,—you go ahead and use your own judgment.

The SPEAKER. Does the gentleman object to the reading of the letter? For the information of the House, this letter is about the Welshs. Is the gentleman "welshing" The Chair will read the letter.

GENERAL ASSEMBLY
STATE OF INDIANA
HOUSE OF REPRESENTATIVES
INDIANAPOLIS

February 27, 1941.

Honorable Matthew J. Welsh,
Pennsylvania State Legislature,
Harrisburg, Pennsylvania

Dear Mr. Welsh:

A friend of mine who receives the Legislature Bulletin distributed by the Pennsylvania Chamber of Commerce, has called to my attention the fact that there was a Matthew J. Welsh in the Pennsylvania State Legislature.

Since my name is almost identical I trust your conduct is such that it will reflect credit upon our respective names. Please be assured I am trying to do the same in Indiana.

Very truly yours,

Matthew E. Welsh,
State Representative
Knox County

The SPEAKER: This is the reply:

March 11, 1941

Matthew E. Welsh
House of Representatives
Indianapolis, Indiana

Dear Mr. Welsh:

I was pleased to receive your letter some time ago and can assure you that our conduct has been excellent. We have three Welsh's in the Pennsylvania State Assembly. I do not have any photographs handy but I am sending you my Campaign card which will show you that I have the appearance of a Statesman.

Hoping to hear from you some other time.

Yours very truly,

(Signed Matthew J. Welsh)

Mr. TURNER. Mr. Speaker, in view of the fact that the gentleman is testifying for himself, I move that that reply letter be expunged from the record. Secondly, I move that a committee of three be appointed to investigate the proceedings by which Mat Welsh got somebody out in Indiana to write him a letter so that he could make that reply.

Mr. MATTHEW J. WELSH. Mr. Speaker, that campaign card of mine had a picture on it, and I think it will impress the other Matthew Welsh, but if I had Turner's picture on that card it would certainly be a great reflection on me and my friends.

PERMISSION TO ADDRESS HOUSE

Mr. SAMUEL ROSE asked and obtained unanimous consent to address the House.

Last week, Mr. Speaker, you stated that the Irish had begun to fight, and you appointed Mr. O'Mullen of Philadelphia to serve on this Irish Day celebration.

Since then, I noticed quite a look of disdain about his noble brow. Knowing that Mr. O'Mullen is descended from Irish kings, I wonder whether he is willing to serve on that committee with descendents of more Irish sheep herders.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The members of the Joint State Government Commission will meet at 2:30 p. m. in the new House Caucus Room instead of 3 p. m.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LEVY asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

RESOLUTION

CONGRATULATIONS

Mr. JAMES offered the following resolution which was read, considered and adopted:

In the House of Representatives, March 12, 1941.

Preceding the Day of St. Patrick by a scant five days, our good friend, J. P. Moran, was born a few years ago, and through an enviable record of achievements, has come to be a member of the General Assembly of the Commonwealth of Pennsylvania, serving his fourth consecutive term as the Representative of the Tenth Legislative District of Allegheny County.

A jovial and genial companion, with a great resounding voice from the aisle at the rear of the room, famous as a member of the team of "Moomaw and Moran," the bane of the local tax collectors, consistent and persistent in his efforts to transfer all utilities to the local political subdivisions, we have come to know him; and to know him is to love him, therefore be it

Resolved, That on this, his birthday, his fellow-members of the House of Representatives, extend to the Honorable J. P. Moran their heartiest congratulations and best wishes for a great many more such days, and express to him the sentiments of his progenitors, "May your shadow never grow less, and may the skin of a gooseberry serve as an umbrella for all of your enemies," and be it further

Resolved, That a copy of this resolution be presented by the Chief Clerk to Mr. Moran.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Moran.

Mr. MORAN. Mr. Speaker, I am unwilling to be recognized. What does the speaker desire to know?

The SPEAKER. What can the gentleman from Allegheny, Mr. Moran tell me in regard to this resolution?

Mr. MORAN. Well, Mr. Speaker, I have always tried to answer questions asked me. Of course, if the Speaker wishes to draw from my vast knowledge and experience, I will be glad to give him any information he desires,—or any other Member of the House for that matter.

The SPEAKER. The Chair was giving the Members an opportunity to Sing, "Happy Birthday To You."

The Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. MORAN. I knew that was going to happen.

PARLIAMENTARY INQUIRY

Mr. TURNER. Why doesn't the gentleman shut up, Mr. Speaker? I am trying to help him. I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Does the gentleman from Allegheny know there was a resolution passed congratulating him on his birthday? Once upon a time I presented some of the Members of the House with an alarm clock, but I never thought that was necessary for Mr. Moran.

Mr. MORAN. Mr. Speaker, am I being interrogated?

The SPEAKER. You were being interrogated.

Mr. MORAN. Well, I am just waking up; maybe I am not awake yet. I was not at the ball last night.

Mr. Speaker, those members who are sitting around me, are offering me all kinds of fatherly advice. I believe my mind is a little befuddled this morning and I know that Mr. Turner is waiting for a chance to get up again. I don't know whether I can say very much. I just found out I was born, in fact, I couldn't find out in the Bureau of Vital statistics that I was born. I went over there one day last week and they changed a boy into a girl in three minutes. I also know they changed a white man into a colored man, and he had been dead for five years.

I am still getting all kinds of advice around here, Mr. Speaker. However, I want to thank the members of the House and whoever presented the resolution. I appreciate it; I hope that they will all be here many many more terms, and that you all will be down at the St. Patrick's Day celebration. If you don't have any tickets, see me.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

CONGRATULATIONS

Mr. MAXWELL offered the following resolution which was read, considered and adopted:

In the House of Representatives, March 12, 1941.

Whereas, a certain Member of the House of Representatives has now been expecting the arrival of an offspring for the past four months; and

Whereas, in spite of our efforts to acquaint him with elementary physiology he has for the past four months continually harassed, annoyed and disturbed our peace of mind, rendering our life burdensome and our condition intolerable; and

Whereas, he led us to believe he would be the first expectant father we would lose in a somewhat lengthy practice; and

Whereas, on the 11th day of March 1941, Mrs. David H. Weiss at Charleroi-Monnessen Hospital gave birth to a baby girl; therefore be it

Resolved, that the House of Representatives felicitate the happy parents on the birth of such girl; and be it further

Resolved, that the Chief Clerk of the House of Representatives mail a copy of this resolution to Mrs. David H. Weiss further congratulating her on the birth of so presentable a daughter.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Welfare, Wednesday, March 12 after the session in Room 246.

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 227 on Tuesday, March 25 at 10 a. m. in the new House Caucus Room-First Floor.

A hearing before Banking Committee on House Bill No. 211 known as Saturday Bank Holiday Bill will be held on Tuesday, March 18th, 1941 at 12 noon in Room 330.

A dinner caucus of the Republican members will be held next Monday Evening at 6:30 o'clock at the Harrisburger Hotel.

ADJOURNMENT

Mr. KLINE. Mr. Speaker, I move that this House do now adjourn until Monday, March 17, 1941, at 9 p. m.

The motion was agreed to, and (at 12:49 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, MARCH 17, 1941. No. 22.

SENATE

MONDAY, March 17, 1941

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Through the expression of our finite hearts with Thy infinite heart, O Father, we would top the untold depths of Thy unfailing power to encourage our languishing spirits and renew our dwindling strength. Utterly futile must be our way without Thee and completely wasted must be our conscientious endeavors without Thy direction.

We are representatives of our people in this Senate rightfully elected for that purpose and the more clearly will be the way of representation here if, before we begin our work of another week, we purposely pray unto Thee. To do this is helpful unto us and pleasing unto Thee.

Grant us Thy peace in mind and heart. Give us a clarity of vision in our work. Vouchsafe unto us the complete picture of faithful stewards of time, energy and talent. Make us worthy workmen in Thy moral vineyard. And above all, may we possess and be propelled by the knowledge that in all our work here we must be accountable not only to our people but ultimately to Thee for the motives and caliber of our workmanship.

Be with the President of the United States and the Governors of our several Commonwealths in this the most crucial hour of all our national history. We pray in the name of the great Architect and Creator of the universe. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Becker asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD.

Mr. Farrell asked and obtained leave of absence for the Senator from Erie, Mr. ZIESENHEIM.

Mr. Stiefel asked and obtained leave of absence for the Senator from Philadelphia, Mr. McCREESH.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 17, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

George W. West, McKeesport, March 24, 1941.

A. F. Moelter, Pittsburgh, Chamber of Commerce Bldg., March 25, 1941.

FAYETTE COUNTY

Miss Cora B. Wyncoop, Uniontown, March 25, 1941.

PHILADELPHIA COUNTY

Anthony J. Zeits, Phila., 4309 Lancaster Avenue, March 25, 1941.

CHESTER COUNTY

Miss Linda M. Fulmer, Parkesburg, March 27, 1941.

PHILADELPHIA COUNTY

Alexander Z. Brister, Phila., 121 North Broad Street, March 28, 1941.

ALLEGHENY COUNTY

Miss N. M. Gaertner, Pittsburgh, Fort Pitt Hotel, Cor. 10th and Penn Ave., March 30, 1941.

Delmont A. Barbor, East Pittsburgh, April 1, 1941.

Willy F. Knopfel, Pittsburgh, 305 Arrott Bldg., 401 Wood St., April 1, 1941.

Miss A. C. Swanson, Pittsburgh, 3707 Fifth Avenue, April 1, 1941.

NORTHAMPTON COUNTY

John J. Bartos, Bethlehem, April 1, 1941.

PHILADELPHIA COUNTY

Mrs. Elizabeth M. Bergmaier, Phila., 2202 North 2d Street, April 1, 1941.
Miss M. A. Hirschfeld, Phila., 2301-17 Packard Building, April 1, 1941.
Miss Anna M. Peters, Phila., 1421 Chestnut Street, April 1, 1941.

FAYETTE COUNTY

W. T. Dunlop, Jefferson Twp., Newell, April 2, 1941.

NORTHAMPTON COUNTY

Ernest Turtzo, Bangor, April 2, 1941.

LANCASTER COUNTY

C. S. Reese, Lancaster, April 3, 1941.

ALLEGHENY COUNTY

J. Paul Flaherty, East Pittsburgh, April 4, 1941.
Samuel Papernick, Glassport, April 4, 1941.
Miss Bernadette Stewart, Pittsburgh, 1207 Koppers Building, April 4, 1941.

LUZERNE COUNTY

Arthur R. Hildebrand, Wilkes-Barre, April 4, 1941.

MONTGOMERY COUNTY

F. Edward Malmberg, Bridgeport, April 4, 1941.

PHILADELPHIA COUNTY

Oscar Chorney, Phila., 1744 Fidelity-Phila. Trust Bldg., April 4, 1941.
Miss Angela M. Ruff, Phila., 1600 Arch St., April 4, 1941.

ALLEGHENY COUNTY

Miss M. G. McLaughlin, Pittsburgh, 2826 Koppers Building, April 5, 1941.

BUCKS COUNTY

Cadwalader M. Bond, Morrisville, April 5, 1941.

DELAWARE COUNTY

Miss Kathryn M. Kelly, Chester, April 5, 1941.

JEFFERSON COUNTY

Glenn R. Dennison, Reynoldsville, April 5, 1941.

LACKAWANNA COUNTY

Miss Mary R. Lawless, Scranton, April 5, 1941.

LYCOMING COUNTY

Miss Thelma L. Hulsizer, Clinton Twp., R. F. D. 2, Montgomery, April 5, 1941.

MERCER COUNTY

John Salcau, Sharon, April 5, 1941.

MONTGOMERY COUNTY

Robert B. Brunner, Norristown, March 5, 1941.

PHILADELPHIA COUNTY

Walter Baron, Phila., 4811 North 9th Street, April 5, 1941.
John J. Gutjahr, Phila., 3624 N. Broad Street, April 5, 1941.
William P. Mason, Phila., 4539 Lancaster Avenue, April 5, 1941.
John S. Raum, Phila., 1335 Land Title Building, April 5, 1941.
Alexander Steiner, Phila., 2016 West Diamond Street, April 5, 1941.
George A. Stubler, Phila., 3313 Stokley Street, April 5, 1941.
Miss Jean C. Warrington, Phila., 1700 Chestnut St., April 5, 1941.

ALLEGHENY COUNTY

Miss Marie A. Brednich, Pittsburgh, 404-5 Jones Law Building, April 6, 1941.

PHILADELPHIA COUNTY

C. E. Lehr, Phila., 101 Public Ledger Building, April 6, 1941.

VENANGO COUNTY

Mrs. Sara E. Snyder, Franklin, April 6, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Russell W. Tucker, Phila., 5524 Miriam Road, March 22, 1941.

ALLEGHENY COUNTY

Miss Nora E. Kelleher, Pittsburgh, 3340 Liberty Avenue, March 24, 1941.

PHILADELPHIA COUNTY

Sal D'Agostino, Phila., 616 South 9th St., March 24, 1941.
Miss Regina E. G. McCann, Phila., 3811 Lancaster Ave., March 25, 1941.

DAUPHIN COUNTY

P. W. Fetterhoff, Harrisburg, March 29, 1941.

ALLEGHENY COUNTY

Morris Levy, Pittsburgh, 309 Plaza Bldg., March 30, 1941.

PHILADELPHIA COUNTY

Thomas McGowan, Jr., Phila., 813 East Allegheny Avenue, March 30, 1941.
William Kurz, Phila., 6337 Homer St., March 31, 1941.

COLUMBIA COUNTY

Mrs. Annie Ansbach, Berwick, April 4, 1941.

LUZERNE COUNTY

Mrs. Martha J. Renshaw, Hazleton, April 5, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Louis A. Barmen, Pittsburgh, Berger Bldg.
Francis W. Bruggeman Pittsburgh, 4110 Penn Ave.
Cyril C. Farbacher, O'Hara Twp., 44 Kittanning Pike, Sharpsburg.
Miss Marian C. Jones, Mt. Lebanon Twp., 422 Cochran Road, Pittsburgh (16).
C. Clifford Kaylor, Pittsburgh, 1515 Carson St.
Geo. S. McAtee, Indiana Twp., Indianola.

Miss M. E. Mulligan, Homestead.
Charles R. Trevaskis, Turtle Creek.

BLAIR COUNTY

Miss Adeline Fetters, Tyrone.

COLUMBIA COUNTY

J. Paul Laubach, Benton.

LACKAWANNA COUNTY

Fedele Musso, Scranton.

LUZERNE COUNTY

Frank E. Bachman, Wilkes-Barre.

McKEAN COUNTY

Mrs. Eunice M. Daley, Bradford.

MONTGOMERY COUNTY

Morris Werther, Pottstown.

NORTHUMBERLAND COUNTY

John J. Dusick, Shamokin.

PHILADELPHIA COUNTY

Harry Belz, Phila., 2230 W. Lehigh Ave.
Miss Helen K. Cake, Phila., Widener Bldg.
Mrs. Rena F. Jellinek, Phila., 601 North 2d St.
Howell E. Roberts, Phila., 100 South Broad St.
Albert A. Teitell, Phila., 5840 Ludlow St.

YORK COUNTY

Mrs. Henrietta S. Trone, York.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Everett B. Dunbar, Mt. Lebanon Twp., 763 Washington Road, Mt. Lebanon.
Edwin F. Ellis, Pittsburgh, Commonwealth Bldg., 316 Fourth Ave.

BERKS COUNTY

D. E. Herb, Wernersville.

COLUMBIA COUNTY

A. Roland Kinkade, Berwick.

HUNTINGDON COUNTY

Gerald E. Hudson, Huntingdon.

LANCASTER COUNTY

Walter A. Herr, Lancaster.

MONTGOMERY COUNTY

Miss L. B. Calvert, Jenkintown.

PHILADELPHIA COUNTY

Miss Frances J. Cresse, Phila., 6225 Ridge Ave.
Wm. C. Haldeman, Phila.. 4644 N. Broad St.
Earl Okun, Phila., 1523 Belmont Ave.
Abram M. Singer, Phila., 4725 Whitaker Ave.
Harry E. Thomson, Phila., 2521 Frankford Ave.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. JAMES

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Ruth,	Wade,
Crider,	Homsher,	Scarlett,	Walker,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Dent	Jaspan,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS RECORDER OF DEEDS OF SOMERSET COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Lulu G. Hostetler, Meyersdale, Somerset County, for appointment as Recorder of Deeds in and for the County of Somerset, until the first Monday of January, 1942, and until her successor shall be duly qualified vice Gene Hostetler, deceased.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

APPOINTMENT AS JUSTICE OF PEACE OF BEAVER COUNTY

Francis J. Kroker. Breitenstein Road, Ambridge, Beaver County, for appointment as Justice of the Peace in and for the Township of Harmony, Beaver County, until the first Monday in January, 1942, vice Leonard J. Wygonik, resigned.

APPOINTMENT AS JUSTICE OF PEACE OF BERKS COUNTY

Paul B. Horning, R. D. 2, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Township of Brecknock, Berks County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

COMMUNICATION FROM THE WHITE HOUSE

The PRESIDENT. The Chair lays before the Senate a communication dated March 11, 1941, from Stephen

Early, Secretary to the President, the White House, Washington, which the Clerk will read.

The Clerk read the communication as follows:

"THE WHITE HOUSE
WASHINGTON

March 11, 1941.

"Dear Mr. Holmes:

"Please accept the President's thanks for your letter of March tenth, which accompanied copy of Senate Resolution expressing the profound admiration, respect and gratitude of the Senate of Pennsylvania for the Boy Scouts of America on their thirty-first anniversary. The President is very glad to receive this resolution and appreciates your action in forwarding it to him.

"Very sincerely yours,
"(Signed) STEPHEN EARLY
"Secretary to the President

"Honorable George F. Holmes, Secretary,
"Senate of Pennsylvaiia,
"Harrisburg, Pennsylvania."

COMMUNICATION FROM BOY SCOUTS OF AMERICA

The PRESIDENT. The Chair lays before the Senate a communication dated March 13, 1941, from the Boy Scouts of America, of New York, addressed to the Secretary of the Senate which the Clerk will read.

The Clerk read the communication as follows:

"BOY SCOUTS OF AMERICA
2 PARK AVENUE
NEW YORK, N. Y.

March 13, 1941.

"Hon. George F. Holmes,
"Secretary, Senate of Pennsylvania,
"Harrisburg, Pa.

"Dear Mr. Holmes:

"We are greatly indebted to you for transmitting the resolution adopted by the Senate of Pennsylvania with reference to the Boy Scouts of America incident to its Thirty-first Anniversary. This is most encouraging to us.

"If opportunity presents itself will you be good enough to extend to the Members of the Senate our sincere appreciation.

Sincerely and cordially yours,

BOY SCOUTS OF AMERICA.
(Signed) JAMES E. WEST,
Chief Scout Executive."

COMMUNICATION FROM THE BOY SCOUTS OF AMERICA, ST. LOUIS, MO.

The PRESIDENT. The Chair lays before the Senate a communication dated March 13, 1941, from the Boy Scouts of America, St. Louis, Missouri, which the Clerk will read.

The communication was read as follows:

BOY SCOUTS OF AMERICA
St. Louis, Mo.

March 13, 1941.

"Hon. George F. Holmes, Secretary,
"Senate of Pennsylvania,
"Harrisburg, Pennsylvania.

"Dear Mr. Holmes:

"Thank you very much for your letter of March 10, in which you enclosed copy of the resolution adopted by the Senate of the State of Pennsylvania on March 5, 1941.

"The Senate's action in this matter is very much appreciated by all friends of Scouting.

Yours very truly,
(Signed) WALTER W. HEAD."

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Montgomery will state his question of personal privilege.

Mr. EDMONDS. Mr. President, on page 488 of the Legislative Journal of the Senate on Wednesday, February 26, 1941, there is attributed to me a misquotation: "About a week ago I introduced a resolution to the Senate calling upon the Secretary of Welfare, Public Assistance and Pensions to advise the Senate as to the addresses of the ninety-three municipal authorities mentioned. Mr. President, that ought to be the Secretary of the Commonwealth who was called upon for that information. I think that should be corrected.

The PRESIDENT. The correction will be noted in the Journal.

ANNOUNCEMENT

The PRESIDENT. The Secretary has an announcement to which the Chair would like all the Senators to pay attention.

The Secretary announced arrangements as to the securing of tickets to the dinner of the Legislative Sons of Saint Patrick to be held at the Penn Harris Hotel on Tuesday evening, March 18, 1941.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, I rise on a question of personal privilege, concerning Irish ancestry.

The PRESIDENT. The gentleman from Lackawanna will proceed.

Mr. COLEMAN. Mr. President, some weeks ago the majority leader of the Senate admonished the members of the Senate for wasting time talking on questions of personal privilege and I am inclined to believe as an offender that we have used the question of personal privilege in a broad sense and that has given us a wide latitude to talk about things that ought not to be talked about under a question of personal privilege.

However, Mr. President, I wonder if anybody in the Senate would complain if perhaps an Irishman arose on his feet today and whistled an Irish ditty or perhaps talked about the glory of the Irish race.

It is my understanding that the presiding officer of the Senate is an American by nationality, a Welshman by consanguinity but today an Irishman by proximity.

Mr. President, my good friend the gentleman from Allegheny, Senator McGinnis and the gentleman from Philadelphia, Senator McCreesh, the gentleman from Luzerne, Senator Mundy and myself and other Senators are delighted to have every member of the Senate embrace the Irish race today.

Mr. PRESIDENT. Emerson had said that all history becomes poetry after the lapse of a sufficient period of time. Just so all Irishmen celebrate St. Patrick's Day not merely in the memory of St. Patrick but as the great Irish day of the year. The Irish glorify their ancestry on St. Patrick's day and most others wish they were Irish so they could. St. Patrick's birthplace and the story of his life have become uncertain in the mists and mazes of the past. But we do know a few facts about him. We know that like most men he began life in obscurity. Like most of the great he had no predecessors or successors. His life and work stand mighty mountains with the valley of

ancestry on one side and the depression of posterity on the other.

After fifteen hundred years it matters little to us whether he was born in Scotland or in France. We are not seriously concerned whether he lived in the third or fifth century, whether he was stolen by pirates and sold into slavery or whether he went to Ireland as a servant body. The great impressive fact of his life is that he rose from his humble place to a Bishop and converted the heathen of Ireland to Christianity. I believe his work justified the story which portrays St. Patrick in regulation robe and halo driving the snakes to the sea stopping long enough to convert the heathen in Ireland. From that day to now we think of him as a statesman as well as a preacher and a powerful personality. His vision of the future is best illustrated by his building a school beside each of the 360 chuches he caused to be erected. Like all great leaders he knew the power of common and simple illustrations. He made the lowly three-leaf shamrock immortal by declaring that the three leaves represent the trinity of the churches. He did not stop with the Trinity illustration but declared the leaves of the shamrock had an application to the daily life of the people while on earth. He said one leaf stood for faith. Faith in God, faith in yourself and faith in your fellow man. He said another leaf stood for yourself and family and work for society as a whole. He said the third leaf stood for love, love of God, love of your family, love of your fellow-men, even to loving your enemies. He brought a message of the new religion of his day to the people of Ireland and preached the regeneration of the human heart through the power of God with an earnestness never surpassed since the days of Christ himself.

But it is not my purpose today to discuss the life and work of St. Patrick in detail. Nor to tell of the woes and tribulations of the people of Ireland during their 700 years of struggle for liberty. I desire rather to speak of their contribution to American civilization and American institutions. Their bravery, their prowess, their leadership, their idealism and mysticism are so interwoven with the history of the very day life of the American people that to talk to the Irish is to talk America and to talk of America is to talk of the Irish. This has been true since the very beginning of our country's history. Let me remind you today that it was the Irish voice of Patrick Henry that aroused the colonists to the defiance of the British Crown with the immortal words Give me liberty or give me death. It was another Irishman, tlll, brawn and brave, who when the delegates to the Continental Congress were discussing the question of whether or not they should sign their names in such a way only they themselves could read them so that in case the revolution failed they would not be identified and hanged; I say it was while this discussion was going on that John Hancock rose from his seat and walked to the table where lay the newly written declaration, took a quill in hand and in large, bold letters wrote his name and then throwing down his quill he turned and said, "there is my name and the king of England can read it without his specks on." This man was a direct descendent of an Irish immigrant and gave $400,000 a tremendous fortune in those days to the cause of the revolution. The act which I have just described so enraged the other members that all of them signed it in a few minutes.

While reciting the part the Irish played in the beginning of the country I might add it was John Nixon, whose father was born in Ireland, who read the Declaration of Independence for the first time in public on the steps of the old White House in Philadelphia, in July 8, 1776. Charles Thomason, Secretary of the Continental Congress, who made the first copy of the Declaration of Independence, was himself born in the County Derry, Ireland. The first officer killed in the revolution was Major General Richard Montgomery who was born in Donegal, Ireland, and the first Commander of the American Navy was John Barry, who was born in Westford, Ireland. One hundred and thirty-eight of the minute men of Lexington were Irishmen and George Washington's aide-de-camp for the seven years of the Revolution was General Reed, an Irishman. When the Continental Army was in distress and money was necessary to prevent desertion because of the lack of food and clothing Robert Morris subscribed $50,000 and 21 Irishmen, all of them members of the Sons of St. Patrick's subscribed $350,000. Washington Irving states that many of the land owners along the Hudson during the Revolution were tories but there was not an Irish name on the list. As one whose ancestors came from Ireland, I recount these facts not for the purpose of claiming more than a proper share of the credit for the Irish in winning the Revolution but simply to show that the Irish in America as well as the world around love liberty and justice and will fight and die for them. In our second war of Independence, the War of 1812, two most notable heroes were Perry at Lake Erie and Andrew Jackson at New Orleans. Both were sons of Irish parents who emigrated here just in time for them to be born in America and thus add to the list of Irishmen who helped in the maintenance of American liberty as against British oppression.

In fact the Irish have fought the battle of the world and bodies of Irishmen fill the soldier's cemeteries of all nations. England's greatest military heroes includes such Irishmen as Wellington and Kitchner and Roberts. While the Irishman has been a fighter and is ever ready to fight for a just cause it should also be remembered that as a man of progress he has the "I think I can" spirit of the steam engine that goes forward regardless of obstruction or danger. It is a significant fact that this spirit caused the Irish immigrant in our early history to go immediately to the frontier of the country instead of stopping in the most thickly settled areas. Theodore Roosevelt pointed out in his Winning the West the valuable part played by the Irish in the pioneer life of this country that reclaimed the land of the savage for civilization. No other immigrants from any part of the world adopted themselves to American ideals and American Institution so quickly as the Irish. He naturally hates tyranny and stories of the oppression of the Irish people are always in his memorys as an inspiration to cause him to resist every encroachment upon the liberties of the people. It is especially fitting that we should continue to celebrate St. Patrick's day here in Pennsylvania because the Order of the Friendly Sons of St. Patrick's day originated in Philadelphia and Philadelphia was settled largely by Irish. The immigration records of Philadelphia show the number of immigrants as follows: English and Welsh, 267, Scotch, 43, Germans, 243, Irish, 5,655. There were ten times as many Irish as all the other nationalities combined. On St. Patrick's day each year the Irish meet to have their virtues extolled and their vices forgotten or defended. Their struggling and their suffering were not in vain because no suffering for a righteous cause has ever been in

vain. We here in America have reaped the fruits of the Irish suffering. The Irish do not forget the past but they have their eyes on the future. The past as expressed in literature and song will forever remind not only the Irish people of the world who read and understand their literature and their music that if mankind would avoid the sufferings of the Irish they must be ever vigilant in the defense of liberty and democracy in the years to come.

REPORT FROM COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations made by His Excellency, the Governor, of the Commonwealth:

APPOINTMENT AS RECORDER OF DEEDS OF SOMERSET COUNTY

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, March 17, 1941.

To the Honorable, the Senate, of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Lulu G. Hostetler, Meyersdale, Somerset County, for appointment as Recorder of Deeds in and for the County of Somerset, until the first Monday of January, 1942, and until her successor shall be duly qualified, vice Gene Hostetler, deceased.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY.

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	Dent,	Jaspan,	Shapiro,
Bartlett,	DiSilvestro,	Kephart,	Snowden,
Becker,	Ealy,	Lanius,	Stevenson,
Carr,	Edmonds,	Letzler,	Stiefel,
Cavalcante,	Farrell,	Mallery,	Tallman,
Chapman,	Frey,	McGinnis,	Taylor,
Coleman,	Geltz,	McQuiddy,	Thomas,
Cox,	Haluska,	Miller,	Tyler,
Crider,	Heyburn,	Reed,	Wade,
Crowe,	Homsher,	Ruth,	Walker,
Deitrick,	James,	Scarlett,	Wilson, H. I.,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 355, entitled:

An Act to further amend section two of the act, approved the seventh day of June, one thousand nine hundred and one (P. L. 493), entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," by qualifying the requirement for the maintenance of a place of business and displaying signs.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 356, entitled:

An Act making an appropriation to the Shadyside Hospital of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 357, entitled:

An Act making an appropriation to the Presbyterian Hospital of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 358, entitled:

An Act making an appropriation to the Woman's Hospital of Pittsburgh, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 359, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 360, entitled:

An Act creating a commission to make a thorough investigation of all matters that might interfere with carrying out of the National Defense Program within the Commonwealth, conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings to the Legislature or to the Governor, together with its recommendations as to such regulatory legislation as may be needful to promote the production of implements of defense, authorizing the commission to employ counsel and employees, and making an appropriation.

Which was committed to the Committee on State Government.

RESOLUTION URGING DISPLAY OF AMERICAN FLAGS

Mr. FARRELL. Mr. President, in presenting the following resolution I would like to state that this organization was founded by Jacob Dogole, magistrate of the City of Philadelphia, as president, and Hamilton Dalton, a well-known radio commentator. The object of the organization is to present American flags and have American flags displayed on all public institutions of the Commonwealth of Pennsylvania. It is the desire of these gentlemen that the members of this Senate, if they know where an American flag can be placed, where there is not sufficient funds, that this organization be notified, and they will see that a flag is provided for such purposes.

Mr. President, in presenting this resolution I ask that it be read and move its immediate adoption.

Mr. FARRELL offered the following resolution which was twice read, considered, and agreed to:

In the Senate March 17, 1941.

Whereas, Principles of free government are being assailed throughout the earth; and

Whereas, the flag of the United States is a symbol of American liberties and privileges; and

Whereas, this flag is an inspiration to all citizens and an assurance that the privileges of liberty are everywhere present in the Commonwealth of Pennsylvania; therefore be it

Resolved, (if the House of Representatives concur) that the American flag shall be displayed in every public office in the Commonwealth of Pennsylvania, and in every institution receiving state aid; and be it further

Resolved, that all private factories, stores and commercial institutions be requested to comply with the spirit and purpose of this resolution.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

TIME OF NEXT MEETING

Mr. STEVENSON offered the following resolution which was twice read, considered, and agreed to:

In the Senate March 17, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 24, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 24, 1941, at 9:00 o'clock p. m.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

Mr. DENT offered the following resolution which was twice read:

In the Senate March 17, 1941.

Whereas, The crisis facing this nation and a state of national emergency which to a certain degree faces this nation today, there is a tendency for increased prices in the necessary essentials of food, clothing, and housing, and

Whereas, There should be a restraint exercised against undue increases, therefore be it

Resolved, If the House concur, that a Commission of seven (7) members be set up consisting of two (2) Members of the State Senate, named by the President Pro Tempore; two (2) Members of the House of Representatives, named by the Speaker of the House; one (1) member representing labor; one (1) member representing the employers; one (1) member representing the farmers, named, by the Governor who shall make up an Anti-Profiteering Board, whose duties it shall be to review, retail prices to consumers; wholesale prices to retailers and rent increases or decreases and shall determine where such increases in food, clothing and housing go beyond the increase necessary because of existing conditions. This Commission shall have the right to cite any and all persons, groups, corporations or companies whom in their judgment are profiteering because of national conditions.

Further Be It Resolved, That an appropriation of fifty thousand ($50,000) dollars be allocated to the Commission for the purpose of carrying out the provisions of this resolution. Said Commission to be known as the Anti-Profiteering Commission.

On the question,

Will the Senate agree to the resolution?

Mr. GELTZ. Mr. President, I object.

The PRESIDENT. The Chair hears objection. The Resolution will be referred to the Committee on Appropriations.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 79, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries: the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 45

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,

Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent,			

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 163, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such price as may be agreed upon two certain adjoining plots of land together with the improvements thereon erected situate in Clearfield County Plot number one containing 1.103 acres located in Lawrence Township adjacent to Clearfield Borough facing River Street and Old Mill Road and Plot number two containing .7427 acres located in Lawrence Township adjacent to Clearfield Borough and adjoining rear property line of Plot number one facing Old Mill Road title to which plots of ground is in the Commonwealth and to make and execute a deed in the name of the Commonwealth to the purchaser thereof The moneys received as the purchase price of said plots of ground shall be paid into the General Fund of the State Treasury

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 187, as follows:

An Act to amend section thirty-eight of article four of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" changing the time within which a discount is allowed for the payment of said taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-eight of article four of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 38 If the tax is paid within six months after the death of the decedent a discount of five per centum shall be allowed If the tax is not paid at the end of one year from the death of the decedent interest shall be charged at the rate of twelve per centum per annum on such tax Where because of claims made upon the estate litigation or other unavoidable cause of delay the estate of any decedent or any part thereof cannot be settled up at the end of the year interest at the rate of six per centum per annum shall be charged upon the tax arising from the unsettled part thereof from the end of such year until there be default Where real or personal estate withheld by reason of litigation or other cause of delay in the manner aforesaid from the parties entitled thereto subject to such tax has not been porductive to the extent of six per centum per annum the proper parties shall not pay a greater amount as interest to the Commonwealth than they have realized or shall realize from such estate during the time the same has been or shall be withheld as aforesaid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,

Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B..
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL NO. 237 RECOMMITTED

Mr. WADE. Mr. President, before making a motion to recommit this bill I would like to make a statement to the members of this Senate that there will be a committee meeting held by the House of Representatives on a similar House bill. I have talked with the Chairman of the Committee of Public Utilities of the House of Representatives and I am trying to arrange that a hearing be held jointly with a Senate committee.

BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 237, on third reading, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants with the Federal Government or any agency thereof; and for other purposes," limiting the power of authorities with respect to bridges located in more than one county or crossing a stream on the boundary line of two counties.

be recommitted to the Committee on Public Utilities for the purpose of committee hearing with the House on a similar House bill.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO POSTPONE BILLS

Mr. FARRELL. Mr. President, I move that Senate Bills No. 246 and 247, be placed on the Postponed Calendar. These bills are bills concerning policemen, firemen and park guards in the City of Philadelphia. Last Friday the mayor of Philadelphia expressed the wish that these bills be placed on the Postponed Calendar until he could meet a committee of the gentlemen concerned.

BILL POSTPONED

Mr. FARRELL. Mr. President, I move that further consideration of Senate Bill No. 246, on third reading, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employees and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons with the said classifications

be postponed for the present.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I am opposed to this motion. I have received four hundred and fifty letters today from policemen and firemen and park guards. Anyone who has paid any attention to the effect of this bill would know this bill would cost the City of Philadelphia at least two and a half million dollars annually if put into effect. I am in favor of the bill now because I have always believed that in Philadelphia particularly the police and the firemen have been underpaid.

Mr. President, this bill had no place in the Senate originally if the motives of this bill were sincere and real because if the Republican party wants to increase the pay of the Philadelphia police and firemen they do not need to come to the Legislature to do it; they can sit together as councilmen to provide the increase without any action on the part of the Senate of Pennsylvania.

This bill came out of committee in spite of the fact that for the last two years we have heard, and in the next two or three weeks we will hear more, about so-called Home Rule. Every time a piece of legislation is unpopular with a certain group in Philadelphia a substitute measure is presented and then we get the slogan known as Home Rule and the same people who are sounding that slogan present bills the effect which is to take away the right of self-government.

These two bills are perfect evidence of the inconsistency of the position and evidence of the fact that Home Rule is just a mere slogan; not only these two bills but other bills which are direct interference with the right of the localities to govern themselves. The citizens of Philadelphia, the firemen particularly, cannot get an increase in pay, to which they are entitled, because the city has been misgoverned for years. There is enough income available in Philadelphia to increase the firemen's pay. We have heard a great deal and I have said a great deal about relief in government, the conduct of relief in government, and there is as much justice in the cases of these policemen and firemen and park guards asking adequate pay as there is to my argument for furnishing adequate relief to persons who cannot find work.

Day in and day out, night in and night out, these people risk their lives. There are more needed in Philadelphia; because of the lack of policemen and firemen there is not sufficient protection to the public and because of the insufficiency of police these men face greater dangers and risk their lives more frequently than they should.

Mr. President, these bills have been introduced. Great agitation has been created; if they had not been introduced the matter would have laid dormant but great agitation has been created.

The mail of every Senator has been flooded. The gentleman from Philadelphia, Senator Farrell, could not be seen behind the flood of letters on his desk last week. The

firemen are here. This bill is on third reading. They are not only here in person but they are here in mail and in pleas for this bill, and now we are going to postpone action on these bills because the Mayor of Philadelphia wrote a letter telling the Senators what everyone knew or should have known before the bill was introduced.

Everybody is asked here and now to take a position on this bill contrary to what all of these policemen and firemen want and what all of us know they are entitled to. If we are honest about the purpose of this bill, about the proposition, we know the only reason that we would not get it is because the money is not available; but the money can be made available, the money can be made available by proper management of the city, by cutting out waste and by a concentration of governmental functions to such an extent as will permit sufficient protection.

This bill was conceived with the idea of one or two things, either when it passed the Senate the House would not pass it or when it went to the Governor the Governor would not sign it. I venture the suggestion when this bill goes over to the House I feel certain it will be passed quicker than it took to get out of committee here in the Senate, so if there is any idea that the House is not going to pass this bill it better be dissipated.

Mr. President, ordinarily I would oppose this kind of a bill, but under the circumstances and because of what is back of it I am in favor of this bill and I want to vote for it. I do not believe it ought to be postponed just because the Mayor of Philadelphia feels he has sent a complete statement on his position on the bill. That is a position that was known to anybody that had anything to do with this bill at the time it was introduced and every member of this Senate coming from Philadelphia has been stopped on the street and received mail at his home, received mail here, and has been importuned to pass this bill, which has come up on two readings, and we all felt we were going to be ready to vote on it today, and I want to vote on it today, and I see no reason why we should not; there is nothing in the letter the Mayor of the City of Philadelphia has said that should make this bill be placed on the postponed Calendar.

Mr. President, we knew about the cost of this bill. I knew that two and a half million dollars would be the cost to the city; I know they are entitled to it and I also know no matter how many times you cry Home Rule, no matter how many times you talk about giving these firemen and policemen what they are entitled to, you are not getting it from the City of Philadelphia until we instill good management and until you pass the law. This is one case where Home Rule should be violated; if there is such a thing as Home Rule it should be violated because the people who should rule will not rule properly, honestly and fairly, and I think it is a mistake and unfair that we be asked at this time to put this bill on the postponed Calendar and I am going to vote against it.

The PRESIDENT. The Chair understands, in order that the record may be clear, that the motion of the Senator from Philadelphia, Mr. Farrell, is to put this Senate Bill No. 246 on the postponed calendar.

Mr. EALY. Mr. President, I second the motion.

The PRESIDENT. The question is, whether Senate Bills No. 246 and 247 shall be placed on the postponed calendar.

On the question,

Will the Senate agree to the motion?

Mr. FARRELL. Mr. President, I do not see any occasion for being in a great big hurry. I am going to go through with this bill, and make no mistake about that. The only thing is I have a very high regard for the Mayor of Philadelphia and when the Mayor of Philadelphia asks me to postpone this bill, and I gave him my word I would do my best to postpone it, I expect to keep my promise. If the mayor does not agree with helping these men to get more money I will bring this bill up from the postponed Calendar for a vote in this Senate.

Mr. SHAPIRO. Mr. President, I should like to interrogate the gentleman from Philadelphia, Mr. Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. SHAPIRO. Mr. President, isn't it true that the Mayor of Philadelphia is opposed to this bill because of the fact that it will cost approximately two and a half million dollars if these bills are passed?

Mr. FARRELL. Mr. President, that is his reason with the exception he does not know where he is going to get the two and a half million dollars.

Mr. SHAPIRO. Mr. President, does the gentleman from Philadelphia know where the mayor is going to get the two and a half million dollars even if this bill is placed on the postponed calendar?

Mr. FARRELL. Mr. President, I do not know.

Mr. SHAPIRO. Mr. President, will the gentleman from Philadelphia state how long these bills are expected to stay on the postponed calendar?

Mr. FARRELL. Mr. President, as far as I am concerned it will not stay on the postponed calendar very long but I do owe a courtesy to the Mayor of the City of Philadelphia, for whom I told you I had a very high regard.

Mr. SHAPIRO. Mr. President, will the gentleman from Philadelphia, Mr. Farrell, tell me or suggest anywhere, without increasing taxation, the City of Philadelphia can acquire the funds necessary to meet the increased costs incurred by this bill?

Mr. FARRELL. Mr. President, it is my thought that Philadelphia next year and this year, that its occupational taxes will exceed far more than the budget; with Cramp's opening and with other large plants opening, I really think there should be sufficient funds.

There are members of council here on the floor and there should be enough funds to increase the pay of the city policemen, firemen and park guards, with large enterprises that are opening up and will probably be paying additional occupational taxes.

Mr. SHAPIRO. Mr. President, in the last two years the City of Philadelphia's expenditures have decreased by at least two millions of dollars as a result of the retirement of certain bonds and the requirement of less money in the budget to meet bonded indebtedness. The City of Philadelphia has not paid over the million and a half dollars to the Commonwealth of Pennsylvania, which is its obligation to Byberry, and if my memory serves me correctly they did not even put that in the budget, and yet there has not been one dollar's worth of increase on the payroll of the policemen and the firemen. Today in the City of Philadelphia we still drink chlorinated cocktails for water and we have no sewage disposal plants that are properly operated and we are told that if we get a few hundred thousand dollars of taxes there will be more money for policemen. Mr. President, the only way we are going to get more money for policemen is to pass

this bill and make the city fathers either decrease their expenditures by eliminating waste or increase the taxes and give these people the money they are entitled to and I am opposed to postponement of this bill.

And the question recurring,

Will the Senate agree to placing Senate Bill No. 246 on the Postponed Calendar?

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS 29

Bartlett,	Edmonds,	Letzler,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Carr,	Geltz,	Miller,	Tyler,
Chapman,	Heyburn,	Scarlett,	Wade,
Crider,	Homsher,	Snowden,	Walker,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Deitrick,	Kephart,	Tallman,	Wilson, T. B.,
Ealy,			

NAYS 16

Barr,	Dent,	Jaspan,	Reed,
Cavalcante,	DiSilvestro,	Lanius,	Ruth,
Coleman,	Frey,	McGinnis,	Shapiro,
Cox,	Haluska,	McQuiddy,	Stiefel,

So the question was determined in the affirmative.

BILL POSTPONED

Mr. FARRELL. Mr. President, I move that further consideration of Senate Bill No. 247 on third reading, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council

be postponed for the present.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I thought this motion was covered in the action on Senate Bill No. 246.

Mr. DiSILVESTRO. Mr. President, I should like to interrogate the gentleman from Philadelphia, Mr. Farrell.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, as long as the gentleman from Philadelphia, Mr. Farrell, has sponsored this bill I should like to know the reason for the proposed postponement of this bill. I just could not hear from this section of the august body what the reason for the postponement was.

Mr. FARRELL. Mr. President, I asked that this bill be placed on the postponed Calendar at the request of Mayor Lamberton, of the City of Philadelphia, who has asked to meet a committee from the various organizations to talk over the proposed bills. I see no harm in granting that request.

Mr. DiSILVESTRO. For what reason, Mr. President? To talk over what and for how long?

Mr. FARRELL. I can not say for how long, Mr. President.

Mr. DiSILVESTRO. Thank you, Mr. President. Mr. President, I feel in order to save the printer's bill and so on we might as well drop this bill from the Calendar because the mayor says in his letter, "In conclusion I ask that you permit us to work out our very difficult financial situation in our own way without compulsion from the State; do not put this added burden on us at the very time we are least able to bear it."

Therefore, Mr. President, I see no reason for placing this bill on the postponed calendar and I think we should drop it. I do not see any cause to move that we drop it because we are just fooling around and because we do not have the votes.

Thank you very much.

Mr. STIEFEL. Mr. President, I too received an avalanche of letters and I decided to consult the man who in my opinion is the best informed on the financial situation in Philadelphia today, Comptroller Robert C. White, and I am glad to say that the Comptroller of Philadelphia, Dr. Robert C. White, is taking a different attitude in this respect and he favors affirmative action on Senate Bills Nos. 246 and 247.

On the question,

Will the Senate agree to placing Senate Bill No. 247 on the postponed Calendar?

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS 29

Bartlett,	Edmonds,	Letzler,	Taylor,
Becker,	Farrell,	Mallery,	Thomas,
Carr,	Geltz,	Miller,	Tyler,
Chapman,	Heyburn,	Scarlett,	Wade,
Crider,	Homsher,	Snowden,	Walker,
Crowe,	James,	Stevenson,	Wilson, H. I.,
Deitrick,	Kephart,	Tallman,	Wilson, T. B.,
Ealy,			

NAYS 16

Barr,	Dent,	Jaspan,	Reed,
Cavalcante,	DiSilvestro,	Lanius,	Ruth,
Coleman,	Frey,	McGinnis,	Shapiro,
Cox,	Haluska,	McQuiddy,	Stiefel,

So the question was determined in the affirmative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 252 (House Bill No. 320), as follows:

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any court of this commonwealth having equity jurisdiction upon the special motion of the plaintiff or plaintiffs in any suit in equity which has been or shall be instituted therein concerning goods chattels lands tenements or hereditaments or for the perpetuating of testimony concerning trusts which have within the jurisdiction of such court one or more trustees and

a substantial portion of their securities real estate or other assets or for the perpetuating of testimony concerning any lands tenements and so forth situate or being within the jurisdiction of such court or concerning any charge lien judgment mortgage or encumbrance thereon or where the court have acquired jurisdiction of the subject matter in controversy by the service of its process on one or more of the principal defendants to order and direct that any subpoena subpoenas or other process to be had in such suit be served upon any defendant or defendants therein then residing or being out of the jurisdiction of such court wherever he she or they may reside or be found and upon affidavit of such service had to proceed as fully and effectually as if the same had been made within the jurisdiction of such court Provided That it shall appear to such court by affidavit affidavits or other documents applicable for the purpose before making such order in what place or county such defendant or defendants reside or are or probably may be found and if such place be without the United States whether there are any officers of the United States residing thereat or near thereto and by what means such service may be authenticated And provided That such order limit a time depending on the place where such process is to be served after the service thereof within which compliance with the requirements thereof must be made by such defendant or defendants such process to be returnable at such time after the service thereof as such court shall by special order direct And further provided That when such process shall be served such defendant or defendants shall also be served with a copy of the order authorizing the service thereof and a copy of the bill or petition if such process be a subpoena thereon but if not a statement of the substance and object of the proceeding whereon the same is founded And provided also That the affidavit of such service of process and copies or statements aforesaid if such service be had within the United States may be made and taken before any officer of the United States or of any of the states or territories thereof authorized to administer an oath and if such service be had without the United States the same shall be authenticated as such court shall by special order direct

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 45

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent.			

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 253, as follows:

An Act Relating to members of the bureau of fire in cities of the second class providing subject to the approval of the electors for a three-platoon system for such members with certain exceptions providing for an election on such question and regulating hours of service hours of rest and annual vacations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be submitted to the qualified voters in each city of the second class at the primary election in the year one thousand nine hundred and forty-one the question "Shall a three-platoon system for the bureau of fire Department of Public Safety be adopted in this city' The county board of elections in and for each county in which there shall be located a city of the second class shall prepare the necessary ballots voting machines and other matters so that said question shall be submitted to the qualified voters in said cities at said primary election and so that such vote thereon shall be properly had and conducted all in the manner provided by the election laws of this Commonwealth

Section 2 In districts where ballot boxes are used said question shall be printed on a separate ballot prepared in the manner provided by law for the preparation of official ballots and one such ballot containing said question shall be furnished to each qualified elector by the proper election officer In election districts where voting machines are used said question shall appear on the face of the voting machine in the manner provided by law The votes upon said question shall be counted by the election officers in each district and by said election officers returned to the county board of elections which board shall compute and canvass said returns and shall forthwith certify the result thereof to the mayor of the respective city of the second class

Section 3 If a majority of the qualified voters of such city voting on such question at such election shall vote in the affirmative then the proper officers of each city of the second class having the direction control and management of the bureau of fire in such city or being responsible for making provision therefor shall begin at once to divide and to provide for dividing members excepting the chief engineer and his deputy chiefs by whatever designation they may be known of the bureau of fire into three platoons and such division shall be fully completed and the provisions of this act shall be fully effectuated not later than the first day of May one thousand nine hundred and forty-two

Section 4 No such member of any of such bureau of fire shall be required to work more than eight hours in any twenty-four consecutive hours except in cases of extraordinary fire emergencies riots or similar emergencies affecting the public interest and the necessary time and no more consumed in changing work shifts Such work shifts shall be changed at least once each calendar week and such member of any such bureau shall be compelled to work the same work shift more than once in any three consecutive weeks All such members of such bureaus of fire shall be entitled to one full day of rest in each calendar week and to have an annual vacation of not less than fourteen days both without diminution of salary or compensation fixed by ordinance or resolution of such city

Section 5 All acts and parts of acts inconsistent with this act are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I have received a number of requests from organizations in the City of Pittsburgh asking for a public hearing on this bill. I am very loath to retard the progress of this bill in the Senate, but several weeks ago when a bill was up on third reading we withdrew it and placed it back in committee in order to hold a public hearing to give the Communist Party an opportunity to be heard; I therefore feel in order to be consistent we should give these organizations of the City of Pittsburgh an opportunity to be heard on this bill.

MOTION TO RECOMMIT SENATE BILL No. 253

Mr. WALKER. Mr. President, I move that Senate Bill No. 253 be recommitted to the Committee on Municipal Government for the purpose of a public hearing.

I might say I have discussed the matter with the chairman of the committee and find he will have time to give this matter a public hearing at the earliest possible moment.

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny state how many bills we already have in the same committee that are waiting for public hearings?

Mr. WALKER. Mr. President, I am not a member of the committee and am unable to answer that question.

Mr. CAVALCANTE. Mr. President, to what committee is this bill going to be referred?

Mr. WALKER. The committee from whence it came, Mr. President, Municipal Government.

Mr. CAVALCANTE. Mr. President, I am opposed generally to the returning of bills to committee for any purpose whatsoever, except for some good reason, and I do not think that the reason given is a proper reason. This bill has been in the Senate for quite some time. It has been in committee for a long time; it was on the Calendar for second reading and now it is up on third reading.

It does not seem fair and just to the members of the Assembly who are here trying to do a good job and who are not trying to be detained here for six or seven months —Mr. President, I say it is unfair for people who are interested in bills to wait until the very moment when we are about to vote on them finally, that they come in and ask for a public hearing and have the passage of the bill postponed.

Then other bills will follow and when we are about to adjourn we will find that they are all here and want to have bills passed and jammed through the Session and cause considerable confusion and I think we ought to stop this mania, I must call it, of reporting bills out, reading them for the first time, second and third time and then at last sending the bills back to committee.

Mr. BARR. Mr. President, in view of the fact that this bill has a referendum feature, there will be a public hearing.

Mr. WALKER. Mr. President, I should just like to correct the impression given by the gentleman from Fayette, Mr. Cavalcante, that the reason stated by me when I moved the recommittment of this bill was not the real reason. May I suggest to the gentleman from Fayette that is the real reason and that in all fairness and in all consistency anybody who agreed to the motion to recommit the bill on third reading for the Communist Party to have a hearing certainly should be courteous enough to give the Chamber of Commerce from the City of Pittsburgh, which can not be classified as a Communistic group, a hearing on this bill.

I think in all fairness we should give them that hearing; they have requested it. That is the real reason. There is no unholy alliance in the motion I just made.

Mr. FREY. Mr. President, this bill was introduced by the gentleman from Allegheny, Mr. Walker, on February 25th, when the gentleman from Allegheny, Mr. Walker, introduced the bill he made a short speech and here is a part of it, from the Legislative Journal: "This matter is for the electorate of the City of Pittsburgh to decide." Mr. President, I think that is a good idea and I think we should vote on the bill today and for that reason I am opposed to the motion of the gentleman from Allegheny, Mr. Walker.

Mr. CAVALCANTE. Mr. President, I do not want the remarks of the gentleman from Allegheny, Mr. Walker, to go unchallenged as far as I am concerned. For the information of the gentleman from Allegheny I wish to state I opposed the return of the bill that he referred to, about the Communist Party, going back to committee; I opposed the return of that bill to committee.

MOTION WITHDRAWN

Mr. WALKER. Mr. President, I desire to withdraw my motion to have this bill referred back to committee. I am overwhelmed by the arguments of the other side and am perfectly willing to have this bill to go to a vote at this time.

Mr. EALY. Mr. President, I withdraw my seconding of the motion.

Mr. FREY. Mr. President, I am certainly pleased to learn that our remarks have had some effect upon the gentleman from Allegheny, Mr. Walker. I congratulate him.

The PRESIDENT. The motion of the gentleman from Allegheny, Mr. Walker, that Senate Bill No. 253 be referred to committee for the purpose of a public hearing, has been withdrawn. The seconder has withdrawn his seconding of the motion.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	Dent,	Jaspan,	Scarlett,
Bartlett,	DiSilvestro,	Kephart,	Shapiro,
Becker,	Ealy,	Lanius,	Snowden,
Carr,	Edmonds,	Letzler,	Stevenson,
Cavalcante,	Farrell,	Mallery,	Stiefel,
Chapman,	Frey,	McGinnis,	Taylor,
Coleman,	Geltz,	McQuiddy,	Thomas,
Cox,	Haluska,	Miller,	Tyler,
Crider,	Heyburn,	Mundy,	Walker,
Crowe,	Homsher,	Reed,	Wilson, H. I.,
Deitrick,	James,	Ruth,	Wilson, T. B.,

NAYS 1

Tallman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 254, on third reading, entitled:

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates; validating liens heretofore filed; and providing for the procedure thereon.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. EDMONDS. Mr. President, I move that Senate Bill No. 291, (House Bill No. 381), on third reading, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain right, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

be recommitted to the Committee on Corporations for the purpose of amendment.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I object.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Montgomery.

The PRESIDENT. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. EDMONDS. I will, Mr. President.

Mr. SHAPIRO. Mr. President, this is the bill which amends the merger act and confines the rights of stockholders of a merger of two companies to the specific provisions of the act.

Mr. EDMONDS. That is correct, Mr. President.

Mr. SHAPIRO. What is the purpose of the amendment, Mr. President.

Mr. EDMONDS. Upon careful study of the bill, Mr. President, it seemed as if there ought to be provision in it that notice should be given to stockholders as to their rights, as set forth in this bill.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS 35

Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McGinnis,	Tallman,
Carr,	Geltz,	Miller,	Taylor,
Chapman,	Haluska,	Mundy,	Thomas,
Cox,	Heyburn,	Reed,	Tyler,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
Ealy,	Letzler,	Snowden,	

NAYS 10

Barr,	Dent,	Jaspan,	McQuiddy,
Cavalcante,	DiSilvestro,	Lanius,	Stiefel,
Coleman,	Frey,		

So the question was determined in the affirmative.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 293, (House Bill No. 402), as follows:

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Organization of Reserve Defense Corps Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania Reserve Defense Corps and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania Reserve Defense Corps shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania Reserve Defense Corps shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I ..... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office ..... in the Pennsylvania Reserve Defense Corps upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania Reserve Defense Corps

Section 7 Enlistment Contract and Oath Every man enlisting in the Pennsylvania Reserve Defense Corps shall

sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this ..... 19.... as a soldier in the Pennsylvania Reserve Defense Corps for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania Reserve Defense Corps into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his discretion provide for an annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania Reserve Defense Corps during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania Reserve Defense Corps under the provisions of Public Resolution No 874 the 76th Congress of the United States approved October 21 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania Reserve Defense Corps The Governor shall have further authority and power to make available for the use of the Pennsylvania Reserve Defense Corps such uniforms arms and equipment as may be owned by the Commonwealth or as may be in possession of the Commonwealth for the purpose of such use. In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred dollars ($100.00) for each officer may be prescribed by the Governor

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania Reserve Defense Corps except as modified or changed by the provisions of this act

Section 13 Constitutionality The provisions of this act are severable and if any provision hereof shall be held to be unconstitutional the decision so holding shall not be construed to affect any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been contained therein

Section 14 Repeal The act approved the twenty-second day of June one thousand nine hundred and seventeen (P. L. 628) entitled "An act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged" and the act approved the twenty-fourth day of March one thousand nine hundred and thirty-seven (P. L. 106) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Militia for the defense of the Commonwealth during any war in which the United States may be engaged" are hereby repealed

Section 15 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass nally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McGinnis,	Tallman,
Cavalcante,	Frey,	McQuiddy,	Taylor,
Chapman,	Geltz,	Miller,	Thomas,
Coleman,	Haluska,	Mundy,	Tyler,
Cox,	Heyburn,	Reed,	Wade,
Crider,	Homsher,	Ruth,	Walker,
Crowe,	James,	Scarlett,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,
Dent.	Kephart,		

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL NO. 297

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 297, entitled:

An Act to further amend section 10 of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation;" by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

passed on second reading.

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye".

Mr. CAVALCANTE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CAVALCANTE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which the title was agreed to.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the title?

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which the first section was agreed to.

Mr. CAVALCANTE. Mr. President. I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the first section?

Mr. MALLERY. Mr. President, I move to amend section 1, page 4, line 2, by striking out the word "No" at the end of the line, and inserting in lieu thereof the word "Any"; amend section 1, page 4, line 3, by striking out after the word "county" and before the word "reallocate" the word "shall", and inserting in lieu thereof the word "may"; amend section 1, page 4, line 6, by striking out after the word "poses" and before the word "The" the words "or for any other purpose whatever".

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-one

The title of the bill was read as follows and agreed to:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 298, on third reading, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs towns and townships of the Commonwealth for maintenance, construction, reconstruction resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE. Mr. President, I ask unanimous consent that Senate Bill No. 50, on second reading, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. CHAPMAN. Mr. President, I move that Senate Bill No. 65, on second reading, entitled:

An Act permitting and regulating fishing in certain reservoirs used for public water supply purposes in accordance with rules and regulations adopted by the Board of Fish Commissioners; modifying the laws with respect to trespass, and imposing penalties.

be recommitted to the Committee on Public Health.

On the question,

Will the Senate agree to the motion?

Mr. REED. I object, Mr. President.

Mr. DENT. Mr. President, has the motion been seconded?

Mr. JAMES. Yes, Mr. President.

Mr. DENT. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. Yes, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Allegheny tell me whether or not this action is made following the dictates of the Republican Caucus?

Mr. GELTZ. Mr. President, I think that is an improper question and I do not desire to answer it.

Mr. DENT. Mr. President, I did not hear the answer.

Mr. GELTZ. Mr. President, I think that is an improper question and I do not desire to answer it.

Mr. DENT. I thank the gentleman for the affirmative answer. Now, Mr. President, may I further interrogate the gentleman from Allegheny?

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. DENT. Mr. President, is the purpose of recommitting this bill to the Committee on Sanitation and Health to kill the bill? Is that the purpose of the motion?

Mr. GELTZ. Mr. President, there is indication that the result of it might be something affecting public health and we think it is only proper that it go to the Committee of Public Health in order to give that committee an opportunity to check into the possibilities in connection with the bill.

Mr. DENT. Thank you.

The PRESIDENT. The Chair understands this bill had previously been committed to the Committee on Forest and Waters, Game and Fish and was reported out; now it is requested that it be committed to the Committee on Public Health and Sanitation.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I regret this action puts me in the position of talking in opposition to the motion because I would rather have the bill voted upon here on

the floor, rather than go back to committee, where I know from past experiences on this floor, in this session and the session of 1939, that the bill is being sent back to committee and in all probability it will die there.

Therefore, Mr. President, in order that I might keep faith with the six hundred odd thousand fishermen in the Commonwealth of Pennsylvania in whose interest I have introduced this legislation, year after year, I therefore desire to make a few statements relative to the bill. I will not be in a position at a later date to make a statement because I know full well this bill will probably enjoy the same fate as some other bills on the calendar which I have introduced, which have been sent back to committee. It seems I was fortunate enough to get the No. 1 bill through the Senate, but since then a blackout has been ordered on my legislation.

Therefore, Mr. President, I desire to read into the record certain arguments in favor of this bill in order that the Committee on Health and Sanitation may have my arguments and the arguments of the sportsmen of the state who for years have fought battles for clean streams and anti-pollution in Pennsylvania.

Mr. President, the argument has been made to me personally by the men interested in sending this bill to committee that this would cause pollution of the drinking water system of Pennsylvania. I do not believe that to be true because the great mass of sportsmen of this state have been the men and the women behind the movement for clean streams and anti-pollution laws and the very men who vote to send this bill back to committee in many instances on this floor and in the House of Representatives, when we were members, voted against anti-pollution legislation when anti-pollution legislation was aimed at the clearing up of the very streams they now say we will pollute because we are going to sit on the edge of the streams and innocently throw in a hook and line trying to fish, in a clean recreational sport.

I want to say, Mr. President, I have here an article which appeared in the Pittsburgh Press, edited by one of the best known sportsmen in the State of Pennsylvania, John G. Mock, and I want to read to you some of the arguments in this article. Mr. President, I hope you will pardon me if it refers to me a little in the editorial. Being a politician naturally I do not like publicity.

"THIRD ATTEMPT TO PUSH FISHERMEN'S MEASURE THROUGH LEGISLATURE AWAITS PUBLIC RESPONSE

By John G. Mock

"If at first you don't succeed, try again.

"And if failure meets your second attempt, well there's always the opportunity to tackle it another time.

"That seems to be the logic of Senator John H. Dent, of Westmoreland County, in his effort to acquire additional fishing for the disciples of Izaak Walton.

"On two occasions the Senator has introduced a bill to permit fishing in certain reservoirs—in accordance with rules and regulations to be adopted by the Board of Fish Commissioners—modifying trespass laws and providing a penalty for violation of the act.

"On both occasions, sportsmen of the state have let him down, through apathetic interest.

"Many another lawmaker would have told the fishermen to 'go hunt' for their fishing. John Dent has agreed to give it another whirl.

"Section 1 of the proposed act provides that every reservoir owned, leased or operated by any municipality, person, association or corporation supplying water to the public shall be open to fishing in accordance with the laws of the Commonwealth relating to fish; said water to be that which is filtered or otherwise treated before being supplied for domestic consumption.

"This section also provides that the Board of Fish Commissioners, with the consent and approval of the Sanitary Water Board, formulate and adopt such rules and regulations as deemed necessary in interests of public health.

LIFTS TRESPASS ACT

"Section 2 relieves fishermen from liabilities of the trespass act, but holds him responsible for damage done while on such lands.

"The following section charges the Board of Fish Commissioners with posting, conspicuously, the rules and regulations as they apply and Section 4 establishes a penalty of $25 for either molesting such signs or posters or violating the provisions under which the area may be fished.

"Water, like the air we breathe, is part of the eminent domain and, like the air, water is an element over which no individual or group of individuals may claim ownership.

"Where impounded, in practically every instance, upon tax-free land and in many instances upon land donated by the State, the Westmoreland County Senator contends that the public should have access to its property.

FREES PUBLIC PROPERTY

"The bill is not an attempt to usurp the rights of any private individual or corporation, but merely seeks the privilege of utilizing a public property.

"Neither would the measure establish a precedent, for the water utilities for years have been commercializing the eminent domain by charging fees to bathe, fish, boat and otherwise make use of the water. The water companies have built cottages upon the taxfree lands, sold concessions and otherwise capitalized upon the situation at the expense of the public.

"Senator Dent's bill, which should have immediate wholehearted support of every public-spirited citizen, including sportsmen, aims to make available to all of the public that which, in many instances, is the privilege of a few.

"Write to Senator John H. Dent, Senate of Pennsylvania, Harrisburg, Pa., advising him of your support to Senate Bill No. 26. Whether or not it will be released from committee and brought onto the floor for consideration will depend upon how the public expresses itself in this regard—shall utilities corporations continue to bar the public from a rightful heritage, free access to the eminent domain?"

Mr. President, I do not want to read to you all the letters I have here but I do want to read just a few excerpts from some of them. For instance, here is one from up in Butler: "The fishermen in this district voted for the stocking of fish in the Butler Water Company Reservoir and yet we have to pay to catch them."

This is the point I want to drive home to this Senate, Mr. President, when you speak of polluting waters that are impounded for public consumption or domestic consumption you do not know the whole fact and the whole

truth in the case. These waters are being shed today but they are being fished only when the utility company, or whatever the corporation happens to be that owns the water, permits persons to fish, either for political favor or for a stated fee or sum.

Mr. President, if it is pollution of that water for a person to fish, then it should not be permissible for private corporations to allow fishing if you pay. The general fishing public can now fish in a stream—any fisherman can fish in most any reservoir where the company has a fee system set up, where they charge fifty cents or a dollar and allow you to fish in that reservoir.

Mr. President, there are many arguments against this bill which I have read recently. Some of them are sound and some of them are unsound to my mind but the right I am asking in this legislation is a right which belongs to every citizen in this Commonwealth. Over six hundred thousand members of the fishing fraternity belong to organizations that have endorsed the passing of every piece of legislation that I have introduced not once, but on three separate occasions.

I want to say, Mr. President, I am sorry to see this bill going back to committee because I know full well that that is where it will rest and that is where it will die. You are not being fair to the fishermen of this state.

I want to tell you that it is not only the water used for domestic consumption in the matter of public utility but they will take the many reservoirs that may belong to a coal company, whose only public service or domestic purpose is that the water goes into a coal patch; in some instances it is filtered and they allow fishing but do not allow the residents of the coal patch to fish in there although they have licenses.

I want to say to you this is a very important piece of legislation and in a county as large as mine, with the hundreds and hundreds of miles of trout streams there are in that county, there is not a decent trout stream you can fish in simply because they all belong to the watershed that may be served or to fill up some reservoir that belongs to some company or corporation.

The fishermen should be allowed to fish. Mr. President, I want to give my boy the same right to fish I had when I was a kid. When I was a youngster I was happy to fish in any way I could, but today my kid and nobody else's kid has any place to go to fish. Mr. President, we have instances in my county, for example, there are picnic grounds adjacent to the water reservoir and after the picnickers leave there are all sorts of garbage and all sorts of paper and filth left lying around by the picnickers and any man will tell you who knows anything about purity of water that the dirt and filth may be fifty miles away from the reservoir and if it is in the watershed that fills that reservoir, when the water hits that dirt and filth, when the water hits that corruption of dirt, the disease will spread and go into that reservoir, the same as if you took the filth and corruption and threw it into the main body of water.

Mr. President, it is not fair to say this bill is going to corrupt waters or the people are going to pollute the waters of the state and I would not say that six hundred thousand fishermen of the State of Pennsylvania are a dirty group. Sportsmen as a whole are clean, sportsmen as a whole do not do anything to deteriorate the value of the land or the water.

You will find the sportsmen go out and try to beautify the area in which they enjoy the sport and do nothing to injure it. I want to see the children go out on the streams, the little youngsters who have not had the opportunity to go out and fish, let those youngsters go out and fish; it is better for them to do that than to do the other things we know they have to do now for recreation.

I want to say, Mr. President, I oppose this motion. I know my opposition will not get me any votes and I venture to say that half the Republicans that vote for this measure will be voting to send this bill back to committee, and it is only fair to say that this bill is being sent back to committee for killing, that is what it is going back for, to be killed; it is going to be pickled. You are polluting the streams and the sportsmen's organizations of the State of Pennsylvania by your vote right now. You are not in any way giving me a decent argument and at no time has any person with whom I have talked given me a decent reason for sending this bill back to committee.

I therefore, Mr. President, rest the case of the fishermen and the sportsmen and clean-living citizens of this State of Pennsylvania in the hands of the Senate and I trust we do not vote to send this bill back to committee.

Mr. SHAPIRO. Mr. President, I should like to say I agree with several of the statements of the gentleman from Westmoreland and I disagree with other statements he has made.

In the first place, Mr. President, I want to disillusion the gentleman from Westmoreland on the first things he said, because he did not get any of his bills passed in the Senate. The bill he got passed in the Senate was a Republican bill—because it changed control of the State Government Committee from the hands of a Democratic controlled House to make it an evenly divided committee and there was no reason why the Republicans should not vote for this bill—so I am hoping the gentleman from Westmoreland will not get any ideas of grandeur of his legislative ability because that bill passed first and quickly.

Secondly, Mr. President, I want to agree with the gentleman from Westmoreland that this bill is apparently going to die in committee. I am going to vote against recommitting the bill because I prefer to do my killing outside in the open, and I do not think it is fair to misunderstand the profession of the gentleman from Warren, Dr. Chapman—he is a doctor and not an undertaker, and there should be no bills sent to his committee for killing purposes—for curing yes, but killing, no.

Mr. CAVALCANTE. Mr. President, I would like to support the gentleman from Westmoreland on the points he had made. It seems to me that the main argument in opposition to this bill is the fact they say it will tend to pollute water for domestic purposes. Now, Mr. President, I am glad I was born not far from the banks of the Monongahela River, that river that had been flowing for so many centuries down through the western part of the State of Pennsylvania. In that river we throw our dead cats and dogs and many a dead human body is found floating down that river.

The sewage of city, town and hamlet is poured into the waters of the Monongahela, and, Mr. President, we who live on the banks of that river drink that water. The water companies that furnish us the water take the water

out of the Monongahela river, and no one yet has raised the argument that serving us the water of the Monongahela River is dangerous to our lives, and so I say, Mr. President, that the argument in opposition to this bill on the question of sanitation is fallacious and is not sound. Water impounded in those reservoirs must be filtered and treated before it is put in pipes for domestic consumption.

Now, Mr. President, in my part of the country, in Fayette County, this water of the Monongahela River, as I have stated and I reiterate, the river in which we throw our dead dogs and our dead cats and all of the sewage that is gathered along that river, that water is taken out of that river and the most that is done to it is chlorinate it and then put it into the pipes. It may be that sometimes it does not taste very good, but nobody complains about any danger to life. Other companies take the water out and they filter it, so that it does not have a very bad taste when you drink it.

So, Mr. President, I do wish to go along with the gentleman from Westmoreland, that the argument raised against this bill is absolutely puny, unsound, and I doubt, Mr. President, whether the gentleman from Warren, Dr. Chapman, really thinks he is sending this bill back or referring it to the Committee on Health and Sanitation, for the purpose of health and sanitation; it is probably being sent back to the lethal chamber where it may be asphyxiated and put away for future preservation.

Mr. MUNDY. Mr. President, I have gone over this bill very carefully because as a physician, like my good friend, Dr. Chapman, over there, I am very much interested in medical prophylactics, very much interested in disease prevention.

I can not quite agree with my colleague, Senator Dent, on some of the things he said. Of course, he may sense the measure as a discriminatory measure, but by the same token I believe this bill will open the reservoir and the streams to innumerable people, and I believe the Senator himself will agree with me that no organization, even the sportsmen's organization, would want to be responsible for the individual conduct of each individual who would participate in the fishing of that particular reservoir. We know too that in the conduct of various human beings there will be some soiling of this water by the addition of human excretions, and we do know that men and women of certain types are carriers of certain diseases; particularly we have the injurious typhoid carrier. I have found this to be a fact, so I do agree with the Senator from Westmoreland that the corporations and the water companies have been making a practice of giving to certain individuals the right to fish in these streams, and in that sense it is discriminatory. There should be either a complete prohibition of fishing in its entirety or else permission to every individual to fish.

Now, on the other side, I say to my colleague that study—to you gentlemen from Philadelphia, and, Senator Cavalcante, from Pittsburgh, or rather from the neighborhood of Pittsburgh, Fayette County—has brought forth a very important point, in saying that most of the sources of our water supply throughout the state come from areas which can not be otherwise than soiled, and we therefore require aeration plants and filtration plants and chlorination plants, and in my opinion, and I have gone over this with some of the medical authorities, I can not see where there is a grave danger or injury to the health of a community consuming this water; providing the corporation has installed proper aeration, proper filtration and proper chlorination plants. Let me impress upon you that as this filtration, this aeration, this percolation and this chlorination is performed, actually the water goes through this process after it leaves the main body of the stream, so that the bacteria which might enter by permitting people to fish in there should be thoroughly taken care of under proper sanitary precautions, and while I waver between my duty as a physician and an extreme prophylactist and my love for fishing and hunting now I think I will only explain by vote, in voting against committing this by voting and supporting the motion of Senator Dent, by saying I believe that the thing we need most is not discrimination, but absolute prohibition if we are going into that, or freedom entirely to fish, and we must say to those corporations you must install better plants to take care of any infection that may occur in the stream.

Mr. DENT. Mr. President, I just wanted to call attention of the Senate to the fact that the City of New York, with its millions of people, must get its water supply outside of the area known as the City of New York, and the five boroughs; its water supply comes from the Catskill Mountains. They have an act in New York which permits fishing, under the same conditions permitted in this bill. No water can be sold or given out for domestic use or consumption unless it is first treated and filtered. Chlorinated water cannot be sold if they allow—rather, they can not fish in a reservoir where only chlorination takes place in water before it is sent for human consumption.

So far as trespass is concerned, the bill has been amended to take care of that. The owners, in agreement with the Fish and Game Commission formulate rules which must be obeyed by the fishermen. We all know that when men go out to fish they do not go out to destroy anything, they go out and in most instances they are of the better class of Americans and they take time out to go out and fish and take their children with them, and I say we are doing a grave injustice to decent American citizens of this state, who for years have fought an honest fight for anti-pollution legislation.

Now, Mr. President, as the sponsor of this legislation—I did not sponsor this bill on my own, it is sponsored after many many requests by organized sportsmen, and by individual sportsmen from all over the state who know that as the years roll by, more and more of our streams are being tied up into water systems. It is not alone the reservoirs, it is the miles and miles of feeder streams that go into the reservoirs, the use of which is prohibited today, and if the City of Pittsburgh goes up into Central Pennsylvania and ties up miles and miles of such streams for their water supply, and Philadelphia does the same thing—bills have been introduced for both purposes—and if they do that, you will have to go out of the State of Pennsylvania to fish unless you are a friend of a friend who is a friend of these utilities.

And the question recurring,

Will the Senate agree to recommit Senate Bill No. 65?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS 29

Bartlett,	Edmonds,	Lanius,	Tallman,
Becker,	Farrell,	Letzler,	Taylor,
Carr,	Geltz,	Mallery,	Thomas,
Chapman,	Heyburn,	Miller,	Tyler,
Crider,	Homsher,	Scarlett,	Wade,
Crowe,	James,	Snowden,	Wilson, H. I.,
Deitrick,	Kephart,	Stevenson,	Wilson, T. B.,
Ealy,			

NAYS 17

Barr,	DiSilvestro,	McGinnis,	Ruth,
Cavalcante,	Frey,	McQuiddy,	Shapiro,
Coleman,	Haluska,	Mundy,	Stiefel,
Cox,	Jaspan,	Reed,	Walker,
Dent,			

So the question was determined in the affirmative.

The bill is recommitted to the Committee on Public Health.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 144, entitled:

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 266, entitled:

An Act to further amend clause (i) of section four hundred ten, of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciproral and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act to further amend section three hundred one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws, "further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

The first section of the bill was read as follows:

Section 1 Section three hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended in part by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (P. L. 793) is hereby further amended to read as follows

Section 301 Computation of Reserve Liability The Insurance Commissioner shall each year compute the reserve liability as of the thirty-first day of December of the preceding year of every company authorized to make insurance on lives in this Commonwealth in accordance with the terms of the policy contract and rules following

(a) The net value of all outstanding policies of life insurance issued by the company prior to the first day of January one thousand eight hundred and ninety shall be computed upon the basis of the American experience table of mortality with interest at not less than four and one-half and not more than six per centum per annum

(b) The net value of all outstanding policies issued between the first day of January one thousand eight hundred and ninety and the first day of January one thousand nine hundred and three on the combined experience or actuaries' table of mortality with interest at four per centum per annum

(c) The net value of all outstanding policies of life insurance issued on and after the first day of January nineteen hundred and three on the American experience table of mortality with interest at three and one-half per centum per annum Provided however That any company may value its group term insurance policies under which premium rates are not guaranteed for a period in excess of five years according to the American men ultimate table of mortality with interest at three and one-half per centum per annum

(d) The net value of all policies of life insurance issued on and after January first one thousand nine hundred and twenty-one where the premiums are payable monthly or oftener shall be valued according to the American experience table of mortality with interest at three and one-half per centum per annum But any company may voluntarily value its industrial policies according to the standard industrial mortality table with interest at three and one-half per centum per annum

The net value of a policy at any time shall be taken to be the single net premium which will at that time effect the insurance less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated

The legal minimum standard for valuation of annuities issued after January one one thousand nine hundred and twelve shall be McClintock's table of morality among annuitants with interest at three and one-half per centum per annum but annuities deferred ten or more years and written in connection with life or term insurance shall be valued upon the same mortality table from which the consideration or premiums were computed with interest not higher than three and one-half per centum per annum

Any such company may however at any time elect under any of its policies of life insurance to reserve on the American experience table of mortality with a lower rate of interest but at a rate not less than two per centum or on the American men ultimate table of mortality (with such modification and extension below age twenty as may be approved by the Insurance Commissioner) with interest at a rate not more than three and one-half per centum and not less than two per centum and its obligations under such policies shall thereafter be valued accordingly

The aggregate net value so ascertained of the policies of any such life insurance company shall be deemed its reserve liability to provide for which it shall hold funds

in secure investments of an amount equal to such net value above all its other liabilities The Insurance Commission shall after having determined as above the net value of all the policies in force see that the company has that amount in safe legal securities after all its other debts and claims against it have been provided for The provisions of this section for the valuation of policies and for premium rates shall not apply to companies or associations transacting business on the mutual assessment plan

On the question,

Will the Senate agree to the section?

Mr. EDMONDS. Mr. President, I move to amend Section 1, page 5, line 2, by striking out the word "mission" at beginning of the line, and inserting in lieu thereof the word missioner.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to;

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows and agreed to:

An Act to further amend section three hundred one of the act, approved the seventeenth day of May. one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 270, entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three), entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 289 (House Bill No. 225), entitled:

An Act relating to National and State Defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CROWE. Mr. President, I move that Senate Bill No. 299, on second reading entitled:

An Act to further amend section one of the act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 737), entitled "A supplement to an act, entitled 'An act to establish a Board of Commissioners of Navigation for the River Delaware and its navigable tributaries; regulating their jurisdiction over ships, vessels, and boards, and wharves, piers, bulkheads, docks, slips, and basins; and exempting cities of the first class from certain of its provisions; and making an appropriation therefor,' approved the eighth day of June, Anno Domini one thousand nine hundred and seven; authorizing and directing the commissioners to provide and maintain a nautical school for the education and training of pupils from the various counties of the Commonwealth of Pennsylvania in the science and practice of navigation; and making an appropriation for two years from the first day of June, Anno Domini one thousand nine hundred and nineteen, towards its maintenance," providing for the payment of maintenance fees by pupils, and the disposition thereof.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I object.

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—37

Barr,	Edmonds,	Letzler,	Stevenson,
Bartlett,	Farrell,	Mallery,	Tallman,
Becker,	Frey,	McGinnis,	Taylor,
Carr,	Geltz,	Miller,	Thomas,
Chapman,	Haluska,	Mundy,	Tyler,
Coleman,	Heyburn,	Ruth,	Wade,
Crider,	Homsher,	Scarlett,	Walker,
Crowe,	James,	Shapiro,	Wilson, H. I.,
Deitrick,	Kephart,	Snowden,	Wilson, T. B.,
Ealy,			

NAYS—8

Cavalcante,	Dent,	Jaspan,	Reed,
Cox,	DiSilvestro,	Lanius,	Stiefel,

So the question was determined in the affirmative.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 300, entitled:

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection

within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

And said bill having been read at length the second time,
On the question,
Will the Senate agree to the bill on second reading?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Monroe, Mr. Crowe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Monroe state for the information of the Senate what is the purpose to be effected by this bill?

Mr. CROWE. Mr. President, the purpose of this bill is to permit the Department of Forests and Waters to lease or sell telephone lines that have been used in the state forests, that they no longer have use for, to turn them over to private individuals who can give the proper service.

Mr. SHAPIRO. Have they already leased services for themselves.

Mr. CROWE. No, Mr. President.

Mr. SHAPIRO. Isn't it true that the Department of Forests and Waters has its own telephone service and at the same time serves small cottages or cabins on the various grounds?

Mr. CROWE. That is correct, Mr. President.

Mr. SHAPIRO. Will the gentleman from Monroe tell us how they are going to get their service after this?

Mr. CROWE. In many cases it will be desirable for a private company to take that over because they can give better service and make something out of it.

Mr. SHAPIRO. Mr. President, does the gentleman know whether this arrangement is going to cost the Department of Forests and Waters more money or is it going to result in a saving to the Department of Forests and Waters?

Mr. CROWE. In a saving, Mr. President.

Mr. SHAPIRO. Mr. President, has the Department of Forests and Waters been consulted in connection with this bill?

Mr. CROWE. This is a bill which was suggested by them.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, does the gentleman from Monroe have any objection to including in this bill an amendment that these same lines may not be resold or released back to the Department of Forests and Waters?

Mr. CROWE. Will the gentleman repeat that question?

Mr. CAVALCANTE. Mr. President, does the gentleman have any objections to placing an amendment in this bill that the same lines shall not be resold or released thereafter to the Department of Forests and Waters.

Mr. CROWE. I do not think that is necessary, Mr. President.

Mr. CAVALCANTE. The gentleman from Monroe does not think so?

Mr. CROWE. No.

And the question recurring,
Will the Senate agree to the motion?
It was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will state his question of personal privilege.

Mr. HALUSKA. Mr. President, sometime ago I introduced Senate Bill No. 12 known as the sixty at sixty old age pension assistance plan.

Mr. President, I had no intention of taking up the time of the Senate tonight to speak on this bill, up until the time that I noticed in the papers that the chairman of the Committee released to the press a certain statement as follows: "Senator Bartlett says the sixty at sixty Haluska bill is dead."

Now, Mr. President, this might be a laugh to some of you, but I intend to place my story before this body if it takes me until morning. I think this is one of the most important bills introduced in this session. I do not think that the members of that committee gave that bill any study or any thought. I am wondering whether the Chairman of that Committee himself read the bill, and I am wondering why he reached down into the barrel and dragged out Senate Bill No. 12 and magnified it and told the entire Commonwealth the bill is dead because it will take seven hundred and fifty million dollars to finance the program. Therefore, I am assuming that the Chairman of that Committee has full knowledge of what he said.

For that reason, Mr. President, I desire to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. HALUSKA. Mr. President, according to the Associated Press release, the gentleman from Northampton has stated that it will take seven hundred and fifty million dollars to finance my proposed sixty at sixty plan; is that correct?

Mr. BARTLETT. Mr. President, that is substantially correct.

Mr. HALUSKA. Mr. President, does the gentleman from Northampton know how many persons we have in the Commonwealth of Pennsylvania that are above sixty years of age?

Mr. BARTLETT. I do not know, Mr. President. That information is in the hands of the Department of Public Assistance, however.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton state whether Mr. Russell made this release rather than himself?

Mr. BARTLETT. I did not understand the question, Mr. President.

Mr. HALUSKA. Mr. President, is it a fact the Secretary of Public Assistance gave the gentleman from Northampton those figures?

Mr. BARTLETT. That is correct, Mr. President.

Mr. HALUSKA. And did the gentleman from Northampton inquire whether or not they were correct?

Mr. BARTLETT. I inquired, Mr. President, from the department, and I am told they are correct.

Mr. HALUSKA. Then it is a fact that Mr. Russell gave the gentleman those figures, is that right?

Mr. BARTLETT. That is correct.

Mr. HALUSKA. And did the gentleman from Northampton convey those figures to his committee?

Mr. BARTLETT. That is correct, Mr. President.

Mr. HALUSKA. Mr. President, does the gentleman from Northampton know how many persons we have in the Commonwealth of Pennsylvania today that are receiving some type of public assistance, above the age of sixty, whether it be a pension, a blind pension, direct relief, or a widow's pension?

Mr. BARTLETT. I can not answer that question, Mr. President.

Mr. HALUSKA. Mr. President, does the gentleman have knowledge of how many persons will become eligible under my act, as outlined in Senate Bill No. 12?

Mr. BARTLETT. Mr. President, I believe that can be calculated; by dividing the sum necessary by the figure of 120, which would give a figure of approximately six hundred thousand.

Mr. HALUSKA. Mr. President, does the gentleman say that about six hundred thousand persons received some type of public assistance, above the age of sixty?

Mr. BARTLETT. No, Mr. President, I did not.

Mr. HALUSKA. My question was, does the gentleman know how many persons above the age of sixty are today receiving some type of public assistance in Pennsylvania?

Mr. BARTLETT. I can not answer that, Mr. President.

Mr. HALUSKA. The gentleman from Northampton does not know that, either?

Mr. BARTLETT. No, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Northampton tell me how he arrived at the figure of seven hundred and fifty million dollars?

Mr. BARTLETT. Mr. President, that figure was given me by the Secretary of Public Assistance.

Mr. HALUSKA. Mr. President, will the gentleman state whether it was given to him orally or in writing?

Mr. BARTLETT. It was given to me in writing, Mr. President, and for the benefit of the gentleman from Cambria, I will read the letter.

Mr. HALUSKA. Will the gentleman read the letter?

Mr. BARTLETT. Mr. Russell says under date of March 11, referring to Senate Bill No. 12:

"This bill appears to go beyond the scope of the Federal Social Security Act, under which Pennsylvania receives 50% reimbursement for Old Age Assistance grants, in several major respects. First, it provides a $60 maximum grant, whereas Federal participation is available only for grants up to $40. Second, it sets a minimum age of 60 as against the Federal minimum of 65. Third, Federal law and regulations provide that Old Age Assistance must be granted on a basis of 'need,' taking into consideration resources and income of the individual and of the family of which he is a part. This bill does, of course, provide for consideration of family income but it does so on such a liberal basis that an aged person living with his son and daughter-in-law would apparently still be eligible for as much as a $20 monthly Old Age Assistance grant if the son's income were $550 a month. In my opinion Federal participation would not be forthcoming on such a basis. Considering the scale of payments and the portion of the population likely to be eligible, I would estimate conservatively that this bill, if enacted, would entail State costs of some $740,000,000 per biennium. Even assuming Federal participation, State costs would still run in excess of $500,000,000 per biennium, as compared with the present rate of $25,000,000."

Mr. HALUSKA. Mr. President, did I understand the gentleman from Northampton to read seven hundred and forty million dollars rather than seven hundred and fifty million dollars, as he gave to the paper.

Mr. BARTLETT. Mr. President, seven hundred and forty million dollars is the statement of the secretary.

Mr. HALUSKA. Mr. President, was seven hundred and fifty million dollars the statement that the gentleman from Northampton gave to the press?

Mr. BARTLETT. I am not sure, Mr. President, if I said seven hundred and forty million dollars or seven hundred and fifty million dollars.

Mr. HALUSKA. The press says seven hundred and fifty million dollars. Mr. President, does the gentleman have any knowledge of any bill pending in Congress today relative to lowering the limit from sixty-five to sixty?

Mr. BARTLETT. I have no personal knowledge of any such bill, Mr. President.

Mr. HALUSKA. If any such bill is pending and should pass, would the gentleman from Northampton still say that my bill is dead?

Mr. BARTLETT. Mr. President, if such a bill were passed, it might put a new light on Senate Bill No. 12.

Mr. HALUSKA. Then, Mr. President, the gentleman from Northampton would say that my bill is not dead, that it still has some life in it.

Mr. BARTLETT. It is sleeping, Mr. President.

Mr. HALUSKA. Mr. President, I will submit for interrogation to any member of this chamber, if he is able to answer the question that I asked the gentleman from Northampton, Mr. Bartlett. Is there a member of this body who can tell me how many persons we have in the Commonwealth of Pennsylvania who are sixty years or upward? Is there a member who can tell me that?

Mr. EDMONDS. Mr. President, if I may, I will volunteer the statement that the census of 1930 shows there were 10,300,000 people in the United States above the age of sixty. You can ordinarily take those figures. Putting Pennsylvania's share between nine and ten per cent, if there are 10,300,000, nine per cent of that would mean about 900,000 or 950,000 in Pennsylvania are above the age of sixty.

Mr. HALUSKA. Mr. President, that is correct. Can the Senator from Montgomery tell me how many persons we have in the Commonwealth of Pennsylvania who are sixty years and older, who are receiving some type of public assistance?

Mr. EDMONDS. I can not answer that, Mr. President; I have never seen any figures along that line; I think those figures can be had over in the Department.

Mr. HALUSKA. Mr. President, is there anybody else on that side of the House that could enlighten me on this subject?

Mr. EDMONDS. Mr. President, I call the attention of the gentleman from Cambria to the fact that the letter which Senator Bartlett read stated seven hundred and forty million dollars for the biennium, and as I see the figures, there are about 900,000 individuals at $720 a year. That is not such a bad calculation on the part of the department.

Mr. HALUSKA. Mr. President, I might say to the

gentleman from Montgomery that my bill does not refer to individuals. My bill states—I am sorry to say I believe that very few of my colleagues have read that bill—because my bill states every household where one person has reached the age of sixty and whose income is less than sixty dollars a month, would be entitled to these benefits. Therefore, assuming we have 950,000 persons, my bill does not relate to the entire amount.

Now, Mr. President, this is an important matter, because the day is coming when we must face the issue, and I believe all of my colleagues, both Democrats and Republicans, realize that something must be done sooner or later to take care of the aged of our Commonwealth, and that is why I mentioned the act pending in Congress. This afternoon I called Senator Downing from California, and he informed me now that bill is being sponsored and it has the blessing of the Democratic administration, lowering the limit from sixty-five to sixty. It will be a participating bill, wherein the federal government will grant the first thirty dollars, provided the states will participate for the other thirty dollars. That is why I asked the question that if that bill should pass, will the gentleman say that my bill is dead. I do not believe we can afford to put ourselves on the spot in that manner.

Mr. President, for the information of this Senate, we have 140,000 persons residing in the Commonwealth of Pennsylvania today who are receiving some type of public assistance; to be more specific to my colleagues, we have one hundred thousand persons in the Commonwealth of Pennsylvania receiving old age assistance; we have eleven thousand persons receiving blind pensions; we have twenty-nine thousand persons who are receiving direct relief, that are over sixty years of age; we have thirty-five thousand families wherein someone in that family is employed in W.P.A., so all totaled, we have 175,000 persons who are dependent upon this Commonwealth for some type of public assistance, and I maintain under my act, and if read you will agree with me, you will have around 200,000 to 225,000 families, possibly five hundred thousand persons, who would be eligible under my act, and this figure of seven hundred and fifty million dollars to me is nothing but political chicanery, that is all it is; it is a gross deception of the truth, because I maintain that my bill could become a law and the Commonwealth would not pay over eighty-five million dollars per year, and this would be far from seven hundred and fifty million dollars. I say you are trying to create a smoke-screen, trying to tell the aged of our Commonwealth that it is impossible to pass my bill because of that figure, which is not true. I say to you if you read my bill you will agree with me it will cost less than ninety million dollars per year, and if the Federal Government passes a pending bill, it will cost much less, and we will be in position to enact some type of legislation that will take care of the aged of our Commonwealth.

Some time ago, Mr. President, one of my colleagues asked me the question on this floor, "when did you become the self-appointed God of the people of this Commonwealth?"

Now, Mr. President, I am only one human being, I am not a self-appointed god, but I do have their cause in mind and I am in sympathy with the man who reaches the age of sixty, the man in the sunset of life, the man in the twilight of life, the man that knows that never again will industry ever hire him, and it is our duty as humans to help that man, because as I said before once you show a streak of gray hair in your head they say to you, "You are too old," whether you be forty-five or fifty. Therefore, Mr. President, we must confront this issue as it confronts us; something must be done and it is our duty to do, and I hope and pray that that bill receives more consideration, that it will not be dead; I hope it is sleeping peacefully, Mr. Bartlett, until Congress passes that bill.

Mr. BARTLETT. Mr. President, at the meeting of the committee on Welfare, Public Assistance and Pensions last week, we had a very full meeting, the minority party was well represented, and the bill was given thorough consideration. I want to allay any suspicions of the gentleman from Cambria that the bill was pocketed without consideration. It received due consideration from all members of the committee present.

BILL INTRODUCED

Mr. COX. Mr. President, on behalf of Senator Stiefel, and myself, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. COX and STIEFEL read in place and presented to the Chair Senate Bill No. 361, entitled:

An Act to protect the obligors or guarantors of debts for which judgments are entered and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prohibiting, for certain periods, the sale on execution of property at less than its fair market value; and prescribing the method of fixing the fair market value of said property.

Which was committed to the Committee on Labor and Industry.

ADJOURNMENT

Mr. GELTZ. Mr. President, because of the schedule on the part of the Senators for tomorrow we have had some difficulty in arriving at the proper time for our session.

We have on the schedule the trip over to the new industrial school at Whitehill tomorrow morning until lunch time. We have a public hearing tomorrow afternoon on the home rule bill and the Irish remind us that we have a Saint Patrick's day dinner tomorrow night.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, March 18, 1941 at 9:30 o'clock, a. m.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:47 o'clock, p. m. until Tuesday, March 18, 1941, at 9:30 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, March 17, 1941

The House met at 9:00 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

Almighty God, Our Heavenly Father, we thank Thee for all men who have not only heard Thy voice, but who have gone out into fields of service and sacrifice in order that men might come to know Thee. To-day, there are those who are thinking of one, St. Patrick, who because of his zeal for Thee, left Scotland, crossed the channel, and in Ireland began a great work resulting in the establishment of schools and Monasteries. Many centries have passed since his day, others also have come and gone, each leaving a memorial of great worth in the minds and hearts of those unto whom they ministered.

It is our prayer that This Legislative Body might leave its imprint upon the citizenry of this State for that which is upright and worthy of Thy richest blessing. May it be conscious of the fact that disobedience to Thee will invite Thy displeasure and bring sorrow and disappointment into the hearts of men. Hear our Prayer, O God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 12, 1941.

The Clerk proceeded to read the Journal of Wednesday, March 12, 1941, when, on motion of Mr. DOLON unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. TAYLOR. HOUSE BILL No. 792.

An Act to add sections 418, 419, 420, 421, 422, and 423 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making unlawful certain acts designated to incite, counsel or advocate racial or religious hatred; and imposing penalties.

Referred to the Committee on Judiciary Special.

By Mr. GERARD. HOUSE BILL No. 793.

An Act requiring officers, agents and employees of the Commonwealth of Pennsylvania or its political subdivisions, when seeking admission to a club, licensed for the sale of malt beverages or liquor, in performance of their duties, to identify themselves to an officer, agent, employee or persons in charge of the club at the entrance thereto; requiring such officers, agents and employees of the Commonwealth of Pennsylvania where gaining entrance to the club without identifying themselves, to immediately identify themselves to an officer, agent, employee or person in charge of the club and before performing their duties; providing penalties; and repealing inconsistent acts.

Referred to the Committee on Liquor Control.

By Mr. MODELL. HOUSE BILL No. 794.

An Act to amend subsection (a) of section one thousand six hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for the payment of attorneys' fees in connection with the audit of expense accounts.

Referred to the Committee on Elections.

By Mr. MODELL. HOUSE BILL No. 795.

An Act to add section forty-three to article four of the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by requiring lessors of safe deposit boxes to notify the Department of Revenue when knowledge of the death of any lessee is acquired; to refuse access to such boxes after knowledge of such death except under the authorization of the Department of Revenue and in the presence of representatives of the deceased lessee's estate, and the estate of any surviving lessee or lessee, if any, and to inquire whether the lessee is alive when access to any safe deposit box is sought through use of a power of attorney or other authorization.

Referred to the Committee on Judiciary General.

By Mr. CHUDOFF. HOUSE BILL No. 796.

An Act authorizing the payment of taxes in cities of the first class, by partial or installment payments.

Referred to the Committee on Cities—First Class.

By Mr. D'ORTONA. HOUSE BILL No. 797.

An Act providing for personal notice to defendants admitted to bail, and to persons furnishing such bail, of the time and place where the appearance of such defendants is required.

Referred to the Committee on Judiciary General.

By Mr. D'ORTONA. HOUSE BILL No. 798.

To further amend section seven hundred seven and subsection (e) of section nine hundred three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating

to the weight of vehicles and loads, and limiting the registration fees of motor buses equipped with pneumatic tires.

Referred to the Committee on Motor Vehicles.

By Mr. D'ORTONA. HOUSE BILL No. 799.

To further amend clauses nine and ten of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by increasing the allowed value of advertising matter displayed on the inside or outside of licensed premises.

Referred to the Committee on Liquor Control.

By Mr. O'BRIEN. HOUSE BILL No. 800.

An Act providing that investment in shares of any savings or building and loan associations organized under the laws of the Commonwealth of Pennsylvania, which is a member of the Federal Home Loan Bank System, shall be legal investments for certain corporations and certain funds.

Referred to the Committee on Building and Loan Associations.

By Mr. LEVY. HOUSE BILL No. 801.

An Act to further amend section nine of the act, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three (P. L. 503), entitled "An act relating to the sale and conveyance of real estate," by including spendthrift trusts in the provision accelerating vested remainders in certain cases.

Referred to the Committee on Judiciary General.

By Mr. TATE. HOUSE BILL No. 802.

An Act to further amend clause fourteen of section six hundred and two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," providing additional requirements for amusement permits.

Referred to the Committee on Liquor Control.

By Mr. TATE. HOUSE BILL No. 803.

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

Referred to the Committee on Judiciary Special.

By Mr. McCLANAGHAN. HOUSE BILL No. 804.

To amend Article XI of the act, approved the twelfth day of June, one thousand nine hundred thirty-one (P. L. 575), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the parts on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating the Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," by making certain property of the commission subject to taxation.

Referred to the Committee on State Government.

By Messrs. MARSHALL M. COHEN & PRESLEY N. JONES. HOUSE BILL No. 805.

To further amend section twenty-one of the act, approved the fifteenth day of April, one thousand eight hundred thirty-four (P. L. 509), entitled "An act relating to county rates and levies and township rates and levies," by abolishing the right of distress and sale of goods and chattels for the collection of delinquent per capita, poll and occupation taxes.

Referred to the Committee on Counties.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 806.

To further amend section two thousand five hundred fifty-nine of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto" by abolishing tax collectors' right of distress and sale of goods and chattels for the collection of delinquent per capita, poll and occupation taxes.

Referred to the Committee on Cities—Third Class.

By Messrs. COOPER and KOLANKIEWICZ. HOUSE BILL No. 807.

Creating a commission to study and report on Un-American propaganda activities in the Commonwealth including communism, nazism, and fascism; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 808.

To further amend section twenty-six, and to amend section twenty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by making the subpoena and publication in divorce proceedings returnable in twenty-one days.

Referred to the Committee on Judiciary General.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 809.

To amend section thirteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by imposing on registers of wills the duty, when requested, of recording releases in decedents estates, and prescribing the effect of releases so recorded.

Referred to the Committee on Judiciary General.

By Messrs. HERMAN and O'MULLEN.
HOUSE BILL No. 810.

To promote the safety of travelers upon street railways in cities of the first class, by requiring a crew of two on each street railway car.

Referred to the Committee on Public Utilities.

By Mr. POLASKI. HOUSE BILL No. 811.

To further amend section three of the act, approved the nineteenth day of February, one thousand nine hundred and twenty-six (P. L. 16) entitled, as amended "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," further providing for the rights of manufacturerers of wine.

Referred to the Committee on Liquor Control.

By Mr. BAUGHER. HOUSE BILL No. 812.

An Act to amend clause (b) of section three hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections; including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the display of the standard flag of the United States at polling places; and imposing such duty on county boards of elections.

Referred to the Committee on Elections.

By Mr. FALKENSTEIN. HOUSE BILL No. 813.

An Act providing for the creation and administration of a State fund for motor vehicle operator's license fees for the insurance of motor vehicle operators licensed in Pennsylvania against public liability and property damage within certain limits; providing for the creation of a board to administer said fund, and empowering said board to fix license fees for motor vehicle operators and carry out the provisions of this act.

Referred to the Committee on Ways and Means.

By Mr. PETROSKY. HOUSE BILL No. 814.

An Act regulating the payment of wages or compensation for labor or service in private employments; establishing regular pay days; imposing certain duties upon employes; conferring powers and duties upon the Department of Labor and Industry and district attorneys; imposing additional powers and duties on the Secretary of the Department of Labor and Industry and district attorneys for the civil collection of wages; imposing civil and criminal penalties for the violation of the act, and providing for their collection and disposition; and repealing inconsistent legislation.

Referred to the Committee on Labor.

By Mr. MODELL. HOUSE BILL No. 815.

An Act to amend section three hundred and ten of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-seven (P. L. 1987), entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen, and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," removing the discretionary power of the Sanitary Water Board as to the applicability of certain provisions hereof concerning silt from coal mines.

Referred to the Committee on State Government.

By Messrs. REUBEN E. COHEN and BRETH.
HOUSE BILL No. 816.

An Act to further amend section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to set aside annually from the Fish Fund amounts not to exceed ten per centum of the total license fees paid into said fund during the year involved, to help defray the expenses of the Sanitary Water Board.

Referred to the Committee on State Government.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 817.

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefore; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act." by authorizing the General State Authority to construct and maintain desilting basins and electric generating stations, and to sell electricity under certain circumstances.

Referred to the Committee on State Government.

By Mr. BRETH. HOUSE BILL No. 818.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing the Sanitary Water Board as an Independent Administrative Board; and conferring certain additional powers upon it with respect to the appointment of employes and the receipt and expenditure of funds.

Referred to the Committee on State Government.

By Messrs. KENEHAN and O'NEILL.
HOUSE BILL No. 819.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Messrs. O'NEILL and SCANLON.
HOUSE BILL No. 820.

An Act to amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise, and providing for the collection of said tax," as amended, exempting from the mercantile license tax so much of the business of manufacturers and mechanics as comprises the vending of goods of their manufacture from their factories and workshops.

Referred to the Committee on Ways and Means.

By Mr. MARKS. HOUSE BILL No. 821.

An Act to further amend section four of the act, approved the second day of June, one thousand nine hundred and thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," regulating the jurisdiction of aldermen, magistrates and justices of the peace with respect to certain children.

Referred to the Committee on Judiciary General.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 822.

An Act to amend clause I of section seven hundred two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending revising, consolidating, and changing the law relating thereto," changing the time limit on lighting contracts.

Referred to the Committee on Townships.

By Messrs. READINGER and LICHTENWALTER.
HOUSE BILL No. 823.

An Act providing for the recording of birth records of certain persons whose births have not heretofore been made a public record; making such records competent legal evidence; and imposing certain duties upon the Orphans' Court.

Referred to the Committee on State Government.

By Messrs. WILLIAMS and O'NEILL.
HOUSE BILL No. 824.

An Act to regulate the location, drilling, casing, production, operation, plugging and filling, and abandonment of natural gas and petroleum wells; on property underlain with coal and elsewhere, having for its object the protection of life and property by prevention of intrusion of oil and gas therefrom into coal mines, and the conservation of oil and gas resources in territory not underlaid with workable coal beds; conferring powers and imposing duties upon the Department of Mines, and providing penalties.

Referred to the Committee on Mines and Mining.

By Mr. TARR. HOUSE BILL No. 825.

To further amend clause one of section nine hundred and five of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," changing the name of the road tax to the general fund tax.

Referred to the Committee on Townships.

By Mr. TARR. HOUSE BILL No. 826.

To amend section one thousand four hundred one of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships, of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating the establishment and maintenance of sidewalks.

Referred to the Committee on Townships.

By Mr. TARR. HOUSE BILL No. 827.

To further amend section nine hundred and two of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating the adoption of the annual township budget, the giving of public notice thereof, and the filing of a copy with the Department of Internal Affairs.

Referred to the Committee on Townships.

By Mr. BURNS. HOUSE BILL No. 828.

To further amend section eight hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating the making of contracts and purchases by the townships.

Referred to the Committee on Townships.

By Mr. TARR. HOUSE BILL No. 829.

To amend sections five hundred ninety and five hundred ninety-three of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), en-

titled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," changing the method of appointing and fixing the compensation of township policemen.

Referred to the Committee on Townships.

By Mr. POLASKI. HOUSE BILL No. 830.

To further amend the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (1933-34, P. L. 15), entitled, as last amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," changing the provisions of said act with respect to natural wines, as herein defined; discontinuing the sale thereof by State stores; and changing the quantities of malt or brewed beverages that may be sold by licensees, other than clubs, for consumption off the premises where sold.

Referred to the Committee on Liquor Control.

By Mr. POLASKI. HOUSE BILL No. 831.

To re-enact and further amend the title and the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as last amended "An act to regulate and restrain the traffic in malt and brewed beverages; as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," including natural wines, as herein defined, within the provisions of said act; providing special licenses for the sale thereof, authorizing retail dispensers to sell natural wines without further license; and changing the quantities of malt or brewed beverages that may be sold by distributors and importing distributors, and by retail dispensers for consumption off the premises where sold.

Referred to the Committee on Liquor Control.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. KOMOROFSKI. RESOLUTION No. 53.

In the House of Representatives, March 12, 1941.

Whereas, the Commonwealth of Pennsylvania appropriates large sums to the Nanticoke State Hospital in order that the unfortunate ill may receive adequate hospital care; and

Whereas, it is a matter of public knowledge that the administration of said hospital is not efficiently conducted to the best advantage of the community.

Whereas, as a result thereof, there have been many dismissals of and resignations by employees due to unknown or undisclosed causes; and

Whereas, various organizations in Luzerne County have petitioned the State Secretary of Welfare requesting an investigation of said hospital; and

Whereas, notwithstanding this public interest, neither the trustees of said hospital, nor the Secretary of Welfare have given any consideration to such requests, therefore be it

Resolved, that the five members of the House of Representatives, be appointed as a committee, by the Speaker of the House of Representatives, to investigate the affairs of the Nanticoke State Hospital and its operations by the trustees thereof; and be it further

Resolved, that said investigating committee report the result of its investigation to this House, as speedily as possible, with appropriate recommendations.

Referred to the Committee on Rules.

By Messrs. RUSSELL E. REESE and WILLIAMS. RESOLUTION No. 54.

In the House of Representatives, March 12, 1941.

Whereas, There is now pending in the Congress of the United States a bill designed to eliminate poll taxes in certain states; and

Whereas, The passage of this bill will result in the enfranchisement of thousands of citizens, and result in a true expression of the will of the people; and

Whereas, The elimination of such practice is thoroughly consonant with the American democratic tradition; therefore be it

Resolved, That the House of Representatives hereby memorializes Congress to assure the passage of this Anti-Poll Tax Bill as quickly as possible; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States and the Chief Clerks of the Senate and House of Representatives of the United States.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION No. 47

March 14, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Resolution No. 47, Printer's No. 50, authorizing the appointment of a committee to organize the religious and social agencies of the communities adjacent to the Indiantown Gap Military Reservation and to foster entertainment and recreational activities in conjunction with the citizens of the several communities.

ARTHUR H. JAMES.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

MENTAL HYGIENE

A communication from Public Charities Association of Pennsylvania, addressed to the Speaker, opposing Governor's suggestion that complete state care of mental cases be postponed until 1943.

Referred to the Committee on Appropriations.

POLICEMEN, FIREMEN, PARK GUARDS

A communication from Roland W. Powell, Philadelphia,

addressed to the Speaker, endorsing enactment of legislation increasing salaries of firemen, policemen and park guards.

Referred to the Committee on Cities First Class.

SCHOOL CODE

A communication and resolution from the Married Women Teachers' Council of The Philadelphia Public Schools, protesting passage of House Bills Nos. 147, 185, 622 and Resolution No. 7.

A resolution from Pennsylvania School Directors Association, Harrisburg, recommending and protesting certain amendments to the School Code.

Referred to the Committee on Education.

ELECTIONS

A communication from the Civic Club of Allegheny County, addressed to the Speaker, protesting passage of House Bills Nos. 141, 243, 113, 198, 469 and 542.

Referred to the Committee on Elections.

HIGHWAYS

A communication from Mrs. Margaret S. B. Zantzinger, Philadelphia, addressed to the Speaker, recommending passage of House Bill No. 711.

Referred to the Committee on Highways.

SABOTAGE

A communication from United Mine Workers of America, Pittsburgh, addressed to the Speaker, protesting passage of House Bill No. 452.

Referred to the Committee on Judiciary Special.

BOWLING

A telegram from Philadelphia Bowling Association, addressed to the Speaker, recommending passage of Sunday Bowling Bill.

Referred to the Committee on Law and Order.

EMPLOYES OF LIQUOR LICENSEES

A communication from Public Relations Committee, Erie Council of Churches, protesting passage of House Bill No. 550, relating to employment of females in licensed places.

Referred to the Committee on Liquor Control.

28th DIVISION

A communication from the Society of the 28th Division Philadelphia, addressed to the Speaker, recommending passage of House Bill No. 639.

Referred to the Committee on Military Affairs.

MINES

A communication and resolution from Pennsylvania Industrial Union Council, Harrisburg, recommending legislation to appropriate funds to employ inspectors for all mines in Pennsylvania.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 246

A communication from Edward J. Murphy, Philadelphia, addressed to the Speaker, requesting that Senate Bill No. 246 be reported from Committee.

Referred to the Committee on Municipal Corporations.

LICENSURE

A communication from Lancaster Newspapers, Inc., addressed to the Speaker, requesting passage of House Bill No. 707 and defeat of House Bill Nos. 676, 684, and 685.

A communication from Keystone Veterinary Medical Association, Philadelphia, addressed to the Speaker, requesting passage of House Bill No. 509.

Referred to the Committee on Professional Licensure.

HUNTING AND FISHING

A communication from Pennsylvania Federation of Sportsmen's Clubs, favoring and opposing certain bills introduced in the House and Senate.

Referred to the Committee on Ways and Means.

SUPPORT LAW

A communication from Mr. and Mrs. Frank Kinees, Bedminster, addressed to the Speaker, protesting passage of House Bill No. 78.

Referred to the Committee on Welfare.

OLD AGE ASSISTANCE

A communication from Dominic Stankavich, DuBois, requesting old age assistance without transferring property.

Referred to the Committee on Welfare.

OCCUPATIONAL DISEASE

Communications from Locals 502, 601, 602 and 610 of the United Electrical, Radio and Machine Workers of America, requesting a deficiency appropriation to cover claims and liabilities under Occupatinal Disease Act of 1937.

Referred to the Committee on Workmen's Compensation.

COMMUNICATIONS

The SPEAKER laid before the House the following communication which was read by the Clerk:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1941.

Hon. Thomas J. Callahan,
Chief Clerk, House of Representatives,
Harrisburg, Pennsylvania.

Dear Mr. Callahan:

This acknowledges your letter of the 10th addressed to the Governor, enclosing a certified copy of House Resolution No. 29, Printer's No. 45, which was sent at the direction of the General Assembly.

Sincerely yours,
(Signed J. PAUL PEDIGO

The SPEAKER laid before the House the following communication which was read by the Clerk:

CITY OF SCRANTON
PENNSYLVANIA

March 15, 1941.

Mr. Thomas J. Callahan, Chief Clerk,
House of Representatives,
Harrisburg, Pa.

Mr. Dear Mr. Callahan:

This is to acknowledge receipt of the copy of the resolution, which you so graciously forwarded to me, by which the House of Representatives honored Scranton on its forthcoming centennial celebration.

While expressing my thanks to you, let me also say that the people of Scranton are grateful to Representative Robert J. Cordier for his action in calling the attention of the House to our city's one hundred years of growth which

have made it the third largest municipality in Pennsylvania. With a century of progress behind us, we of Scranton look to the future with confidence of continued advancement.

Sincerely yours,

(Signed) FRED J. HUESTER
Mayor.

REPORT OF THE DELAWARE RIVER JOINT COMMISSION

The Speaker laid before the House the report of the Delaware River Joint Commission of Pennsylvania and New Jersey to the Legislatures of the Commonwealth of Pennsylvania, and the State of New Jersey for 1940 which was read by the Clerk.

(For report see Appendix)

RESOLUTION

BRIAN O'MARA PRESENTED TO HOUSE

Mr. MORAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 17, 1941.

Whereas, This day is one that is set apart in reverence and affection by the descendants and friends of Ireland all over the world to pay honor and tribute to their patron saint, Patrick; and

Whereas, Much of the greatness of the Commonwealth of Pennsylvania was made possible by the sons of Erin, who, in the early days of its history, blazed pioneering trails to the West, fought the savage Indians, took part in the early frontier wars and in the subsequent battles in which this State and America engaged for the preservation of freedom; and

Whereas, On every hand, in every county of the Commonwealth are to be found evidences of the brain and brawn and culture of those who trace their ancestry to the Emerald Isle who helped to build our first railroads, dig our first coal mines and oil wells, establish churches and institutions of learning and in other ways aided in the creation of Pennsylvania's proud reputation for its high place in the world's commerce and culture; and

Whereas, Wherever the members of the Celtic race and their friends gather on this happy day of March 17th it is a matter of historic record that they have always raised their voices in song or listened to the melodious voice of one of their distinguished sons whom God, in His infinite wisdom and grace, had favored more than others in the bestowal of the vocal arts, and among whom are numbered such men as the beloved Chauncey Olcott, Andrew Mack, John McCormack and others of equal renown; and

Whereas, There is in this capital city of the Commonwealth of Pennsylvania tonight a young man who, by reason of his talents and training, has during the past year been acclaimed the greatest Irish tenor of his time, the distinguished Brian O'Mara, who is now present in or about this Capitol building; and

Whereas, The House of Representatives would be remiss in its appreciation of the richer and finer gifts and traditions of our State if it neglected to formally commemorate this great day by availing itself of the privilege of having the illustrious Mr. O'Mara take part in our brief St. Patrick's Day exercises; therefore be it

Resolved, That the Speaker of this House instruct the Sergeant-at-Arms to command Brian O'Mara, Irish tenor extraordinary, to appear before the House of Representatives, and that the said Brian O'Mara be escorted to the rostrum by a committee of Members of the House, acting as a guard of honor, such committee to be appointed by the Speaker; and be it further

Resolved, That the said Brian O'Mara be, then and there, presented by the Speaker with a certified copy of this Resolution, together with the admiration and appreciation of the House of Representatives of the Commonwealth of Pennsylvania.

COMMITTEE APPOINTED

The SPEAKER appointed Messrs. Moran and Turner to escort Mr. Brian O'Mara to the rostrum.

Mr. Brian O'Mara was escorted to the rostrum.

The SPEAKER. It is with profound pleasure that the Chair presents to the House Brian O'Mara the famous Irish tenor from County Waterford, Ireland, who I am sure will sing his way into the hearts of the Members of this House as he has already done to music lovers here in America and abroad.

RECESS

The SPEAKER. If there is no objection the Chair will declare a recess for fifteen minutes. Is there objection? The Chair hears none and declares a recess for fifteen minutes.

Mr. Brian O'Mara, for the entertainment of the House, accompanied on the piano by Mr. William Simmers, sang "A Little Bit of Heaven" and "Ireland, Mother Ireland."

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER. (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks Mr. Simmers, the accompanist of Mr. O'Mara.

Mr. O'Mara, as a token of our sincere approciation, I am directed by the House to present to you a copy of the Resolution which was adopted this evening in your honor.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Hirsch for Mr. McGRATH for the week on account of illness in the family.

Mr. Samuel Rose for Mr. FINNERTY for the week on account of illness.

Mr. Baker for Mr. HOLLAND on account of death in the family.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ACHTERMAN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

SENATE MESSAGES

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 17, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 24, 1941, at 4:30 o'clock p. m., and when the

House of Representatives adjourns this week, it reconvene on Monday, March 24, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED RESOLUTION RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned resolution from the House of Representatives as follows:

In the House of Representatives, February 26, 1941.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore, be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by The Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend last resolved clause by inserting at the end of said clause after the word "Assembly" the following: "1000 of said copies shall be for the use of the Joint State Government Commission."

On the question,

Will the House concur in the amendment made by the Senate?

The amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 320.

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony.

HOUSE BILL No. 402.

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

With the information that the Senate has passed the same without amendment.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 79.

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value

REPORTS FROM COMMITTEES

Mr. DI GENOVA from the Committee on Welfare reported as committed House Bill No. 688, entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

Mr. WOODRING from the Committee on Judiciary Special reported as amended House Bill No. 376, entitled:

An Act to amend paragraph (a) of section eight hundred and sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

Mr. GERARD from the Committee on Appropriations reported as committed House Bill No. 4663, entitled:

Making an appropriation to the Department of Military Affairs for the acquistion by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

BILL ON FIRST READING

Mr. GERARD asked and obtained unanimous consent for House Bill No. 463 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 463, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

RESOLUTION RE-REFERRED

Mr. ACHTERMAN returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Highways House Resolution No. 37.

The SPEAKER. The resolution is re-referred to the Committee on Highways.

REPORT FROM COMMITTEE

Mr. MELCHIORRE from the Committee on Rules reported as committed Senate Resolution Serial No. 113.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE (Serial No. 113)

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 5, 1941.

Whereas, On April 2, 1943 our Nation will celebrate the 200th Anniversary of the birth of its Luminary of Luminaries, Thomas Jefferson, who by general consent shares only with Dr. Franklin the honor of being the most versatile and accomplished of Americans and whose immortality, to use the expression of Woodrow Wilson, "does not lie in any one of his achievements, but in his attitude toward mankind"; and

Whereas, Preparatory to the celebration of the 200th Anniversary of the birth of Thomas Jefferson, a Bicentennial Commission was established by Congress last year; and

Whereas, In these days of strain and stress, of gloom and vaccilation, a celebration revolving around the immortal draftsman of the Declaration of Independence will result in the reaffirmation of Jefferson's teachings, the salubrious and tonic values whereof have been already universally acknoweldged; and

Whereas, The ringing phrases of the Declaration of Independence, intended according to Jefferson's expression "to be an expression of the American mind", are together with Lincoln's Gettysburg speech the greatest monuments of the English language, as well as limpid springs of political rejuvenation, from which our Republic had drunk heretofore and shall continue to deeply drink henceforth; and

Whereas, The February report of the Thomas Jefferson Memorial Foundation shows that the last cent of mortgage on Monticello has been paid as a result of its devoted work over a period of eighteen years; and

Whereas, Under the direction of Mr. Fiske Kimball, the most sympathetic and learned scholar in Jeffersonian draftsmanship and architecture, the interior and exterior of Monticello have been restored and the gardens thereof made beautiful according to Jefferson's plans and drawings, thus restoring to our Nation one of its Shrines; and

Whereas, The preservation and recovery of Jefferson's beautiful historic house and estate at Monticello is a memorable work of patriotism and public spirit, that will enrich not only Virginia but the whole United States of America; now be it therefore

Resolved (if the House of Representatives concur), that the General Assembly of Pennsylvania appoint a Commission, to be known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania", to consist of six members, three of whom shall be appointed by the Speaker of the House on the part of the House of Representatives, and three of whom shall be appointed by the President Pro Tempore of the Senate on the part of the Senate of the General Assembly, and the task whereof shall consist in evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by Congress for Pennsylvania's part in the celebration of the 200th Anniversary of the birth of Thomas Jefferson, in order that said plans may be submitted in the form of a report to the General Assembly of Pennsylvania in 1943 for proper action; and be it further

Resolved, That the General Assembly of Pennsylvania commend the Thomas Jefferson Memorial Foundation for its work of restoration of the Shrine at Monticello and its pious care thereof, and call upon the citizenry of Pennsylvania to lend its moral and material support thereto.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 320.

An Act to amend section one of the act approved the sixth day of April, one thousand eight hundred and fifty-nine (P. L. 387), entitled "An act to authorize execution of process in certain cases in equity, concerning property within the jurisdiction of the court, and on defendants not resident or found therein," authorizing execution of process in certain cases for the perpetuation of testimony.

HOUSE BILL No. 402.

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PERSONAL PRIVILEGE

Mr. BAKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BAKER. Mr. Speaker, this being the day of St. Patrick and the Speaker coming from Philadelphia, I notice that all the Members of the House from Philadelphia are wearing green ties. I would ask the Speaker to declare a recess until he changes his tie.

Mr. SHEPARD. I think, Mr. Speaker, inasmuch as you are wearing a green flower with an orange tie it shows, in the language of the gentleman from Philadelphia, Mr. O'Brien, that you are just a professional Irishman.

The SPEAKER. For the information of the gentleman from Philadelphia Mr. Shepard, a few years ago a gentleman boxer by the name of Battling Siki, who is of the same color as the gentleman from Philadelphia, had the courage to go to Dublin on the seventeenth day of March and fight for the light-heavyweight championship of the World, trying to take the title from Mike McTighe. The Speaker similarly has shown courage in coming here tonight wearing a yellow tie.

Mr. SHEPARD. I think that the Speaker is color blind if he thinks I am the same color as he is.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 64, entitled:

An Act imposing regulations and restrictions upon persons, associations, partnerships and corporations owning, leasing or having control over electric light or power lines, conduits, telephone and telegraph wires located near certain public highways or near flying fields.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. BOIES. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 604, entitled:

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure, "by defining further the duty of support of indigent persons by children or grandchildren.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 180, entitled:

An Act providing that every county, city, borough, town and township, may, upon application, furnish meeting rooms for war veterans and sons of veterans' organizations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the gentleman his reason for recommitting this bill.

Mr. ACHTERMAN. Mr. Speaker, as stated in my motion, for further study. I am inclined to believe the measure is giving the authorities power which they already have. If I am correct in that supposition, certainly there is no reason for the passage of this particular measure.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 182, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 106), entitled "An act prohibiting the

discharge from public positions of Union soldiers without reasonable cause, and prohibiting the abolishment of or changing the emoluments of public offices occupied by Union soldiers except for good reason," by extending the provisions thereof to veterans and nurses of any war in which the United States has engaged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 89, entitled:

Authorizing the Department of Property and Supplies to allocate, or provide, rooms for State Headquarters of the United Spanish War Veterans, Veterans of Foreign Wars of the United States, American Legion, and Disabled American Veterans of the World War; and providing that expenses for heat, light, water, and janitor services, shall be borne by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker, before this session started, we had been advised that the majority was going to send back to committee those bills which were sponsored by Republican members. The practice which now being followed indicates that that is true and that that is the real purpose for sending these bills back to committee.

As a matter of fact I understand these bills are sponsored by the American Legion, the Veterans of Foreign Wars, the Spanish-American War Veterans, the Disabled American War Veterans, and the Jewish War Veterans. The reason that these bills are being sent back is that they happen to be sponsored by Republican Members.

Mr. ACHTERMAN. Mr. Speaker, I am very sorry but somebody has apparently misinformed the minority leader. You will find that we do have good reasons for recommitting the bill. As to the one I made my motion on in this instance, the American Legion at the present time maintains headquarters in the city of Philadelphia. I have been advised by various veterans that the American Legion is not particularly interested in moving its headquarters from the city of Philadelphia to the city of Harrisburg. To take advantage of this particular measure, if passed, it would be necessary for the Legion to do so. Whether that subject has been discussed, I have grave doubt. I am equally certain that legislation should not be rushed out for the sole purpose of compelling the veterans organizations to move their headquarters from the city of Philadelphia to the city of Harrisburg because perhaps a particular sponsor is interested in seeing them located here. That, for example, is my reason for the present motion.

Mr. TAYLOR. Mr. Speaker, all of these bills have been approved by all of the organizations mentioned by the majority floor leader. In the capitol building about two years ago a committee met representatives of the American Legion and the chairman of their Legislative Committee of the American Legion, the Veterans of Foreign Wars and the chairman of their Legislative Committee, the Spanish American War Veterans and the representative of their Legislative Committee and the representatives of the other groups that have been mentioned by the minority floor leader. These bills have the absolute endorsement of these organizations and they should be moved on to final action. I think it is an insult to these organizations representing a great body of men in the state of Pennsylvania to send these bills back to committee for further study and possible delay. I think they should have passed on for final action by this House and I intend to inform these organizations of the action of the majority side of this House tonight.

Mr. ACHTERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Taylor.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. TAYLOR. Mr. Speaker, I shall.

Mr. ACHTERMAN. Mr. Speaker, can the gentleman from Dauphin, tell me whether the American Legion in its last state convention endorsed the removal of its headquarters from Philadelphia to Harrisburg?

Mr. TAYLOR. Mr. Speaker, it did not.

Mr. ACHTERMAN. Mr. Speaker, can the gentleman tell me whether the state executive committee of the American Legion has endorsed or recommended the removal of its headquarters?

Mr. TAYLOR. Mr. Speaker, it has on several occassions.

Mr. ACHTERMAN. Mr. Speaker, can the gentleman tell me when was the last occasion when the state executive committee recommended the change?

Mr. TAYLOR. Mr. Speaker, it was about two or three years ago.

Mr. ACHTERMAN. Mr. Speaker, did the gentleman from Dauphin make any arrangement for the appropriation necessary to maintain the various quarters mentioned in the bill if space is rented in the city of Harrisburg.

Mr. TAYLOR. I might state, Mr. Speaker, that the gentleman from Monroe is chairman of the Appropriations Committee and he ought to be able to answer that question.

Mr. ACHTERMAN. Mr. Speaker, has the gentleman himself presented a bill for an appropriation.

Mr. TAYLOR. I have not, Mr. Speaker.

Mr. ACHTERMAN. I thank the gentleman from Dauphin. Mr. Speaker, I know of no more complete answer than the one given by the gentleman from Dauphin as a reason for recommitting these bills. The American Legion in its state convention never passed on the subject. Three years ago, at the latest apparently the executive committee entertained a proposition to move, but of course that executive committee has changed its entire personnel. In other words, the American Legion as a body, and the American Legion as an executive organization through executive officers has not endorsed and apparently has not supported this particular measure. In addition to that the gentleman from Dauphin has not

interested himself at all in the cost of the measure. The bill therefore recommends itself to the House further study, not only by the Committee, but perhaps by the gentleman from Dauphin himself.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WOODSIDE and Mr. WINNER and Mr. HABBYSHAW, and were as follows:

YEAS 117

Achterman,	Flynn,	McIntosh,	Rose, S.,
Allmond,	French,	McLanahan,	Rosenfeld,
Baker,	Gallagher,	McLane,	Rush,
Balthaser,	Gerard,	Melchiorre,	Sarraf,
Baugher,	Goodwin,	Mihm,	Scanlon,
Bentley,	Gryskewicz,	Modell,	Schwab,
Bentzel,	Haberlen,	Monks,	Shaffer,
Boies,	Hamilton,	Mooney,	Shaw,
Bradley,	Harkins,	Moran,	Shepard,
Breth,	Harmuth,	Moul,	Skale,
Brunner, P. A.,	Harris,	Munley,	Stank,
Burns,	Heatherington,	Nagel,	Stine,
Burris,	Herman,	Nunemacher,	Tarr,
Chervenak,	Hersch,	O'Brien,	Tate,
Chudoff,	Hirsch,	O'Connor,	Thompson, E. F.,
Cochran,	Jefferson,	O'Mullen,	Verona,
Cohen, M. M.,	Keenan,	O'Neill,	Vincent,
Cohen, R. E.,	Kenehan,	Owens,	Vogt,
Corrigan,	Kolankiewicz,	Petrosky,	Voldow,
Croop,	Komorofski,	Pettit,	Weiss,
Cullen,	Leonard,	Polaski,	Welsh, E. B.,
DiGenova,	Lesko,	Polen,	Welsh, M. J.,
Dolon,	Longo,	Powers,	Williams,
D'Ortona,	Lovett,	Prosen,	Wolf,
Duffy,	Malloy,	Rausch,	Woodring,
Early,	Marks,	Readinger,	Wright,
Elliott,	Maxwell,	Reese, R. E.,	Yester,
Falkenstein,	McClanaghan,	Reynolds,	Young,
Finestone,	McDermott,	Rooney,	Kilroy, Speaker.
	McFall,		

NAYS 74

Auker,	Gillette,	Leydic,	Sorg,
Boorse,	Greenwood,	Lichtenwalter,	Stambaugh,
Bower,	Gross,	Lyons,	Stockham,
Bretherick,	Gyger,	McClester,	Taylor,
Cadwalader,	Habbyshaw,	McDowell,	Thompson, R. L.,
Cook,	Haines,	McMillen,	Trout,
Cooper,	Hall,	McSurdy,	Turner,
Cordier,	Hare,	Muir,	Van Allsburg,
Dalrymple,	Helm,	O'Dare,	Voorhees,
Dennison,	Hewitt,	Reagan,	Wagner,
Dix.	Huntley,	Reese, D. P.,	Watkins,
Eckels,	Imbrie,	Rhea,	Weingartner,
Elder,	James,	Riley,	Wilkinson,
Ely,	Kline,	Rose, W. E.,	Winner,
Fiss,	Knoble,	Royer,	Wood, L. H.,
Fleming,	Krise,	Sarge,	Wood, N.,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Simons,	Yeakel,
Gates,	Leisey,	Snyder,	

So the question was determined in the affirmative and the motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 90, entitled

An Act providing for the correction of the designation and title of all organizations of veterans of the Spanish American War in all present legislation affecting veterans by designating such organizations as United Spanish War Veterans, Inc.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. WOODSIDE and Mr. WINNER and Mr. HABBYSHAW, and were as follows:

YEAS 118

Achterman,	French,	McFall,	Rose, S.,
Allmond,	Gallagher,	McIntosh,	Rosenfeld,
Baker,	Gerard,	McLanahan,	Rush,
Balthaser,	Goodwin,	McLane,	Sarraf,
Baugher,	Gryskewicz,	Melchiorre,	Scanlon,
Bentley,	Haberlen,	Mihm,	Schwab,
Bentzel,	Hamilton,	Modell,	Shaffer,
Boies,	Harkins,	Monks,	Shaw,
Bradley,	Harmuth,	Mooney,	Shepard,
Breth,	Harris,	Moran,	Skale,
Brunner, P. A.,	Heatherington,	Moul,	Stank,
Burns,	Hering,	Munley,	Stine,
Burris,	Herman,	Nagel,	Tarr,
Chervenak,	Hersch,	Nunemacher,	Tate,
Chudoff,	Hirsch,	O'Brien,	Thompson, E. F.,
Cochran,	Jefferson,	O'Connor,	Verona,
Cohen, M. M.,	Keenan,	O'Mullen,	Vincent,
Cohen, R. E.,	Kenehan,	O'Neill,	Vogt,
Corrigan,	Kolankiewicz,	Petrosky,	Voldow,
Croop,	Komorofski,	Pettit,	Weiss,
Cullen,	Leonard,	Polaski,	Welsh, E. B.,
DiGenova,	Lesko,	Polen,	Welsh, M. J.,
Dolon,	Levy,	Powers,	Williams,
D'Ortona,	Longo,	Prosen,	Wolf,
Duffy,	Lovett,	Rausch,	Woodring,
Early,	Malloy,	Readinger,	Wright,
Elliott,	Marks,	Reese, R. E.,	Yester,
Finestone,	Maxwell,	Regan,	Young,
Flynn,	McClanaghan,	Reynolds,	Kilroy,
	McDermott,	Rooney,	Speaker.

NAYS 70

Auker,	Gates,	Leydic,	Stambaugh,
Boorse,	Gillan,	Lichtenwalter,	Stockham,
Bower,	Greenwood,	Lyons,	Taylor,
Bretherick,	Gross,	McClester,	Thompson, R. L.,
Brunner, C. H.,	Gyger,	McDowell,	Trout,
Cadwalader,	Habbyshaw,	McKinney,	Turner,
Cook,	Haines,	McSurdy,	Van Allsburg,
Cooper,	Hall,	Rank,	Voorhees,
Cordier,	Hare,	Reagan,	Wagner,
Dalrymple,	Helm,	Rhea,	Watkins,
Dennison,	Hewitt,	Riley,	Weingartner,
Dix,	Huntley,	Rose, W. E.,	Wilkinson,
Eckels,	James,	Royer,	Winner,
Elder,	Kline,	Sarge,	Wood, L. H.,
Fiss,	Knoble,	Serrill,	Wood, N.,
Fleming,	Krise,	Simons,	Woodside,
Fletcher,	Lee, E. A.,	Snyder,	Yeakel,
Foor,	Leisey,	Sorg,	

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 561, entitled

An Act to amend section six hundred and eight of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to

engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provision concerning the voting of shares held by incorporated institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 6, entitled

An Act to amend the act, approved the twenty-first day of April, one thousand nine hundred and thirty-seven (P. L. 331), entitled "An act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals," providing for the issuance of such medals free of charge, and for the reimbursement of the cost thereof heretofore paid.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker and members of the House, I know that there can be no reason for sending this back but I am rather anxious to know the excuse for doing so.

Mr. ACHTERMAN. Mr. Speaker, there may be even more than an excuse, there may be a very substantial reason. This House should in the first instance ascertain the cost of the particular medals they expect to distribute free of charge.

I am advised, Mr. Speaker, that it would require medals in excess of three hundred thousand and that the cost may exceed one hundred and fifty thousand dollars. I believe legislation of this nature should receive in the first instance careful consideration, and in the second instance the cost should be considered, and it should not be reported out until efforts are made to take care of the cost as well as the granting of free medals.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. WOODSIDE and Mr. TAYLOR and were as follows:

YEAS 119

Achterman,	French,	McIntosh,	Rooney,
Allmond,	Gallagher,	McLanahan,	Rose, S.,
Baker,	Gerard,	McLane,	Rush,
Balthaser,	Goodwin,	Melchiorre,	Sarraf,
Baugher,	Gryskewicz,	Mihm,	Scanlon,
Bentley,	Haberlen,	Modell,	Schwab,
Bentzel,	Hamilton,	Monks,	Shaffer,
Boles,	Harkins,	Mooney,	Shaw,
Bradley,	Harmuth,	Moran,	Shepard,
Breth,	Harris,	Moul,	Skale,
Brunner, P. A.,	Heatherington,	Munley,	Stank,
Burns,	Hering,	Nagel,	Stine,
Burris,	Herman,	Nunemacher,	Tarr,
Chervenak,	Hersch,	O'Brien,	Tate,
Chudoff,	Hirsch,	O'Connor,	Thompson, E. F.,
Cochran,	Jefferson,	O'Mullen,	Verona,
Cohen, M. M.,	Keenan,	O'Neill,	Vincent,
Cohen, R. E.,	Kenehan,	Owens,	Vogt,
Corrigan,	Kolankiewicz,	Petrosky,	Voldow,
Croop,	Komorofski,	Pettit,	Weiss,
Cullen,	Leonard,	Polaski,	Welsh, E. B.,
DiGenova,	Lesko,	Polen,	Welsh, M. J.,
Dolon,	Levy,	Powers,	Williams,
D'Ortona,	Longo,	Prosen,	Wolf,
Duffy,	Lovett,	Rausch,	Woodring,
Early,	Malloy,	Readinger,	Wright,
Elliott,	Marks,	Reese, D. P.,	Yester,
Falkenstein,	McClanaghan,	Reese, R. E.,	Young,
Finestone,	McDermott,	Regan,	Kilroy,
Flynn,	McFall,	Reynolds,	Speaker.

NAYS 73

Auker,	Greenwood,	Lichtenwalter,	Sollenberger,
Boorse,	Gross,	McClester,	Sorg,
Brunner, C. H.,	Gyger,	McDowell,	Stambaugh,
Cadwalader,	Habbyshaw,	McKinney,	Stockham,
Cook,	Haines,	McMillen,	Taylor,
Cooper,	Hall,	McSurdy,	Thompson, R. L.,
Cordier,	Hare,	Muir,	Trout,
Dalrymple,	Helm,	O'Dare,	Turner,
Dennison,	Hewitt,	Rank,	Van Allsburg,
Dix,	Huntley,	Reagan,	Voorhees,
Eckels,	James,	Rhea,	Wagner,
Elder,	Kline,	Riley,	Watkins,
Fiss,	Knoble,	Rose, W. E.,	Weingartner,
Fleming,	Krise,	Royer,	Wilkinson,
Fletcher,	Lee, E. A.,	Sarge,	Winner,
Foor,	Lee, T. H.,	Serrill,	Wood, L. H.,
Gates,	Leisey,	Simons,	Wood, N.,
Gillan,	Leydic,	Snyder,	Woodside,
Gillette,			Yeakel,

So the question was determined in the affirmative and the motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 104, entitled:

An Act to further amend section seven of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War, the war between the United States and Spain, the China Relief Expedition, or in the Philippines or Guam; providing the method of making payment to representatives or persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation; and providing penalties," extending the time during which application may be filed for veterans' compensation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker and members of the House, they always say that actions speak louder than words. I think by this time everybody in this room is thoroughly convinced that we were not misinformed before this session began but that we were properly informed.

PARLIAMENTARY INQUIRY

Mr. WOODSIDE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Dauphin will state his question of parliamentary inquiry.

Mr. WOODSIDE. In the calendar I notice that Printers No. 81, House Bill No. 104, which we now have before us, has as sponsors Mr. Taylor and Mr. Matthew J. Welsh. I notice in the list of House Bills, Printers No. 81, House Bill No. 104, the sponsor is Mr. Taylor. I understand the pink copy also has as sponsor Mr. Taylor. I am wondering whether the calendar is correct.

The SPEAKER. The Chair now has before it the official bill. The calendar is in error. The sponsor of the bill is the gentleman from Dauphin, Mr. Taylor.

Mr. WOODSIDE. Mr. Speaker I am wondering whether the same is true with reference to House Bill No. 90. The same situation seems to exist in regard to that bill.

The SPEAKER. It appears from information received from the Chief Clerk that one of the copies was signed by both gentlemen.

Mr. WOODSIDE. Does the Speaker mean the original copy of the bill which was introduced?

The SPEAKER. One of the copies was signed by both gentlemen.

Mr. WOODSIDE. Mr. Speaker, was that name put on after the bill was introduced? Mr. Taylor advises me that that was the case, that the name was not put on prior to its introduction. If so, I would like to know, Mr. Speaker, whether it is possible for someone to add his name to a bill after it has been introduced.

The SPEAKER. Not after introduction and reference.

Mr. WOODSIDE. That is what I mean, Mr. Speaker. I understand that has not been done in this case, the consent of the sponsor was not obtained to add another name.

The SPEAKER. The Chair will make further inquiry from the Chief Clerk, and would suggest that the gentleman from Dauphin, Mr. Taylor, also confer with the Chief Clerk.

Mr. ACHTERMAN. Mr. Speaker, the gentleman from Dauphin pointed out certain irregularities, some of which, of course, were in the back of my mind in connection with my motion, regarding the name on the calendar which does not appear on the bill.

There are other reasons that are even more serious than that. I have been advised by the Chairman of the Committee on Military Affairs that one and possibly two of these bills have been repoted out without his knowledge. It seems as though what we have here is a case of a general mix up, a bill being reported out without the knowledge of the Chairman. I am very frank to say that that situation should not be permitted to exist. Certainly all these bills should go back to the Chairman of that Committee for the purpose of ascertaining which ones he desires, and which ones the Committee desires to report out. When the Committee does have this particular bill, concerning which I made my motion, I would suggest that they give some thought to the extension of time for filing applications for bonus for a period of two years instead of one year. It has always been the custom in this House in the past to extend that time for a period of two years instead of one year.

Mr. WOODSIDE. Mr. Speaker, do I understand from the gentleman from Monroe, Mr. Achterman, that these bills were reported out without action by the Committee? If so I think we ought to have a House investigation of the matter immediately. The charge made by the gentleman from Monroe is a serious one, and I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, did I understand the gentleman to say that these bills were reported out without Committee action?

Mr. ACHTERMAN. Mr. Speaker, I made the statement that the Chairman of the Committee told me several of these bills pointing out one in particular, on which we have already acted, have been reported out without his knowledge. I am repeating the language.

Mr. WOODSIDE. Mr. Speaker, I am still inquiring from the gentleman from Monroe, Mr. Achterman, whether they were reported out without Committee action?

Mr. ACHTERMAN. Mr. Speaker, it is rather difficult for me to understand how a bill could be reported out without the Chairman having knowledge of it. Whether that Committee ran away from the Chairman, I do not know.

Mr. WOODSIDE. Mr. Speaker, I would like to inquire of the gentleman from Monroe, Mr. Achterman, whether the bills were not in the possession of the Chairman.

Mr. ACHTERMAN. Mr. Speaker, I have no particular knowledge of that.

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the Chairman of the Committee, the gentleman from Fayette, Mr. Welsh.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. MATTHEW J. WELSH. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman from Fayette, Mr. Welsh, whether any of these bills were reported out of Committee without Committee action.

Mr. MATTHEW J. WELSH. Mr. Speaker, none of the bills were reported out of Committee without Committee action, but one of the bills, it seems to me, the number of which I cannot now recall, has not officially been reported out of Committee.

Mr. WOODSIDE. I would like to inquire of the gentleman from Fayette, whether or not he has a record of the minutes of that committee and if so I would request that he refer to them to determine the fact. The gentleman from Monroe, Mr. Achterman, has made a very serious charge on the floor of this House and I would like to have the gentleman from Fayette determine the facts by referring to the minutes of the Committee.

Mr. MATTHEW J. WELSH. Mr. Speaker, the minutes of the committee are in the custody of the secretary. They can be readily looked over at any time. The real purpose of recommitting these bills is to have a meeting of the Committee on Military Affairs to ascertain whether or not there have been some mistakes made.

Mr. WOODSIDE. Mr. Speaker, the secretary of the Committee is present and the minute book is in his possession. I think he should refer to it immediately to determine whether that situation is true or not.

PARLIAMENTARY INQUIRY

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman from Monroe will state his question of parliamentary inquiry.

Mr. ACHTERMAN. Mr. Speaker, would a suggestion such as has been made by the minority leader be pertinent in an investigation or on a motion before the House?

The SPEAKER. The proper course to pursue would be to introduce a resolution providing for an investigation. The question before the House is on the motion to recommit this bill.

Mr. WOODSIDE. Mr. Speaker, argument has been made that one of the reasons why this bill should be recommitted was because there was no Committee action on it, at least the chairman does not remember any Committee action. I think it is very pertinent to determine whether or not there was Committee action. That matter should be given immediate consideration by the House, inasmuch as it was stated as one of the reasons why this bill should be recommitted.

PARLIAMENTARY INQUIRY

Mr. HARKINS. Mr. Speaker, I rise to a question of parlimentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. HARKINS. Mr. Speaker, I desire to know whether it would be possible to ascertain the information requested by the gentleman from Dauphin, Mr. Woodside, without the House resolving itself into a committee of the whole?

The SPEAKER. The House resolving itself into a committee of the whole is not pertinent to the question now before the House, which is on the motion to recommit.

Mr. WOODSIDE. Mr. Speaker, I desire to further interrogate the gentleman from Fayette, Mr. Welsh.

The SPEAKER. Will the gentleman from Fayette permit himself to be interrogated?

Mr. MATTHEW J. WELSH. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman from Fayette whether these bills were in his possession as Chairman of the Committee.

Mr. MATTHEW J. WELSH. Mr. Speaker, the bills referred to were in my possession, to the best of my knowledge. As the Committee decided to report these bills out, they were handed to one and to another of the Members of that Committee.

Mr. WOODSIDE. Mr. Speaker, after action by the Committee?

Mr. MATTHEW J. WELSH. Yes, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, upon which of these bills, if any, was no action taken?

Mr. MATTHEW J. WELSH. Mr. Speaker, we have a couple on which no action was taken.

Mr. WOODSIDE. In the Committee, Mr. Speaker?

Mr. MATTHEW J. WELSH. Yes, Mr. Speaker.

Mr. WOODSIDE. Which ones on the Calendar?

Mr. MATTHEW J. WELSH. Mr. Speaker, they are not on the Calendar, no. Those were not reported out.

Mr. WOODSIDE. Mr. Speaker, do I understand that these bills on the Calendar were reported out, after action was taken by the Committee?

Mr. MATTHEW J. WELSH. Mr. Speaker, I said to the best of my knowledge, they were reported out.

Mr. WOODSIDE. Mr. Speaker, they were not any of the bills that appear on the Calendar?

Mr. MATTHEW J. WELSH. Mr. Speaker, did I not tell the gentleman from Dauphin to the best of my knowledge they were reported out by the Committee.

Mr. WOODSIDE. Mr. Speaker, then the statement made by the gentleman from Monroe, Mr. Achterman, that some of these bills were not reported out after action, but were reported out without action by the Committee, is not correct, is that right?

Mr. MATTHEW J. WELSH. Mr. Speaker, in answer to the gentleman from Dauphin, Mr. Woodside, I wish to say that there has been some confusion about some of these bills, and for that reason we want them recommitted.

Mr. WOODSIDE. Mr. Speaker, I am trying to ascertain from the gentleman what the confusion is. The only confusion that seems to exist is the confusion in the mind of the Chairman of the Committee.

Mr. MATTHEW J. WELSH. Mr. Speaker, the gentleman from Dauphin has all the information I can give him and further questioning is unnecessary.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I will, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I want to know whether the gentleman, in consideration of the statement made by the Chairman of the Committee that all these bills were acted upon in Committee, he now wants to withdraw his motion to recommit.

Mr. ACHTERMAN. Mr. Speaker, in reply to the gentleman, I have already stated that the Chairman told me he did not have knowledge as to some of the bills being reported out. Under those conditions I certainly have no intention of withdrawing my motion.

Mr. WOODSIDE. Mr. Speaker, which bills did the Chairman of the Committee tell the gentleman from Monroe he had no knowledge of having been reported out, which are now on the Calendar?

Mr. ACHTERMAN. Mr. Speaker, he mentioned one bill I believe House Bill 89. He said he believed there was another one but was unable to tell me which one it was.

Mr. WOODSIDE. Mr. Speaker, does the gentleman from Monroe mean to tell this House that the Chairman of the Committee told him he had no knowledge of two bills being reported out but did not know which were the ones he did not know about?

Mr. ACHTERMAN. Mr. Speaker, the gentleman from Dauphin certainly has not followed my statement carefully. I mentioned specifically one bill. I told him there was another bill of which the Chairman was unable to tell me the number.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Luzerne, Mr. Malloy.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MALLOY. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, House Bill 89, Printers No. 77, according to the bill, was reported by the gentleman from Luzerne. I desire to ask the gentleman from Luzerne whether he did so with the authority of the Committee or without the authority of the Committee.

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Monroe will state his point of order.

Mr. ACHTERMAN. Mr. Speaker, the gentleman is out of order in asking the gentleman to divulge what occurred in Committee.

The SPEAKER. The Chair rules that the point of order is not well taken. The gentleman is endeavoring to determine whether that action was authorized by the members of the Committee. The gentleman will proceed.

Mr. WOODSIDE. Mr. Speaker, will the gentleman from Luzerne, Mr. Malloy, please answer my question then?

Mr. MALLOY. Mr. Speaker, will the gentleman from Dauphin, Mr. Woodside, repeat his question?

Mr. WOODSIDE. Mr. Speaker, House Bill No. 89, Printer's No. 77, shows that it was reported by the gentleman from Luzerne, Mr. Malloy, from the Committee on Military Affairs. I am wondering whether the gentleman from Luzerne did that with the authority of the committee.

PARLIAMENTARY INQUIRY

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER, the gentleman from Monroe will state his question of parliamentary inquiry.

Mr. ACHTERMAN, Mr. Speaker, is there anything before the House except the consideration of the motion to recommit?

The SPEAKER. There is nothing before the House except the consideration of the motion to recommit House Bill 104, Printer's No. 81.

POINT OF ORDER

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Monroe will state his point of order.

Mr. ACHTERMAN. Mr. Speaker, I submit that the gentleman is out of order for the reason that his interrogation is directed to a bill other than the one now before the house.

Mr. WOODSIDE. On the point of order, before the Speaker rules—

The SPEAKER. The Speaker recognizes the gentleman from Dauphin Mr. Woodside.

Mr. WOODSIDE. Mr. Speaker, my contention is that this has become relevant to the motion to recommit because the gentleman from Monroe, who made the motion to recommit, stated that as one of the reasons for the recommitting of this bill. Therefore, we are entitled to follow his statement and to find out whether the statement he made is correct.

The SPEAKER. The Chair advises the gentleman that Rule 15 of the House provides:

> "No business regularly before the House shall be interrupted, except by motion—
> For adjournment.
> For the previous question,
> For the previous question, namely, 'Shall the main question be now put?'
> For postponement.
> For committment.
> For amendment.
> To lay on the table."

The question before the House is on a motion to recommit House Bill 104 Printer's No. 81. That motion was made by the gentleman from Monroe, Mr. Achterman, therefore, the chair rules that the gentleman from Dauphin is out of order in discussing another bill.

Mr. WOODSIDE. Mr. Speaker, the reason Mr. Achterman gave for his motion to recommit was that this and other bills had been confused and reported out of Committee without Committee action. Therefore it has become relevant to the motion to recommit this bill to ascertain whether or not that situation is correct.

The SPEAKER. If there has been any irregularity insofar as the reporting of bills which appear on this calendar is concerned, the gentleman's recourse would be to present a resolution providing for an appropriate inquiry. Such an inquiry however cannot be conducted on the question on a motion to recommit.

Mr. WOODSIDE. Mr. Speaker, since that was given as a reason for the recommitting of this bill, may I not debate that motion and in that debate inquire relative to the situation as a whole, inasmuch as the gentleman gave that as one of the reasons for this motion to recommit, or suggested that as a reason?

The SPEAKER. The Chair has given a great deal of latitude in this debate. The question before the House is on the motion to recommit House Bill 104. The Chair requests the gentleman to confine himself to the question before the House.

Mr. WOODSIDE. Mr. Speaker, in consideration of the fact that the gentleman from Monroe, Mr. Achterman, has raised this question in his statement of reasons why the bill should be recommitted, I am wondering whether the gentleman will agree to withdraw his point of order and permit interrogation to continue without unanimous consent of the House being given.

Mr. ACHTERMAN. Mr. Speaker, I unfortunately did not hear what the gentleman from Dauphin said.

The SPEAKER. The gentleman from Dauphin wishes to interrogate the gentleman from Monroe. Will the gentleman permit himself to be interrogated?

Mr. ACHTERMAN. Certainly, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman from Monroe whether in consideration of the fact that he used as a reason for the recommitting of this bill a statement that there was confusion concerning the reporting out of all these bills, he will permit me to interrogate the gentleman concerning the bill or bills upon which confusion seems to exist.

Mr. ACHTERMAN. Mr. Speaker, do I understand the gentleman from Dauphin desires to interrogate me?

Mr. WOODSIDE. No, Mr. Speaker, just to answer that question, whether he will agree to permit me to interrogate the gentleman from Luzerne, Mr. Malloy, because I think it is in answer to the question which the gentleman from Monroe originally raised in his motion to recommit this bill.

Mr. ACHTERMAN. Mr. Speaker, I cannot answer the gentleman's question until I propound one to the gentleman from Dauphin.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, do I understand the gentleman intends to ask questions relating to a bill other than House Bill 104?

Mr. WOODSIDE. Mr. Speaker, I expect to ask the question which I previously asked.

Mr. ACHTERMAN. Mr. Speaker, I will most earnestly object for certainly that was the reason for my raising the point of order.

Mr. WOODSIDE. Mr. Speaker, I would like to know

the intention of the gentleman from Monroe, Mr. Achterman. I would like to know from the gentleman whether in his consideration, based on the report from the Chairman of the Committee there is any question about the regularity of the reporting of the bill now before the House.

Mr. ACHTERMAN. Mr. Speaker, on the contrary, it is my feeling that there has been so much general confusion with each of these bills that it is more advisable to send each one back to the Committee, and I trust when they are reported again, we will not have the same confusion attending their report.

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER. Will the gentleman from Wayne, Mr. Dix, permit himself to be interrogated?

Mr. DIX. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I notice on House Bill 104, Printer's No. 81, the gentleman from Wayne reported the bill from the Committee on Military Affairs. I would like to know from the gentleman whether he did that with the authority of the Committee.

Mr. DIX. Mr. Speaker, I certainly did.

Mr. TAYLOR. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe, Mr. Achterman, permit himself to be interrogated?

Mr. ACHTERMAN. Mr. Speaker, I shall.

Mr. TAYLOR. Mr. Speaker, will the gentleman give the Members of the House his excuse for recommitting this bill back to committee.

Mr. ACHTERMAN. Mr. Speaker, it was not an excuse. It was a substantial reason that I gave for recommitting the bill.

Mr. TAYLOR. Mr. Speaker, may I have his reason?

Mr. ACHTERMAN. Yes, Mr. Speaker, I will give it again if the gentleman did not hear it the first time. There was general confusion in the reporting of this bill as well as five other bills. I have detailed some of the confusion heretofore and I think possibly the gentleman did not follow. I then made a suggestion which I believe is a concrete and advantageous one, that when the bill is considered again in the Committee it should be amended to provide for a two year period instead of a one year period. A two year period has been customary amendment and I believe the gentleman might agree to that amendment.

Mr. TAYLOR. Mr. Speaker, I would like to ask the gentleman from Monroe whether or not he read this bill.

Mr. ACHTERMAN. Mr. Speaker, most assuredly I did.

Mr. TAYLOR. All of it?

Mr. ACHTERMAN. Yes, all of it.

Mr. TAYLOR. Mr. Speaker, I would like to know whether the gentleman read the part that extends it to July 1st 1943.

Mr. ACHTERMAN. That is correct, and I also noticed it was extending from July 1st, 1942.

Mr. TAYLOR. Mr. Speaker, does the gentleman know that the Veterans organization requested of the Joint Veterans Legislative Committee an extension of two years and that to be a final extension.

Mr. ACHTERMAN. Mr. Speaker, I didn't know that, I assure you, but I do know that undoubtedly in the next session of the General Assembly, we will very likely have a bill of this nature and the Legislature generally in its kindly feeling toward veterans will very likely grant their wishes again.

Mr. TAYLOR. Mr. Speaker, we have had a fine exhibition of the kind attention given to veterans here tonight. I ask for a roll call.

Mr. BRETHERICK. Mr. Speaker as a member of the American Legion and a World War Veteran, I want to go on record against the reprehensible conduct of the gentlemen on the other side of the House in making a political football of the organization to which I have the honor to belong and also the other Veterans organizations of the state of Pennsylvania. Their conduct has been clearly demonstrated by the answers which they have made. It shows, I think, very clearly that they have contravened the rules of this House in reporting bills out of the Committee without the action of the Committee itself. I want to ask the Members of the House, all of them, and especially those who have any regard for the rights of the World War Veterans, that they vote against this motion to recommit.

Mr. ACHTERMAN. Mr. Speaker, I wish to answer briefly the gentleman who just spoke. He alleges that our action here this evening was one motivated by politics. What I have been actually trying to do is not to tell the House all the facts relating to the recommitting of these bills. May I just make one brief statement as to one of the bills we have already recommitted in which—

POINT OF ORDER

Mr. WOODSIDE. Mr. Speaker, what is sauce for the goose is sauce for the gander. Therefore, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WOODSIDE. Mr. Speaker, my point of order is that the gentleman is about to discuss a bill that is not before the House.

The SPEAKER. The only question before the House is on the motion to recommit House Bill No. 104, Printer's No. 81. The point of order is well taken.

Mr. ACHTERMAN. Then Mr. Speaker, may I say that one of the most reprehensible things that a man may do on the floor of this House is to make a certain statement relative to particular legislation pending before the House, and representing to the House that the Legislative Committee of certain Veteran Organizations suggested to him and recommended to him the passage of that particular legislation; then later we find that as a matter of fact members serving upon that committee had no knowledge of that action. Would you call it a political football? Would you call it reprehensible action? Wouldn't you say that legislation conceived under conditions like that should be recommitted to the Committee from which it came for a complete and thorough airing.

I hoped that I would be able to recommit these bills without making that statement but since the gentleman on the other side wanted it, I have given it to them.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. TAYLOR and Mr. WOODSIDE and were as follows:

YEAS—120

Achterman,	Flynn,	McDermott,	Rooney,
Allmond,	French,	McFall,	Rose, S.,
Baker,	Gallagher,	McIntosh,	Rosenfeld,

Balthaser,	Gerard,	McLanahan,	Rush,
Baugher,	Goodwin,	McLane,	Sarraf,
Bentley,	Gryskewicz,	Melchiorre,	Scanlon,
Bentzel,	Haberlen,	Mihm,	Schwab,
Boles,	Hamilton,	Modell,	Shaffer,
Bradley,	Harkins,	Monks,	Shaw,
Breth,	Harmuth,	Mooney,	Shepard,
Brown,	Harris,	Moran,	Skale,
Brunner, P. A.,	Heatherington,	Moul,	Stank,
Burns,	Hering,	Munley,	Stine,
Burris,	Herman,	Nagel,	Tarr,
Chervenak,	Hersch,	O'Brien,	Tate,
Cochran,	Hirsch,	O'Connor,	Verona,
Cohen, M. M.,	Jefferson,	O'Mullen,	Vincent,
Cohen, R. E.,	Keenan,	O'Neill,	Vogt,
Corrigan,	Kenehan,	Owens,	Voldow,
Croop,	Kolankiewicz,	Petrosky,	Weiss,
Cullen,	Komorofski,	Pettit,	Welsh, E. B.,
DiGenova,	Leonard,	Polaski,	Welsh, M. J.,
Dolon,	Lesko,	Polen,	Williams,
D'Ortona,	Levy,	Powers,	Wolf,
Duffy,	Longo,	Prosen,	Woodring,
Early,	Lovett,	Rausch,	Wright,
Elliott,	Malloy,	Readinger,	Yester,
Falkenstein,	Marks,	Reese, R. E.,	Young,
Finestone,	Maxwell,	Regan,	Kilroy,
	McClanaghan,	Reynolds,	Speaker.

NAYS 77

Auker,	Gillan,	Lichtenwalter,	Snyder,
Boorse,	Gillette,	Lyons,	Sorg,
Bower,	Greenwood,	McClester,	Stambaugh,
Bretherick,	Gross,	McDowell,	Stockham,
Brunner, C. H.,	Gyger,	McKinney,	Taylor,
Cadwalader,	Habbyshaw,	McMillen,	Thompson, R. L.,
Cook,	Haines,	McSurdy,	Trout,
Cooper,	Hall,	Muir,	Turner,
Cordier,	Hare,	O'Dare,	Van Allsburg,
Dalrymple,	Helm,	Rank,	Voorhees,
Dennison,	Hewitt,	Reagan,	Wagner,
Dix,	Imbrie,	Reese, D. P.,	Watkins,
Eckels,	James,	Rhea,	Weingartner,
Elder,	Kline,	Riley,	Wilkinson,
Ely,	Knoble,	Rose, W. E.,	Winner,
Fiss,	Krise,	Royer,	Wood, L. H.,
Fleming,	Lee, T. H.,	Sarge,	Wood, N.,
Fletcher,	Leisey,	Serrill,	Woodside,
Foor,	Leydic,	Simons,	Yeakel,
Gates,			

So the question was determined in the affirmative and the motion was agreed to.

Mr. TURNER IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by further regulating the employment of females in certain establishments with respect to their hours of labor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 581, entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

The first section was read.

On the question,

Will the House agree to the section?

Mr. NORMAN WOOD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, line 6, by inserting after the word "mastitis" the following: "and other transmissible diseases."

Amend sec. 1, page 1, line 7, by striking out the word "disease" and insert in lieu thereof "diseases."

On the question,

Will the House agree to the amendments?

Mr. MOUL. Mr. Speaker, I ask that the House vote against this amendment.

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to interrogated?

Mr. MOUL. Mr. Speaker, I shall.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman understands the purpose of this amendment? I gave a copy of it to the majority floor leader.

Mr. MOUL. I think I do, Mr. Speaker. I have a copy of the amendment here.

Mr. WOODSIDE. Mr. Speaker, I would like to know why the gentleman is opposing the amendment.

Mr. MOUL. Mr. Speaker, the amendment would have the tendency to give the Department of Agriculture an opportunity to divert the money that is appropriated for the study of mastitis to some other purpose, and it is the desire of the sponsor of the bill that the money shall be used for mastitis alone.

Mr. WOODSIDE. Mr. Speaker, I would like to know from the gentleman whether he does not think it would be a good idea for the Department of Agriculture to have the power to spend at least a part of this appropriation for the purpose of looking into, making tests, and examinations in connection with other diseases of cattle for the simple reason it may happen that this amount of money not be needed for mastitis examination alone. There may be other investigations that would be very helpful to the farmer and they could be made out of this appropriation.

Mr. MOUL. Mr. Speaker, may I interrogate the gentleman from Dauphin, Mr. Woodside?

The SPEAKER. Will the gentleman from Dauphin, Mr. Woodside permit himself to be interrogated?

Mr. WOODSIDE. Certainly, Mr. Speaker.

Mr. MOUL. Mr. Speaker, will the gentleman from Dauphin please tell this House what particular disease he has in mind that is not now covered by the Department of Agriculture?

Mr. WOODSIDE. Mr. Speaker, I do not know much about the different diseases of cattle and I cannot tell him any particular disease, but I do know that cattle have diseases and it may be very important to the farmers to have other investigations made concerning them.

Mr. MOUL. Mr. Speaker, if the gentleman does not know of any diseases that are not covered I don't see why he wants to amend our bill so that it could take care

of anything else. I think the gentleman has answered the question when he said he didn't know of any.

The SPEAKER. Does the gentleman from York desire to further interrogate the gentleman from Dauphin.

Mr. MOUL. No, Mr. Speaker I think the gentleman has answered the question when he said he does not know of any other diseases.

Mr. WOODSIDE. Mr. Speaker, I thought the gentleman was answering my interrogation.

Mr. MOUL. Mr. Speaker, I rose to answer the interrogation of the gentleman from Dauphin. If he is through, I am sure I am.

Mr. WOODSIDE. Mr. Speaker, I have been advised that "scab" vaccination is one of their problems that might be well considered. It is one of the problems that might be well recommended by the Federal Government and I imagine the farmers could think of more.

Mr. ACHTERMAN. Mr. Speaker, I rise for the purpose of opposing this particular amendment. I have had the opportunity of discussing this measure with the Secretary of Agriculture. While he made the statement that mastitis was now being studied by the University of Pennsylvania and perhaps partially subsidized by the Department of Agriculture, he was hopeful of having the University of Pennsylvania report a cure. He was also quite positive that the study of mastitis should continue. I agree with the gentleman from York, Mr. Moul, that certainly since some headway has been made on the subject no effort should be made to divert some of the money for the study of another disease. If there is some particular disease that the gentleman on the other side are interested in and feel should be studied by the Department or by some university subsidized by it, I respectfully suggest that they introduce another bill with that thought in mind. Certainly there is no reason for diverting this money from this particular subject to one of their own choosing.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. NORMAN WOOD and Mr. SNYDER and were as follows:

YEAS—78

Boorse,	Gillette,	Lichtenwalter,	Sollenberger,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.,
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,
Dalrymple,	Helm,	O'Dare,	Van Allsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Riley,	Weingartner,
Ely,	Kline,	Rose, W. E.,	Wilkinson,
Fiss,	Knoble,	Royer,	Winner,
Fleming,	Krise,	Sarge,	Wood, L. H.,
Fletcher,	Lee, E. A.,	Serrill,	Wood, N.,
Foor,	Lee, T. H.,	Simons,	Woodside,
Gates,	Leisey,	Snyder,	Yeakel,
Gillan,	Leydic,		

NAYS—121

Achterman,	Flynn,	McClanaghan,	Rooney,
Allmond,	French,	McDermott,	Rose, S.,
Baker,	Gallagher,	McFall,	Rosenfeld,
Balthaser,	Gerard,	McIntosh,	Rush,
Baugher,	Goodwin,	McLanahan,	Sarraf,
Bentley,	Gryskewicz,	McLane,	Scanlon,
Bentzel,	Haberlen,	Melchiorre,	Schwab,
Boies,	Hamilton,	Mihm,	Shaffer,
Boney,	Harkins,	Modell,	Shaw,
Bradley,	Harmuth,	Monks,	Shepard,
Breth,	Harris,	Mooney,	Skale,
Brunner, P. A.,	Heatherington,	Moran,	Stank,
Burns,	Hering,	Moul,	Stine,
Burris,	Herman,	Munley,	Tarr,
Chervenak,	Hersch,	Nagel,	Tate,
Chudoff,	Hirsch,	O'Brien,	Thompson, E. F.,
Cochran,	Holland,	O'Connor,	Verona,
Cohen, M. M.,	Jefferson,	O'Mullen,	Vincent,
Cohen, R. E.,	Keenan,	O'Neill,	Vogt,
Corrigan,	Kenehan,	Owens,	Voldow,
Croop,	Kolankiewicz,	Petrosky,	Weiss,
Cullen,	Komorofski,	Pettit,	Welsh, E. B.,
DiGenova,	Leonard,	Polaski,	Welsh, M. J.,
Dolon,	Lesko,	Polen,	Williams,
D'Ortona,	Levy,	Powers,	Wolf,
Duffy,	Longo,	Prosen,	Woodring,
Early,	Lovett,	Rausch,	Wright,
Elliott,	Malloy,	Readinger,	Yester,
Falkenstein,	Marks,	Reese, R. E.,	Young,
Finestone,	Maxwell,	Regan,	Kilroy,
		Reynolds,	Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

Mr. NORMAN WOOD. Mr. Speaker, I withdraw my amendment to the title.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

THE SPEAKER (Elmer Kilroy) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Delware, Mr. Turner, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 468, entitled

An Act making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 550, entitled:

An Act to repeal the act, approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of a public hearing.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 83, entitled

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the state; and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency therof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. WOODSIDE. Mr. Speaker we are still interested in the excuses that are being offered.

Mr. READINGER. Mr. Speaker does the gentleman from Dauphin desire to interrogate me in that matter.

Mr. WOODSIDE. I don't want to interrogate the gentleman, Mr. Speaker, but I think what I said at the beginning of the calendar has been borne out as being true. I just wanted to know whether the gentleman wants to offer any excuses for this particular bill.

Mr. READINGER. Mr. Speaker, not wishing the implication of the gentleman's words to remain as they appear on the record, I desire to state that this particular bill was reported out of Committee on State Government on March 11th. On March 12th I received a letter from the Chief Counsel of the Department of Revenue, which I believe is a Republican Department, requesting that the Department be given the chance to express its views on this particular bill. For that reason I asked to have the bill recommitted.

Mr. WOODSIDE. Mr. Speaker I would like to interrogate the gentleman from Berks, Mr. Readinger.

The SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. READINGER. Mr. Speaker I shall.

Mr. WOODSIDE. Mr. Speaker, I would like to know whether the gentleman has said anything to the sponsor of this bill concerning his intent to move that the bill be recommitted and his reason for doing so?

Mr. READINGER. Mr. Speaker prior to the present motion I have not.

On the question recurring.

Will the House agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 578, entitled

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 704, (Senate Bill No. 198), entitled

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 208, as follows:

An Act to further amend the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2724) entitled "An act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation" by providing changes in the membership of the State Soil Conservation Board prescribing procedures for the allocation of funds among districts requiring the filing of budget reports changing the necessary favorable vote in referenda on the creation addition of territory to and dissolution of districts changing the requirements of petitions for inclusion of additional territory requiring district supervisors to be residents of such districts further defining the powers of districts and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause ten of section three of the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2724) entitled "An act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the cnservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropria-

tion" as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 848) is hereby further amended to read as follows

Section 3 Definitions Wherever used or referred to in this act unless a different meaning clearly appears from the context

* * * *

(10) "Land owner" or "owner of land" includes any person firm or corporation who shall hold title to [any lands] three or more acres of land lying within a district organized under the provisions of this act

Section 2 Section three of said act is hereby amended by adding thereto after clause eleven a new clause to read as follows

Section 3 Definitions Wherever used or referred to in this act unless a different meaning clearly appears from the context

* * * *

(12) "Land occupier" or "occupier of land" includes any person firm or corporation who shall hold title to or shall be in possession of any lands lying within a district organized under the provisions of this act

Section 3 Subsections A and C of section four of said act are hereby amended to read as follows

Section 4 State Soil Conservation Board A There is hereby created in the Department of Agriculture the State Soil Conservation Board which shall be a departmental administrative board with all the powers and duties generally vested in and imposed upon such boards by the Administrative Code of one thousand nine hundred twenty-nine and its amendments The board shall consist of the Secretary of [Forest and Waters Secretary of Highways Director of State College Experimental Station Chief Engineer of the Water and Power Resources Board and the Secretary of Agriculture ex-officio The board shall perform the functions conferred upon it in this act and may invite the Secretary of Agriculture of the United States of America to appoint one person to serve with the above mentioned members as a member of the committee The board shall keep a record of its official actions shall adopt a seal which seal shall be judicially noticed and may perform such acts hold such public hearings and promulgate such rules and regulations as may be necessary for the execution of its functions under this act] Agriculture of this State the Dean of the School of Agriculture of Pennsylvania State College the Pennsylvania State Coordinator of the Soil Conservation Service of the United States Department of Agriculture and four chairmen of the governing bodies of soil conservation districts to be known as the district members The chairmen of the supervisors of the first second third and fourth districts to have been organized under the provisions of this act shall be the initial district members the first two of whom shall serve on the State board for terms of two years and the second two of whom shall serve on the board for terms of three years Upon the expiration of the terms of such initial district members they shall be succeeded by chairmen of supervisors of districts in the order in which such districts shall have been organized until every district organized or to be organized under this act shall have been represented on the State board When every district shall have been represented on the State board the chairman of the supervisors of the district that shall have been in existence for the longest period of time shall be the next district member and succeeding district members shall take office in the order herein established Successors to the initial district members shall serve for terms of three years Each district member shall be entitled to serve a full term and his membership on the State board shall not be terminated by the expiration of his chairmanship of the governing body of a district If a vacancy on the State board occurs during the term of a district member such member shall be succeeded for the unexpired term by the chairman of the supervisors of the district that the retiring member represented on the State board The board shall perform the functions conferred upon it in this act shall keep a record of its official actions shall adopt a seal which seal shall be judicially noticed and may perform such acts hold such public hearings and promulgate such rules and regulations as may be necessary for the execution of its functions under this act

* * * *

C The board shall designate its chairman and may from time to time change such designation [A member of the board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the board] A majority of the board shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination [The chairman and members of the board shall receive no compensation for their services on the board but] The district members of the board and only such members shall receive compensation at the rate of ten dollars ($10.00) per diem for each day actually devoted to their duties as members of the board All of the members of the board shall be entitled to [expenses including traveling expenses necessarily incurred in the discharge of their duties on the board] mileage at the rate of five cents (05c) per mile The board shall provide for the execution of surety bonds for all employes and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements

Section 4 Subsections E F and H of section five of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 848) are hereby further amended to read as follows

Section 5 Creation of Soil Conservation Districts

* * * *

E The board shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the operation of such district is not administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the operation of such district is administratively practicable and feasible it shall record such determination and shall proceed with the organization of the district in the manner hereinafter provided In making such determination the board shall give due regard and weight to the attitudes of the owners of lands lying within the defined boundaries the number of land owners eligible to vote in such referendum who shall have voted the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast the approximate wealth and income of the land owners of the proposed district the probable expense of carrying on erosion-control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative determinations set forth in section 2 of this act Provided however That the board shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least [sixty-five per centum] a majority of the votes cast in the referendum upon the proposition of creation of the district shall have been cast in favor of the creation of such district

F If the board shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible it shall appoint two (2) supervisors to act with the three (3) supervisors elected as provided hereinafter as the governing body of the district such district shall be a governmental subdivision of this Commonwealth and a public body corporate and politic upon the taking of the following proceedings

The two appointed supervisors shall present to the Secretary of the Commonwealth an application signed by them which shall set forth (and such application need contain no detail other than the mere recitals) (1) that a petition for the creation of the district was filed with the State Soil Conservation Board pursuant to the provisions of this act and that the proceedings specified in this act were taken pursuant to such petition that the

application is being filed in order to complete the organization of the district as a governmental subdivision and a public body corporate and politic under this act and that the board has appointed them as supervisors (2) the name and official residence of each of the supervisors together with a certified copy of the appointments evidencing their right to office (3) the term of office of each of the supervisors (4) the name which is proposed for the district and (5) the location of the principal office of the supervisors of the district The application shall be subscribed and sworn to by each of the said supervisors before an officer authorified by the laws of this State to take and certify oaths who shall certify upon the application that he personally knows the supervisors and knows them to be the officers as affirmed in the application and that each has subscribed thereto in the officer's presence The application shall be accompanied by a statement by the State Soil Conservation Board which shall certify (and such statement need contain no detail other than the mere recitals) that a petition was filed notice issued and hearing held as aforesaid that the board did duly determine that there is need in the interest of the public health safety and welfare for a soil conservation district to function in the proposed territory and did define the boundaries thereof that notice was given and a referendum held on the question of the creation of such district and that the result of such referendum showed [sixty-five per centum] a majority of the votes cast in such referendum to be in favor of the creation of the district that thereafter the board did duly determine that the operation of the proposed district is administratively practicable and feasible The said statement shall set forth the boundaries of the district as they have been defined by the board

The Secretary of the Commonwealth shall examine the application and statement and if he finds that the same proposed for the district is not identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion or uncertainty he shall receive and file them and shall record them in an appropriate book of record in his office If the secretary shall find that the name proposed for the district is identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion and uncertainty he shall certify such fact to the State Soil Conservation Board which shall thereupon submit to the Secretary of the Commonwealth a new name for the said district which shall not be subject to such defects Upon receipt of such new name free of such defects the Secretary of the Commonwealth shall record the application and statement with the name so modified in an appropriate book of record in his office When the application and statement have been made filed and recorded as herein provided the district shall constitute a governmental subdivision of this Commonwealth and a public body corporate and politic The Secretary of the Commonwealth shall make and issue to the said supervisors a certificate under the seal of the Commonwealth of the due organization of the said district and shall record such certificate with the application and statement The boundaries of such district shall include the territory as determined by the State Soil Conservation Board as aforesaid but in no event shall they include an area included within the boundaries of another soil conservation district organized under the provisions of this act

* * * *

H Petitions for including adding territory within an existing district may be filed with the State Soil Conservation Board and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion The board shall prescribe the form for such petitions which shall be as nearly as may be in the form prescribed in this act for petitions to organize a district Where the total number of land owners in the area proposed for inclusion shall be less than twenty-five the petition may be filed when signed by [sixty-five per centum] a majority of the owners of such area and in such case no referendum need be held In referenda upon petitions for such inclusion all owners of land lying within the proposed additional area shall be eligible to vote

Section 5 Section seven of said act is hereby amended to read as follows

Section 7 Appointment Qualifications and Tenure of Supervisors The governing body of the district shall consist of five (5) supervisors elected or appointed as provided hereinabove who shall be residents of the district The two supervisors appointed by the [board] State Soil Conservation Board shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties hereunder

The supervisors shall designate a chairman and many from time to time change such designation The term of office of each supervisor shall be three (3) years except that the supervisors who are first appointed shall be designated to serve for terms of one and two years respectively from the date of their appointment A supervisor shall hold office until his successor has been elected or appointed and has qualified Vacancies shall be filled for the unexpired term The selection of successors to fill an unexpired term or for a full term shall be made in the same manner in which the retiring supervisors shall respectively have been selected A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination A supervisor shall receive no compensation for his services but he shall be entitled to expenses including traveling expenses necessarily incurred in the discharge of his duties

The supervisors may employ a secretary technical experts and such other officers agents and employes permanent and temporary as they may require and shall determine their qualifications duties and compensation The supervisors may call upon the Attorney General of the Commonwealth for such legal services as they may require or may employ their own counsel and legal staff The supervisors may delegate to their chairman to one or more supervisors or to one or more agents or employes such powers and duties as they may deem proper The supervisors shall furnish to the State Soil Conservation Board upon request copies of such ordinances rules regulations orders contracts forms and other documents as they shall adopt or employ and such other information concerning their activities as it may require in the performance of its duties under this act

The supervisors shall provide for the excution of surety bonds for all employes and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements Any supervisor may be removed by the State Soil Conservation Board upon notice and hearing for neglect of duty or malfeasance in office but for no other reason

The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property water supply or other interests of such municipality or county

Section 6 Subdivisions two three four six and eleven of section eight of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 848) are hereby further amended to read as follows

Section 8 Powers of Districts and Supervisors

* * * *

(2) To conduct demonstrational projects within the district on lands owned or controlled by this Commonwealth or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the [owner] occupier of such lands or the necessary rights or interests in such lands in order to demonstrate by example the means methods and measures by which soil and soil resources may be conserved

and soil erosion in the form of soil blowing and soil washing may be prevented and controlled

(3) To carry out preventive and control measures within the district including but not limited to engineering operations methods of cultivation the growing of vegetation changes in use of land and the measures listed in subsection C of section 2 of this act on lands owned or controlled by this Commonwealth or any off its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the [owner] occupier of such lands or the necessary rights or interests in such lands

(4) To cooperate or enter into agreements with and within the limits of appropriations duly made available to it by law to furnish financial or other aid to any agency governmental or otherwise or any [owner] occupier of lands within the district in the carrying on of erosion-control and prevention operations within the district subject to such conditions as the supervisors may deem necessary to advance the purposes of this act

* * * *

(6) To make available on such terms as it shall prescribe to land [owners] occupiers within the district agricultural and engineering machinery and equipment fertilizer seeds and seedlings and such other material or equipment as will assist such land [owners] occupiers to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion

* * * *

(11) As a condition to the extending of any benefits under this act to or the performance of work upon any lands not owned or controlled by this Commonwealth or any of its agencies the supervisors may require contributions in money services materials or otherwise to any operations conferring such benefits and may require land [owners] occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon

Section 7 Section ten of said act is hereby amended to read as follows

Section 10 Enforcement of Land-use Regulations The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulations adopted under the provisions of section 9 of this act are being observed [Any person firm association copartnership or corporation who shall violate any of such regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $25 and not more than $300 for each such offense at the discretion of the court] Any land occupier who shall sustain damages from any violation of such regulations by any other land occupier may recover damages at law from such other land occupier for such violation

Section 8 The second paragraph of section fifteen of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 848) is hereby further amended to read as follows

Section 15 Discontinuance of Districts

* * * *

The State Soil Conservation Board shall publish the result of such referendum and shall thereafter consider and determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the continued operation of such district is administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the continued operation of such district is not administratively practicable and feasible it shall record such determination and shall certify such determination to the supervisors of the district In making such determination the board shall give due regard and weight to the attitudes of the owners of lands lying within the district the number of land owners eligible to vote in such referendum who shall have voted the proportion of the votes case in such referendum in favor of the discontinuance of the district to the total number of votes cast the approximate wealth and income of the land owners of the district the probable expense of carrying on erosion control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative findings set forth in section 2 of this act Provided however That the board shall not have authority to determine that the continued operation of the district is administratively practicable and feasible unless at least [sixty-five per centum] a majority of the votes cast in the referendum shall have been cast in favor of the continuance of such district

Section 9 Section seventeen of said act is hereby amended to read as follows

Section 17 Allocations to the Districts Budget Reports [The State Soil Conservation Board shall make allocations from time to time out of the moneys appropriated to it among the several soil conservation districts organized in accordance with th eprovisions of this act for the purposes provided in the act on the basis of the number of acres affected by the ordinances and regulations of the district supervisors or on any other equitable basis to be established by the board and payments shall be made under such system of requisition and accounting as the Governor Auditor General and State Treasurer shall determine]

[The moneys so allocated to a district shall be available for expenditures in that district authorized by the provisions of this act as the State Soil Conservation Board shall determine] A Unless otherwise provided by law all moneys that may from time to time be appropriated by the General Assembly for the use of soil conservation districts shall be available to pay the administrative and other expenses of soil conservation districts organized under the provisions of this act and shall be allocated by the State Soil Conservation Board among the districts already organized or to be organized during the ensuing biennium in the following manner Seventy-five per centum (75%) of all moneys so appropriated shall be allocated by the board in direct proportion to the total acreage of land within each such district The remaining twenty-five per centum (25%) of said moneys shall be allocated by the board among the districts organized or to be organized during the ensuing biennium on such basis of allocation as shall be fair reasonable and in the public interest giving due consideration to the greater relative expense of carrying on operations within the particular districts because of such factors as unusual topography unusual severity of erosion special difficulty of carrying on operations special volume of work to be done and the special importance of instituting erosion control operations immediately In making allocations of such moneys the board shall reserve an amount estimated by it to be adequate to enable it to make subsequent allocations in accordance with the provisions of this subsection from time to time among districts which may be organized after the initial allocations are made but within the ensuing biennium

B On or before the first day of November in each even numbered year the State Soil Conservation Board shall transmit to the budget secretary on blanks to be furnished by him itemized budget statements and estimates of the expenditure requirements for each fiscal year of the next succeeding biennium The statements and estimates shall include the following information The number and acreages of districts in existence or in process of organization together with an estimate of the number and probable acreages of the district which may be organized during the ensuing biennium a statement of the balance of funds if any available to the board and to the districts and the estimates of the board as to the sums needed for its administrative and other expenses and for allocation among the several districts during the ensuing biennium

The supervisors of the respective districts shall submit to the board such statements estimates budgets and other information at such times and in such manner as the board may require

Section 10 The following sums or so much thereof as may be necessary are hereby specifically appropriated out

of the General Fund to the State Soil Conservation Board for the objects and purposes hereinafter set forth in connection with carrying out the provisions of the act to which this is an amendment during the two fiscal years beginning June first one thousand nine hundred and forty-one and ending May thirty-first one thousand nine hundred and forty-three

For the administrative and other expenses of the State Soil Conservation Board the sum of twelve thousand five hundred dollars ($12,500)

For the administrative and other expenses of soil conservation districts the sum of forty-five thousand dollars ($45,000)

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. Speaker, I am very greatly interested in the last two paragraphs of this bill with reference to the appropriations which read as follows, "for the administrative and other expenses of the State Soil Conservation Board the sum of twelve thousand five hundred dollars and the second paragraph for the administrative and other expenses of Soil Conservation Districts the sum of forty-five thousand dollars.

I am not so much concerned about the first item of twelve thousand five hundred dollars for the administrative and other expenses of the Soil Conservation Board, but I am concerned about the second item of forty-five thousand dollars for the administrative and other items of soil conservation districts. You will recall that a committee was named several weeks ago to investigate the operation and procedure of the Soil Conservation Board and the Extension service of State College. I was named a minority member of that Committee. Hearings have been held each week since that time and they have been very fair. Much of the evidence given thus far has had a bearing on this bill to my way of thinking.

I asked the sponsor of this bill, the gentleman from York, if he would not send this bill back to the Committee after the second reading for further study, or until we completed the hearings. He told me that he would have gladly done so if he had known it before the Caucus had taken action on it, but that it would be sent to the Committee on appropriations after second reading and I interpreted from that it would be held over until our hearings had been concluded. I was very much surprised to find that this bill came out from the Appropriations Committee so soon.

I have no serious objections to the bill except the appropriation of forty-five thousand dollars for the districts. I would like to have more information as to the necessity for this amount. We have found where referendums have been held that only a small percentage of the farmers in the districts have voted in the last six districts where referendums were held, less than sixty-five percent of those having voted in favor of the program. We are trying to find out among other questions, who is responsible for this adverse vote and until I am convinced that the farmers want these districts and why this forty-five thousand dollars is needed, I cannot justify my vote in favor of this bill.

A few weeks ago when the resolution was being considered, the matter of holding up the appropriation for State College was questioned and the majority floor leader assured us that the investigation would be over in plenty of time to take care of the appropriation. If that was so, I think the same answer could apply to this bill.

However, Mr. Speaker, I want to call your attention to the last paragraph of Resolution No. 15 which reads as follows:

> "Resolved that the Speaker of the House appoint a committee of three from the House of Representatives to investigate into the operation and procedure of the Soil Conservation Board and the extension service of Pennsylvania State College so that the findings of said investigating committee may be made available to the House of Representatives—"

Mr. Speaker, please note the last line in this paragraph "before any appropriation is approved for said board and college."

I am still of the opinion that we are getting the cart before the horse if you vote for House Bill 208 which approves of an appropriation of twelve thousand five hundred dollars for the administrative and other expenses of the State Soil Conservation Board before the investigation is completed.

Mr. MOUL. Mr. Speaker, I hate to disagree with my good friend from Tioga, Mr. Snyder, but I think the gentleman knows from the information which he has been receiving from the various people who testified before our investigating committee that there certainly is a need for a bill such as this one before us at this time. The gentleman will recall we had people from York County, Lancaster County, Indiana County, Jefferson County, Adams, Lehigh and Westmoreland and he also knows that we have requests from others who wish to be heard. An overwhelming majority of the people who testified, gave evidence that would indicate that there was a reason for having such a bill as House Bill 208 passed. This is especially true when it comes to a question of the State Board. Person after person testified before the Committee to the effect that the present State Board refused to give any assistance whatsoever to those persons who were interested in having soil erosion work done in their section. The districts that have been organized and are now operating their own districts, namely: York, Lancaster, Indiana testified that in their section the State Board absolutely refused to cooperate with them in any shape whatsoever and in those sections where they tried to vote recently we had some very interesting facts presented; facts that showed that the present State Board was definitely antagonistic to the farmers whenever they tried to organize a district. They told us in Jefferson County that they brought men from Harrisburg to conduct the election. When they were asked to tell who those gentlemen were, they referred to them as "dog catchers." They said they were brought down by the Department of Agriculture and when the farmers asked them who they were, they said they were the "dog catchers." When they went to cast their ballots the farmers were refused the opportunity to see what was on the ballots. They said the "dog catchers" took the ballots from them and refused the farmers admission while the ballots were being counted. In the end, newspapers indicated certain results were obtained.

If the act of 1937 and the amended act of 1939 mean anything, the language is certainly clear when it is stated that the State Board is supposed to assist the farmers in organizing their districts. They do not seem to have done that.

In answer as to the question of the appropriation of forty-five thousand dollars, I believe Mr. Snyder must

agree, that there were enough people who testified before the committee, up until this time, from enough districts that would indicate that there is a desire to create a great many additional districts in sections of Pennsylvania that do not have districts at the present time. A gentleman who testified before that committee said that in the counties that now have districts, there was a great demand for more service. If you consider fifteen counties that will probably be under the district system if this becomes a law, forty-five thousand dollars for two years is mighty little money to give those districts for their work. We are appropriating money not for a one year period but for a two year period, and if there should be fifteen districts out of sixty-seven counties within the next two year period, then if we appropriate forty-five thousand dollars, we are only appropriating three thousand dollars for a particular district which would mean fifteen hundred dollars a year. You cannot buy very much service and you cannot buy very much equipment for fifteen hundred dollars a year. I want to urge all the Members of the House to vote for House Bill 208 and give the people an apportunity to decide for themselves whether they want the districts, and if they want the districts give them an opporunity to go ahead with their work.

We are asking you to change the membership of this board so that the control will lie with the people who are interested in these districts. If this bill becomes a law, there is no question, they will get a fair chance and certainly it is in line with the subject that has been brought up time and time again by the gentlemen on the other side, the question of home rule. For once we find the gentlemen on the other side in a peculiar difficulty in advocating centralization and this bill to reconcile that with their feeling on the home rule bill. This bill is a home rule bill. We want to turn back to the district the ruling authority so that they will have an opportunity to do what they would like to do. That is certainly the home rule principle to decide that fact in your home districts.

I want to urge all of you gentlemen to vote for the bill exactly in the form that it is here tonight.

Mr. SNYDER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. Mr. Speaker, I shall.

Mr. SNYDER. Mr. Speaker, I am not so much concerned about the different parts of the bill. I have no serious objection to the bill, but I do not think the bill should have been sent out until we completed our investigation.

I want to ask the gentleman from York this question. How do you get away from the last paragraph of the resolution which says "before any appropriation is approved for said board and college."? How can we vote on this bill and why should we vote on this bill when according to the resolution it states that no appropriation shall be made until after these hearings have been finished.

Mr. MOUL. Mr. Speaker, I would like to interrogate the gentleman from Tioga before answering that question.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated.

Mr. SNYDER. Mr. Speaker, I shall.

Mr. MOUL. Mr. Speaker, does the gentleman feel that if we voted for this bill tonight we, as a House of Representatives would be making this appropriation without the consent of the Senate?

Mr. SNYDER. I did not, Mr. Speaker. However, this is a House investigation and not a Senate investigation. According to this resolution we are not supposed to make any appropriation until we have completed this investigation according to the resolution which we endorsed.

Mr. MOUL. Mr. Speaker, does the gentleman feel that we are not making an appropriation if we vote on this bill?

Mr. SNYDER. Mr. Speaker, we are approving an appropriation of twelve thousand five hundred dollars for this Soil Conservation Board, when we vote for this bill, because that is included in this bill.

Mr. MOUL. Mr. Speaker, I'll be glad to answer the question if the gentleman will repeat it.

Mr. SNYDER. Mr. Speaker, we are approving this bill and this appropriation when we vote for this bill because it includes this appropriation of twelve thousand five hundred dollars for the Soil Conservation Board.

Mr. MOUL. Mr. Speaker, no, I don't think that is correct. In my opinion the answer the gentleman gave a moment ago leaves out the fact that there is no inconsistency in our action, because it states we shall make no appropriation until such time as the investigation is completed. I agree that that is correct. However, we make no appropriation until the Senate concurs in the action and I believe everybody here will agree that that will be quite some time.

Mr. SNYDER. Mr. Speaker, I would like the gentleman from York to refer to the last part of that resolution, "so that the findings of the said investigating committee may be made available to the House of Representatives before any appropriation is approved for said board and College." We are certainly approving this appropriation if we vote for this bill as far as the House is concerned.

Mr. MOUL. Mr. Speaker, I do not think we are. As far as that particular interpretation is concerned, we are lawyers and when lawyers disagree, who shall decide? You have an opinion and I have an opinion. So, who shall decide?

Mr. SNYDER. Then Mr. Speaker, what is the objection to appropriating to State College or approving an appropriation for State College to State College the same as we are doing now to this State Board for Soil Conservation.

Mr. MOUL. Mr. Speaker I suppose it is permissible if we want that action taken. It is my understanding that the House can take any action it chooses to take by a majority vote.

Mr. SNYDER. Mr. Speaker, I would like to ask the gentleman if he does not feel that he has the cart before the horse in this resolution?

Mr. MOUL. No, Mr. Speaker, I do not.

Mr. SNYDER. Mr. Speaker, the way I interpret that English, certainly we are approving an appropriation which in the resolution says we do not intend to do, or are not going to do until the investigation is completed. That is all, Mr. Speaker.

Mr. LICHTENWALTER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. I will, Mr. Speaker.

Mr. LICHTENWALTER. Mr. Moul, the provisions that you have in the amendments of the Soil Conservation Act, have you any reaction from the Farm Organizations of Pennsylvania such as the State Grange as to their approval or dissapproval of these amendments.

Mr. MOUL. No sir, Mr. Speaker, they did not, we have no communications of any kind whatsoever from the State Grange.

Mr. LICHTENWALTER. That is all, Mr. Speaker.

Mr. Speaker, I would like to read from an editorial in the "Pennsylvania Grange News," the March 1941 issue regarding this subject that we are on.

> The position of the Pennsylvania State Grange in this matter has been very definite and was clearly expressed at our annual meeting at Wilkes-Barre in the report of the Legislative Committee as follows: The Pennsylvania State Grange is in hearty accord with the policy which has been followed consistently by our Agricultural Extension Service in maintaining that important work as a strictly educational activity. The work of the so called action agencies of the Federal Department of Agriculture is administrative and regulatory. The distinctions between their programs and agricultural extension should continue to be definite and clear cut. There should be no official tie up. Each should stand on its own merits. Hence we commend the authorities of the Pennsylvania State College for their policy of keeping our institutions and extension service free from all administrative and regulatory functions.
>
> "Since its very inception our extension service has had a definite program of soil conservation. In line with the recent national emphasis on the prevention of soil erosion losses, a definite, inexpensive, and helpful program based on sound principles of both economics and farm practice was adopted. We support this program just as strongly as we disapprove of the duplication of effort and tremendous expenses represented by the enlarged activities being undertaken by the Federal Soil Erosion administration, officially known as the Soil Conservation Service. This national agency was established primarily to demonstrate on certain picked areas methods of soil erosion control. That object has been accomplished and completed. Now with the placing of its men to work in several counties, it enroaches upon and duplicates at the taxpayers' expense our agricultural extension service of many years proved worth. As taxpaying citizens we demand the abandonment of this unnecessary and expensive duplication on the part of the Federal Soil Conservation Service."

Then, Mr. Speaker, we have heard considerable conversation regarding the cooperation of Pennsylvania in taking hold of the soil conservation service as offered by the federal government and I would just like to read into the record a report of the United States Department of Agriculture, soil conservation service as of January 2, 1941 which reported 307 soil conservation districts organized in thirty-six states. It is interesting to note that Pennsylvania is credited with four districts and New York, is credited with one district, New Jersey with four districts, Delaware with none, Maryland with five and Ohio with none. I certainly feel in line with that report that Pennsylvania has certainly not taken any practical steps in trying to cooperate in this service which is offered to farmers throughout the country.

Act No. 557 approved by the Governor on the second day of July 1937 is presumably a standard federal law passed on the statute books of Pennsylvania for the formation and operation of so-called conservation districts. This act carried an appropriation of ten thousand dollars, and even though the act was approved on July 2, 1937 and the Committee and executive Offices set up, no districts were organized until the fall of 1938. In the last months of that year four districts were reported, namely Black Lick, where 12 percent of the eligible vote was in favor of the district; Lancaster County, where seven percent of a total three thousand seven hundred fifty eligible owners voted in favor of the districts; Clarion County, where twelve percent of a total three thousand two hundred forty five eligible owners voted in favor of the district, and York County where sevent percent of a total eligible vote of five thousand favored the district.

It would appear from these reports that the farmers in the counties of the districts that were created were not very strong for this proposition. In 1939 the General Assembly amended the law regarding sixty-five percent of those voting as a requisite for a favorable determination for a district, and required that only land owners should vote. Bill No. 208 now before the House asks that this sixty-five percent should be amended to the original requirement of fifty-one percent, and you will note that if this bill was amended to the fifty-one percent that of the six districts that voted and rejected this program, namely Jefferson County, Fulton County, Lehigh, Franklin and Adams, only one of these districts would have been organized in those six counties, because there was only one that even carried by a majority vote. Inasmuch, as there seems to be so much interest on the part of farmers for this type of soil conservation, it would seem that sixty-five percent is not too high a figure as a requirement for favorable determination.

House Bill 208 would substitute "land occupier" "for land owner" instead of the act as now written and in many instances enter agreements with supervisors to come on the farm and set up projects. This is unfair, as I said, to the land owners, inasmuch as the land owner should be the only person to determine what he desires to have done on his property, and also to enter into all agreements relative thereto. Many times tenants and land occupiers do not work in harmony with the owner of the land who is obliged to pay the taxes, repair buildings, and gets little or no return from his investments.

And then the method of allocating money as prescribed on page eighteen of House Bill 208 is unsound inasmuch as no one can determine the percentage that should be allocated to the districts in accordance with the provisions of this bill. Another objection is that there is no justification to include on the State Board any federal employes to assist in administering an act which is supported by funds paid out of the State Treasury. On page four of this bill it provides the ripping out of the Secretary of Forests and Waters of the Commonwealth of Pennsylvania, and I am particularly interested in this because I feel that if there is one department which should be represented on the Conservation Program in Pennsylvania it is the Department of Forests and Waters. I wish to report now that during the years nineteen thirty-five and thirty-six the only protection to our soil has been the trees which have been planted on the hillsides of Pennsylvania. Under the program of the Department of Forests and Waters, the nursery production of trees in nineteen thirty-five and nineteen thirty-six was sixteen million trees; in nineteen thirty seven and nineteen thirty-eight it was twenty-five million and in nineteen thirty-nine, nineteen forty it was thirty-four million. The plantings by the State were in nineteen thirty-eight six million and in nineteen thirty-nine seven

million seven hundred thousand and in nineteen forty, the greatest amount of any year since nineteen eighteen. From an experimental standpoint the Department of Forests and Waters is now sponsoring a Conservation Project of tree planting and forestry with the farmers of Adams County. Here is a department that has had a lot to do with agencies of the Federal Government and I believe the relationship has always been a fine one and I certainly object to seeing the Secretary of Forests and Waters removed from the State Board of Soil Conservation, because there is one officer of the Commonwealth by experience and by his knowledge who certainly can be a great help to the farmers of Pennsylvania in the settlement of this problem.

I would like to refer to Act No. 557, which is presumably the standard federal law passed by Pennsylvania for the formation and operation of so called soil conservation districts.

> "Provisions requiring the observance of particular methods of cultivation including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, seeding and planting of lands to water, conserving and erosion preventing plants, trees, and grasses, forestation and reforestation."

Why shouldn't the Secretary of Forests and Waters therefore remain upon that board, when you find that the act as passed in 1937 provides for the very work that this Department is trying to do and accomplish in Pennsylvania?

Again, on this board, supervisors who have a personal interest in a district and who are partly appointed by a State board should not be allowed to assist in the administration of an act in which they are personally interested. Besides, the multitudinous duties set forth in the present act No. 557 give them so much to do that no further demands should be made upon their time in the administrative end, and I in company with many of the men in this House favor a program of soil conservation, who agree and believe that you cannot continually take from the soil without putting something back into the soil. We agree with that kind of a program, and I say that the purpose of every good farmer is to maintain the fertility of his soil, and if farmers were given a chance to work out their problems on soil conservation in collaboration with federal authorities, without force, coercion and intimidation, I dare say that it would be easy to sell to the farmers of Pennsylvania the need of the help offered by the Federal Government under the present act. I feel that the appropriation set forth in House Bill No. 208 is grossly in excess of the needs required for the purpose of administrative purposes and other expenses for the coming two years. Twelve thousand five hundred dollars is a lot of the taxpayers' money and before this Legislature appropriates that amount, we should be sure that the money will be well spent.

In the 1939 session I was a member of the Agricultural Committee and I recall the time when the man representing the Federal Soil Conservation District came before that committee, after it had passed the House, and had been amended in the Senate, and they discussed at that time at length certain things that they said would make this bill unworkable, and certain members of this Committee at that time looked at the recommendations of the Federal Soil Conservation man then and said they were satisfied to have a sixty-five per cent vote and said that it would give them a workable and feasible act, in Pennsylvania, and I agree with my colleague, Mr. Snyder, that until we have a report from the Committee that shows otherwise, this bill should not pass. The present soil conservation law covers all the needs and more that are required in the State of Pennsylvania and I am asking this House of Representatives to vote against this measure because it is unnecessary and not needed. You have a law now that is operative and enforcable.

Mr. GYGER. Mr. Speaker, as a Member of this House who is engaged actually in the pursuit of agriculture, and as one who is in touch with the men who make a profit from tilling the soil, I wish to express my views on this subject. First, one reason why a great many of the farmers are against this bill is that section ten of the Act reads as follows:

> "Enforcement of Land-use Regulations The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulations adopted under the provisions of section 9 of this act are being observed Any person firm association copartnership or corporation who shall violate any of such regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than . . . "

POINT OF ORDER

Mr. MOUL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from York will state his point of order.

Mr. MOUL. Mr. Speaker, the gentleman is not speaking on the bill before the House. He is speaking about an act that is now the law, and insinuating in his argument that that is a part of this act.

Mr. GYGER. This is one of the reasons that agriculture as a whole is not in favor of this bill. That is the reason I am reading it.

The SPEAKER. The Chair is of the opinion that the gentleman's discussion is relevant to the bill before the House. The gentleman is confining himself to the subject of soil conservation.

Mr. GYGER. If all the money spend in the last twenty-five years in the United States for propoganda work in the name of agriculture had been devoted to building good roads between farm and its marketing town, to extend rural free delivery, to create efficient marketing bureaus that do more than theorize on the problem of economical distribution of food from producers to consumer, we might be out of the so-called depression.

The right to individual property ownership, honestly accumulated and legitimately conserved, has always been a fundamental principle of American agriculture.

That principle is now being savagely attacked from a variety of angles, and it seems incredible that people have not yet awakened to this danger, which underlies all the upheavels we are now witnessing.

Property rights must be safeguarded. For one hundred fifty years, agriculture in southeastern Pennsylvania has from one generation to the next prided itself that the land must be conserved, and many, many farms are in a better state of production now than ever before. Every true farmer's aim is to conserve the soil for future generations.

As far as contour farming is concerned, we have practiced that on our farms for more than thirty years, and any good farmer certainly tries to leave his farm in a better condition than when he received it.

Mr. MOUL. Mr. Speaker, I would like to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr LICHTENWALTER. I will, Mr. Speaker.

Mr. MOUL. Does the gentleman think that the present State Board is doing a good job for the farmers of Pennsylvania?

Mr. LICHTENWALTER. Mr. Speaker, I am going to withhold that decision until I hear the report and see the report of the investigating committee to which the gentleman from York had referred.

Mr. MOUL. Mr. Speaker and Members of the House, I believe that the gentleman in his discussion made the statement that he did not want to see the Department of Forests and Waters removed from the present Board, and he went into quite a discussion about the present Board being able to take care of the work. I do not insist upon an answer to that question if the gentleman does not care to do so. However, it has been shown, and the gentleman heard a part of the discussion today himself, it has clearly been shown that the present State Board has not cooperated with the farmers but has definitely fought the farmers at every turn. I do not see how he can come to the conclusion that it is perfectly all right to continue the present board. At one part of the argument he says it is all right to get a new one and at another point he says that they do not need it.

He also made the statement that the State Grange is opposed to this particular piece of legislation. I do not think that the House of Representatives, when it comes to a final vote, need decide whether or not the State Grange is in favor of a particular bill. It is a question whether the House of Representatives is going to vote in favor of a particular bill, and had the State Grange asked for some consideration or asked for a public hearing they probably would have been given that opportunity. In view of the fact thay did not ask for such a hearing, I see no reason why they should come up at this time and expect us to stop the procedure.

I want to urge again all the members to vote for this bill.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, the House adopted a resolution on February 18, House Resolution No. 36. In that resolution the last resolve paragraph says:

> "That the Speaker of the House appoint a committee of three members of the House of Representatives to investigate into the operation and the procedure of soil conservation and the extension service of Pennsylvania State College so that the finding of that investigation committee may be made available to the House of Representatives before any appropriation is approved for said Board and College."

Therefore, I ask, Mr. Speaker, whether the House can proceed to act upon House Bill No. 208 before the report of the investigating committee has been made to this House?

The SPEAKER. That is a question for the House to decide. If the House wants to postpone action on this bill it may do so. The Chair has no jurisdiction in the matter.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his further question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, how can the House decide the question as to whether it has the right to pass upon this bill without some motion or action upon the resolution, Serial Number 36?

The SPEAKER. The procedure is first by a motion to postpone action upon the bill.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his further question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, has the House not already taken action by adopting on February 18th a resolution, Serial No. 36?

The SPEAKER. The House has taken that action.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a further question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Is not this a question calling for a ruling by the Chair, the House already having adopted the Resolution?

The SPEAKER. It is not a question for a ruling by the Chair. The Chair cannot stop consideration of bill. on the calendar. That must be done by a motion from the floor.

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York Mr. Moul.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. MOUL. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, has a report of the investigating committee, created under House Resolution No. 36, been made to this House?

Mr. MOUL. Mr. Speaker, it has not been made to the House.

Mr. TURNER. Mr. Speaker, has the Soil Conservation Board been called before the investigating committee?

Mr. MOUL. Mr. Speaker, the Soil Conservation Board has not been called before the committee to date but I assure you that the Soil Conservation Board members will be called before the committee.

Mr. TURNER. Mr. Speaker, I take it then that the Soil Conservation Board has not as yet testified before the committee.

Mr. MOUL. That is correct Mr. Speaker. Many other people have asked for the privilege to testify. This Board has not asked for the privilege to testify before the committee. We are taking the requests as they come along. If the Board would have requested such a privilege we probably would have given them that opportunity but they have not requested it as yet.

Mr. TURNER. It seems to me that the Chair has placed us in a very peculiar position. The House has already taken action on Resolution 36, in which it says that the finding of the executive committee must be made available to the House of Representatives before any appropriation

will be approved for such Board and College. The purpose clearly of that resolution was to give the House of Representatives the advantage of an investigation, the advantage of knowing what the witnesses had to say, to give them the determinations and findings of the investigating committee in order that the House might intelligently act upon this proposition. The gentleman from Tioga, Mr. Snyder, was entirely correct when he said this was putting the cart before the horse. We have here, it seems to me, a most unusual spectacle.This was one in a series of moves in that play which I think runs from Smith to Moul, to the Democratic Caucus, to the floor of the House. The Speaker understands those terms perfectly, being an old base ball player. This is a part of this great farm program announced by the proponents of this measure. This resolution is a part of that program. You will recall that we opposed that resolution, not because we were opposed to investigating something about soil erosion, which we all favor and in which we all are deeply interested.

Mr. Speaker, the Hibernians seem to have a little trouble keeping quiet. This evening seems to be a typical Saint Patrick's Day Session of the Legislature. There has been a lot of fighting and rowing going on. It sort of reminds me of an old story—

POINT OF ORDER

Mr. LOVETT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Westmoreland will state his point of order.

Mr. LOVETT. Mr. Speaker, the gentleman is not speaking on the question before the House.

The SPEAKER. The gentleman will confine himself to the question before the House.

Mr. TURNER. Mr. Speaker, in talking about soil erosion I want to refer to an Irishman on a certain day who was having a discussion with his pastor on the problem of the day when Gabriel would blow his horn and everyone would step out of his grave. That is soil erosion.

The good father said to him, "On that day there would be judging of all of those as to their conduct here upon this earth."

The Irishman said to the good father,' "Do I understand there is to be judging?"

The good father said, "Yes, there is to be judging."

The Irishman said," Are the sons of Saint Patrick going to be there?"

"Yes," said the good father, "the sons of Saint Patrick are going to be there."

He said, "are the Orangemen going to be there?"

The good father said, "Yes, I am afraid that the orangemen too will have to be there on that judgment day, the same as the rest of us."

The Irishman said, "There ain't going to be no judging for the first three days."

Mr. Speaker, I think the judgment day has come upon our friend from York. He has got his feet all tangled up. He is rushing along like that train on the Pennsylvania railroad the other night that ran on to a couple of broken rails, somebody having pulled the spikes, except in this instance the gentleman from York got the spikes out himself and derailed the train.

Here is what we are presented with today. Here is a committee of this House to investigate. It has heard witnesses only on one side. Yet having heard witnesses only on one side of this question, the gentleman from York has come into this House and expounds as an argument for the passage of this bill the fact that witnesses have complained about the present board. But the board itself has yet to be heard. What kind of an investigating committee is that? What kind of a report is that to this House? This evening we sat here for over an hour and listened to the gentleman from Monroe move that bills be sent back to committee because we did not have full information about them, because some of them seemed to have been mixed up and because all the people have not been consulted, who should have been consulted. Yet we have here a resolution before this House which we fought bitterly because of the provision as to State College appropriations and not because we feared the result of any investigation. The gentleman insisted that we go ahead with that resolution and we put it through, and it was railroaded through the House by the Democratic majority. Now on top of that is a bill that makes an appropriation to the very board that the resolution said no appropriation should be made to until we have that report.

It seems to me this House should be consistent at least once in a while. It seems to me if the Democratic side of the House is going to say that these bills are to go back to committee because of some possible confusion, in fairness to every one in this House, in fairness to your own colleagues, before you vote upon this bill you ought to give it proper consideration and ought to consider both sides of the question. You ought to give them an opportunity to hear both sides of the question and to hear what this board has to say, and not come into this House with this House Bill, and ask us to back it up with that specious argument that we are not passing any appropriations. It doesn't say anything about passing an appropriation. It says, "before any appropriation is approved." Approved by what? Approved by the House. When an appropriation goes through this House, to all intents and purposes, so far as we are considered, it passes out of our hands and into the Senate to be there approved. I think this is the most astounding and the most disgraceful proposition that we have had presented to us. You present us with a bill and then you come down and ask us to put it through because you have heard some people who have said that this board is wrong and you believe it to be so, without any other investigation or without any other testimony and we must pass upon it.

MOTION TO RECOMMIT

Mr. TURNER. Mr. Speaker, I, therefore, move that this bill be recommitted to the Committee on Appropriations until the report is made on Resolution No. 36.

On the question,

Will the House agree to the motion?

Mr. MOUL. Mr. Speaker, I ask the Members of the House to vote against the motion to recommit and I want to call to the attention of the members of the House the fact that the gentleman made an eloquent speech, but he missed one point. He says we are appropriating money to the same board. That is absolutely not true. This bill, House Bill 208, if it becomes a law, will have an entirely different board than the one operating under the present act. I think that all of that eloquent speech goes for naught because we are not going back to the same board. This bill specifically sets up a different board. All of the gentlemen who have argued on that side of the House have argued we had not put in a new board. Now he comes along and tells you we are dealing with the same board.

The gentleman is wrong. This will be an entirely new board made up of different people, if this bill is passed. I ask you to vote against the motion to recommit.

Mr. TURNER. Mr. Speaker, the gentleman from York has used an argument that does not seem to me to even pay lip service to logic because the resolution, while I did use the words, "same board," I meant the Soil Conservation Board. It is still a soil conservation board, if you want to get technical. That is number one. Number two, is we are asked to change the personnel of that board and we therefore are entitled to an investigation and the testimony and to know what was said before this investigating committee before we vote upon it. I do not think that argument merits even as much of an answer as I have given it.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. TURNER and Mr. WOODSIDE and were as follows:

YEAS—78

Auker,	Foor,	Lee, E. A.,	Simons,
Boorse,	Gates,	Lee, T. H.,	Snyder,
Bower,	Gillan,	Leisey,	Sollenberger,
Bretherick,	Gillette,	Leydic,	Sorg,
Brunner, C. H.,	Greenwood,	Lichtenwalter,	Stambaugh,
Cadwalader,	Gross,	Lyons,	Stockham,
Cook,	Gyger,	McDowell,	Taylor,
Cooper,	Habbyshaw,	McKinney,	Trout,
Cordier,	Haines,	McMillen,	Turner,
Dalrymple,	Hall,	McSurdy,	Van Allsburg,
Dennison,	Hare,	Muir,	Voorhees,
Dix,	Helm,	O'Dare,	Wagner,
Eckels,	Hewitt,	Rank,	Watkins,
Elder,	Huntley,	Reagan,	Weingartner,
Ely,	Imbrie,	Reese, D. P.,	Wilkinson,
Fisher,	James,	Rhea,	Winner,
Fiss,	Kline,	Riley,	Wood, L. H.,
Fleming,	Knoble,	Rose, W. E.,	Wood, N.,
Fletcher,	Krise,	Royer,	Woodside,
		Sarge,	Yeakel,

NAYS—124

Achterman,	French,	McFall,	Rose, S.,
Allmond,	Gallagher,	McGrath,	Rosenfeld,
Baker,	Gerard,	McIntosh,	Rush,
Balthaser,	Goodwin,	McLanahan,	Sarraf,
Baugher,	Gryskewicz,	McLane,	Scanlon,
Bentley,	Haberlen,	Melchiorre,	Schwab,
Bentzel,	Hamilton,	Mihm,	Serrill,
Boles,	Harkins,	Modell,	Shaffer,
Bradley,	Harmuth,	Monks,	Shaw,
Breth,	Harris,	Mooney,	Shepard,
Brown,	Heatherington,	Moran,	Skale,
Brunner, P. A.,	Hering,	Moul,	Stank,
Burns,	Herman,	Munley,	Stine,
Burris,	Hersch,	Nagel,	Tarr,
Chervenak,	Hirsch,	O'Brien,	Tate,
Chudoff,	Jefferson,	O'Connor,	Thompson, E. F.,
Cochran,	Keenan,	O'Mullen,	Thompson, R. L.,
Cohen, M. M.,	Kenehan,	O'Neill,	Verona,
Cohen, R. E.,	Kolankiewicz,	Owens,	Vincent,
Corrigan,	Komorofski,	Petrosky,	Vogt,
Croop,	Leonard,	Pettit,	Voldow,
Cullen,	Lesko,	Polaski,	Weiss,
DiGenova,	Levy,	Polen,	Welsh, E. B.,
Dolon,	Longo,	Powers,	Welsh, M. J.,
D'Ortona,	Lovett,	Prosen,	Williams,
Duffy,	Malloy,	Rausch,	Wolf,
Early,	Marks,	Readinger,	Woodring,
Elliott,	Maxwell,	Reese, R. E.,	Wright,
Falkenstein,	McClanaghan,	Regan,	Yester,
Finestone,	McClester,	Reynolds,	Young,
Flynn,	McDermott,	Rooney,	Kilroy,
			Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—124

Achterman,	Elliott,	Malloy,	Rooney,
Allmond,	Ely,	Marks,	Rose, S.,
Baker,	Falkenstein,	Maxwell,	Rose, W. E.,
Balthaser,	Finestone,	McClanaghan,	Rosenfeld,
Baugher,	Flynn,	McDermott,	Rush,
Bentley,	French,	McFall,	Scanlon,
Bentzel,	Gallagher,	McGrath,	Schwab,
Boles,	Gates,	McIntosh,	Serrill,
Bradley,	Gerard,	McLanahan,	Shaffer,
Breth,	Goodwin,	McLane,	Shaw,
Brown,	Gross,	Melchiorre,	Shepard,
Brunner, P. A.,	Gryskewicz,	Mihm,	Skale,
Burns,	Haberlen,	Modell,	Stank,
Burris,	Hamilton,	Monks,	Stine,
Chervenak,	Harkins,	Mooney,	Tarr,
Chudoff,	Harmuth,	Moran,	Tate,
Cochran,	Harris,	Moul,	Thompson, E. F.,
Cohen, M. M.,	Heatherington,	Munley,	Verona,
Cohen, R. E.,	Hering,	Nagel,	Vincent,
Cook,	Herman,	O'Brien,	Vogt,
Cooper,	Hersch,	O'Connor,	Voldow,
Cordier,	Hirsch,	O'Mullen,	Weiss,
Croop,	Holland,	O'Neill,	Welsh, E. B.,
Cullen,	Jefferson,	Owens,	Welsh, M. J.,
Dalrymple,	Keenan,	Petrosky,	Williams,
DiGenova,	Kenehan,	Pettit,	Wolf,
Dix,	Kolankiewicz,	Polaski,	Woodring,
Dolon,	Komorofski,	Polen,	Wright,
D'Ortona,	Leonard,	Powers,	Yester,
Duffy,	Lesko,	Prosen,	Young,
Early,	Levy,	Rausch,	Kilroy,
Eckels,	Longo,	Readinger,	Speaker.
	Lovett,		

NAYS—71

Auker,	Hall,	McMillen,	Stambaugh,
Boorse,	Hare,	McSurdy,	Stockham,
Bower,	Helm,	Muir,	Taylor,
Bretherick,	Hewitt,	O'Dare,	Thompson, R. L.,
Brunner, C. H.,	Huntley,	Rank,	Trout,
Cadwalader,	Imbrie,	Reagan,	Turner,
Corrigan,	James,	Reese, D. P.,	Van Allsburg,
Elder,	Kline,	Reese, R. E.,	Voorhees,
Fiss,	Knoble,	Regan,	Wagner,
Fleming,	Krise,	Reynolds,	Watkins,
Fletcher,	Lee, E. A.,	Rhea,	Weingartner,
Foor,	Leisey,	Riley,	Wilkinson,
Gillan,	Leydic,	Royer,	Winner,
Gillette,	Lichtenwalter,	Sarge,	Wood, L. H.,
Greenwood,	Lyons,	Simons,	Wood, N.,
Gyger,	McClester,	Snyder,	Woodside,
Habbyshaw,	McDowell,	Sollenberger,	Yeakel,
Haines,	McKinney,	Sorg,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. WALTER E. ROSE filed the following reason for his vote:

I am voting in the negative on House Bill No. 208 in the hope that defeat of the bill may result in an opportunity to consider the questions contained therein at another time after the report of the Committee appointed to study them, is available for study.

INTERROGATION

Mr. BAKER. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BAKER. Mr. Speaker, does the gentleman from Delaware, the "dirty farmer," know that Saint Patrick's Day is now over?

Mr. TURNER. From what I know of Irishmen, I know that Saint Patrick's Day is never over.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday, March 18 at 11 a. m. in Room 329.

Cities, Second-Class, Tuesday, March 18 at 11:30 a. m in Room 521.

Judiciary General, Tuesday, March 18, at 10 a. m. in Room 246.

Judiciary Special, Tuesday, March 18, at 11:45 a. m. in Room 246.

Labor, Tuesday, March 18 at 11 a. m. in Room 522.

Law and Order, Tuesday, March 18 at 12:30 p. m. in Room 331.

Legislative Apportionment, Tuesday, March 18 at 11 a. m. in Room 323.

Liquor Control, Tuesday, March 18 at 12 noon in Room 327.

Mines and Mining, Tuesday, March 18 at 12:30 p. m. in Room 522.

Motor Vehicles, Tuesday, March 18 at 11:30 a. m. in Room 324.

Public Health and Sanitation, Tuesday, March 18 at 12:30 p. m. in Room 521.

State Government, Tuesday, March 18 at 12 noon in Room 325.

Welfare, Tuesday, March 18 at 12:30 p. m. in Room 246.

ANNOUNCEMENT

Legislative Sons of Saint Patrick's Dinner to be held tomorrow night at the Penn Harris Hotel at 8 p. m.

Anyone who has not yet purchased tickets for the Dinner and who wish to do so please see Representatives Moran, James or O'Neill, today, or procure tickets at the office of the Chief Clerk of the House of Representatives.

ADJOURNMENT

Mr. CADWALADER. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 18, 1941, at 1 p. m.

The motion was agreed to and (at 12:48 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, MARCH 18, 1941. No. 23.

SENATE

TUESDAY, March 18, 1941

The Senate met at 9:30 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. FRANK W. RUTH offered the following prayer:

Our Heavenly Father, we come to Thy presence this morning with thanksgiving and gratitude for the blessings which Thou hast showered upon us. We pray that during these troublous times we may recall that Thou didst love us to the extent that Thou didst give Thine only son to die for us, Who came into this world to bring peace, and as we look forward to these troublous times may we pray together and after these times have passed may we rebuild our world upon the foundation of love and brotherhood which he has laid for us.

We feel we are just one or just a few but if we do our part in the formulating of Thy plan that a world peace and goodwill and brotherhood will eventually come and we pray for the guidance and help of Thy Holy Spirit that with determination we may go forward to do our part to make this world a better world.

We ask it in Thy Holy name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WADE and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Dr. WOODWARD.

Mr. Farrell asked and obtained leave of absence for the Senator from Erie, Mr. ZIESENHEIM.

Mr. Tyler asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS, on account of sickness.

REPORT FROM COMMITTEE

Mr. CARR, from the Committee on Agriculture, reported as committed, Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to procers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the Courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations" by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

BILLS INTRODUCED

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 362, entitled:

An Act to further amend section one of article four of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," changing the required proportion of mine foremen to other persons to be employed in bituminous mines.

Which was committed to the Committee on Mines and Mining.

He also read in his place and presented to the Chair Senate Bill No. 363, entitled:

An Act to add section six and one-tenth to, and further amend section nineteen of the act, approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by providing for the issuance of outing licenses for outings and picnics to nonprofit clubs, associations and groups.

Which was committed to the Committee on Law and order.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 364, entitled:

An Act requiring Receivers of Taxes in and for citites of the first class to furnish certificates of taxes, water rents and claims which are liens on real estate without charge to owners of said real estate or other parties having an interest therein, and limiting the liability of the Receiver for errors in said certicates, and retaining the liens of all unpaid taxes, water rents and claims against such property though the same are not set forth in said certificate, and repealing inconsistent legislation.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 365, entitled:

An Act to provide that notices to delinquent taxpayers or statements of such delinquents and the publication of municipal liens or notices thereof shall not be required of the receiver of taxes or of the city solicitor, and repealing inconsistent legislation.

Which was committed to the Committee on Municipal Government.

Mr. CHAPMAN read and in his place and presented to the Chair Senate Bill No. 366, entitled:

An Act providing for the licensing, bonding and regulation of junk dealers and junk peddlers; and prescribing penalties.

Which was committed to the Committee on Law and Order.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 367, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

Which was committed to the Committee on Education.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 144, as follows:

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of one thousand three hundred eighty-three and 15/100 ($1,383.15) dollars or as much thereof as may be necessary be and is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for the deficiency in the appropriation made under the provisions of the act approved the ninth day of July one thousand nine hundred thirty-five (Pamphlet Laws six hundred thirty-seven)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Letzler,	Snowden,
Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McCreesh,	Stiefel,
Carr,	Frey,	McGinnis,	Tallman,
Cavalcante,	Geltz,	McQuiddy,	Taylor,
Chapman,	Haluska,	Miller,	Thomas,
Cox,	Heyburn,	Mundy,	Tyler,
Crider,	Homsher,	Reed,	Wade,
Crowe,	James,	Ruth,	Walker,
Deitrick,	Kephart,	Scarlett,	Wilson, H. I.,
DiSilvestro,	Lanius,	Shapiro,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 254, as follows:

An Act Authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any municipality may proceed to recover water rents or rates lighting rates power rates and sewer rates due and unpaid beyond the municipal limits by the filing of municipal claims therefor against the real estate served in the same manner and with the same effect as such rents or rates are now recoverable within the municipal limits

Section 2 The procedure on liens filed under the provisions of this act shall be the same as though the real estate were within the municipal limits

Section 3 All claims heretofore filed for water rents or rates lighting rates power rates and sewer rates beyond the municipal limits are hereby validated and procedure thereon shall be the same as though the real estate were within the municipal boundaries

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,	Ealy,	Letzler,	Stevenson,
Bartlett,	Edmonds,	Mallery,	Stiefel,
Becker,	Farrell,	McCreesh,	Tallman,
Carr,	Frey,	McGinnis,	Taylor,
Cavalcante,	Geltz,	McQuiddy,	Thomas,
Chapman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Kephart,	Scarlett,	Wilson, T. B.,
DiSilvestro,	Lanius,	Snowden,	

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, as follows:

An Act to further amend clause (i) of section four hundred ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurace carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (i) of section four hundred ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1634) is hereby further amended to read as follows

Section 410 Uniform Policy Provisions No. policy of life or endowment insurance except policies of industrial insurance where the premiums are payable monthly or oftener shall hereafter be issued or delivered by any stock or mutual life insurance company in this Commonwealth unless it contains in substance the following provisions

* * * *

(i) A provision which in event of default in premium payments after premiums shall have been paid for three years shall secure to the owner of the policy a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Provided That if the reserve on the policy is computed upon the American men ultimate table of mortality the net value of any stipulated form of insurance on the extended term insurance plan granted under the terms of the policy may be computed upon rates of mortality not greater than one hundred thirty per centum of those shown by said table Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six (6) months after the application therefor is made This provision shall not be required in term insurance of twenty years or less.

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. EDMONDS. Mr. President, we have before us for consideration two bills, the present bill, No. 266 and the next bill, Senate Bill No. 268, both of which are slightly technical in their nature and I would therefore like to say a word about them.

These bills come from the life insurance companies which operate in Pennsylvania and the insurance commissioner is also in harmony with the point of view they represent.

They involve three things. The first is that up until this time we have always been using the American experience table of mortality. That American experience table of mortality is based upon conditions before the Civil War and it has gradually become antiquated as times goes on, because there has been a great change in longevity of people.

One of the provisions in Senate Bill No. 268 is that the insurance companies under regulations adopted by the Insurance Commission are allowed to use the American men ultimate table, a new table developed about twenty-five years ago, and which is far more accurate in dealing with longevity and the expectation of life than the other table.

The second point involved in this bill is the question of changing these reserves. The insurance companies now can no longer earn on their investments what used to be earned in previous periods and whereas today the reserve is computed on a three and one half per cent rate they ask in this bill that it be shifted from three and one half per cent to two per cent, in between those two figures, according to the development of business and the regulations of the insurance commissioner. As a matter of fact, Mr. President, that practice is in existing contracts but it does affect the basis upon which future contracts may be made. I am told in New York it is two and one quarter per cent at the present time.

Now, Mr. President, the advantage of these two bills is that they enable our insurance companies today to do business in other states, which are gradually toning up in their requirements, in which it is necessary for them to do business providing they can meet those requirements. There was even the suggestion in some places only those insurance companies that used the American men ultimate basis should be allowed to do business in that state, and if that law had passed in New York it would have had the

effect of ruling out the Pennsylvania insurance companies from doing business.

Now, Mr. President, there is a third point involved in the bill immediately under consideration and that is this; that you know in a life insurance policy there is an alternative, a cash surrender value or an extended insurance, or other things of that kind. Experience has shown to them that where a party takes extended insurance their life is longer than their expectation of life; in other words, having had insurance continued for a period of time it has had the effect of making them feel a little freer from responsibility and they live longer. Mr. President, they ask a change in this special percentage of 130 per cent in considering that alternative under the policy.

I might add in the old American men table of mortality these tables have endured for a great many years because they were very inaccurate; there was a very wide margin for the insurance company.

Now, Mr. President, if you get down to the new American ultimate men table you get down to a more accurate table and there is no longer the margin that used to exist and that is the reason why this new legislation is needed.

I might say, Mr. President, these two bills were carefully considered in committee, the committee meetings on which were attended by representatives of the insurance companis and also by the Insurance Commissioner and all of the parties, who have a far better knowledge of these technicalities than either the Senator from Allegheny or myself, were all agreed this was in the line of wise legislation.

Mr. SHAPIRO. Mr. President, in the last eight years I have found that the insurance commissioner too often reflects the views of the insurance company instead of the insurance policy holder. I am firmly convinced the only thing that would save insurance companies would be for them to get out of the investment business and mind their own business, which is insuring and pure insurance.

I am opposed to these bills because this is another method of cutting down the reserve which insurance companies would set up. Under the Homan's table of 1869, the insurance companies set up a reserve of mortality until the end of the year. At the end of the year whatever the difference between the actual mortality and the mortality set up happens to be the insurance company can use that as a profit. Under the proposed bill the reserve will be less than it is under Homan's table, as is obvious from what the gentleman from Montgomery has said.

I do not like these changes in the insurance company laws made here in Pennsylvania every time an insurance company gets into difficulties, which is basically the difficulty arising out of the fact they do two kinds of business, one of which they have no right to do and never should have been permitted to do, and that is shown by reports from a recent Federal investigation.

An insurance company cannot make a profit of three and one half per cent, that is true, with investment interest rates at the present rate, but it still goes on selling annuities, it still goes on promising three and one half per cent interest on investments, it still goes on doing an investment business without half of the supervision that a banking institution in Pennsylvania gets. There is not a banking institution in Pennsylvaia that could invest one tenth of the amount of money these insurance companies invest and have as little investigation or curtailment by proper authorities.

The way to correct that situation is not to allow them to reduce their interest rates, but to keep them out of the investment business.

You can go to some insurance companies and get pure insurance for ten dollars at a given age and then you can go out and then get what they call an ordinary life policy by paying twenty-two dollars, and all your family gets when you die is the same face value of the policy. They tell you a story that you have an accumulated borrowing capacity, you have a surrender value, they tell you that after ten years if you pay the twenty-two dollars instead of the ten dollars, you have a two hundred dollar value and you can borrow, but if you borrow on that two hundred dollars you pay interest on your own money. And if you die your wife, instead of getting one thousand dollars, gets one thousand dollars less the two hundred dollars which you borrowed, or eight hundred dollars, and that is your money, and when the insurance company charges you a premium on that policy and there is two hundred dollars reserve, which they say is yours from investments, they are really only giving you eight hundred dollars insurance because the two hundred dollars is yours and is in the investment department, yet they charge you the same premium as though you were getting a thousand dollars.

All these bills are doing, Mr. President, as we continue to amend the law, is to make it easier for them to stay in a business which they long ago should have been out of. They cannot possibly carry out their existing contracts and pay three and one half per cent because there is not a safe investment today that will pay them three and one half per cent. This business of letting them charge two per cent and go on is the wrong way to cure the disease from which they are suffering, and I am going to vote no on these bills in the hope some protest will result in getting a real solution to the problem. In my opinion the only solution is that we ought to make them mind their own business, which is insurance, and keep them out of the investment business.

Mr. DENT. Mr. President, I had not intended to speak on this bill or Senate Bill No. 268; however, I am going to speak on both of these bills while I am on my feet.

Mr. President, I do not mind Senate Bill No. 268, which allows insurance companies to change from the present motality table to the American men's table.

However, Mr. President, I had not meant to comment on Senate Bill 268 which allows insurance companies to change from the present mortality table, but I do oppose Senate Bill No. 266, and if you will read Senate Bill 266 you will see what happens in that bill, and I think we are going to be in a funny position here.

When a man for any reason at all cannot carry on his insurance any longer he has one of four procedures that he can follow. He can turn the insurance in to an extended term or he can take a paid up life or can get the surrender value for the amount he has paid into it.

Now, under this bill, Mr. President, they set up a provision changing from one table to the other. Under the present law they use one hundred per cent mortality and that is the basis upon which they compute how many days of extended life insurance you will have, if you have so much in reserve you have paid into a life insurance policy, and now they say in this bill instead of using one hundred

per cent mortality they are going to use a basis of 130 per cent mortality, which means simply that a person instead of receiving say a hundred days of insurance would receive about seventy days on an 130 per cent mortality basis instead of a one hundred per cent mortality basis.

Mr. President, there can only be one hundred per cent mortality. If there are one hundred men in this room and they should all die that is all that can die and that is one hundred per cent mortality.

The idea of using one hundred thirty per cent as a mortality basis upon which to figure out extended insurance that they are going to give to persons because of the fact they can no longer pay premiums on insurance is ridiculous. They are changing from one table to the other or automatically switching from one table to the other, because that gives them a higher mortality figure. As I understand it the American men ultimate schedule is a lower schedule and lower mortality table so we are giving the insurance companies in this bill thirty per cent leeway which they take and deprive the individual of thirty per cent of the insurable days to which he is entitled under the present insurance policies that are written in the State of Pennsylvania, and we are really passing an insurance company bill which to my mind makes each and everyone of us look ridiculous, adding thirty per cent penalty on those policy holders.

I am going to vote no on the bill.

Mr. WADE. Mr. President, I hesitate to prolong the discussion on these life insurance bills except to say at this time that in the discussion which has just been made by the gentleman from Philadelphia, Mr. Shapiro, it would indicate a lack of knowledge regarding life insurance.

Mr. President, if there is any one thing that came out of the T.W.E.C. investigation in Washington it was that sixty-five million policy holders of America have something real that they can depend on in the future and secondly, that the life insurance business is one of the safest fundamentally in America.

Now, Mr. President, as far as Senate Bill No. 268 is concerned, let me say before we come to that, in the gentleman's discussion regarding these bills, the gentleman from Philadelphia would lead you to believe the premium you pay bears three and one half per cent interest or in other words the life insurance company which takes your money agrees to give you a return of three and one half per cent on all the money you pay them. That is not correct.

Life insurance premiums are constructed by adding three component parts. The first part is this reserve, which is computed as the gentleman from Montgomery has told you, on a reserve basis and now the life insurance companies want, in order to keep the policies fundamentally sound in years to come, and not affect the obligations now on their books or to affect the obligations they incur in the future, that they be allowed to come down in accordance with the trend of the times, which we believe have been affected very seriously by the administration in Washington, and that is so they can be safe, sound and solid investments to back this reserve in years to come.

Secondly, Mr. President, this reserve portion is computed on the same reserve table, by the American experience table of mortality, which takes into consideration all of the people as they walk down the street. The American men ultimate table takes into consideration pretty much those that are insurable and computes that reserve so that at the time of your death or the death of the average man, that reserve will clear the face of the policy and then pay an old age death claim.

The second component part of the premium is the mortality table. The mortality table considers all deaths caused by disease and by accident and by all other causes except that of old age.

The third portion of the premium is the portion necessary to pay the just expenses of conducting the life insurance business; that has to do with the reserve.

The next matter that has been brought up is that of the pure endowment extended insurance, automatic paid up life insurance or cash value.

Now there is a selection against a company's automatically extending insurance, as a provision that carries the face of the policy over for a certain number of years, but that depends upon how long the premiums have been paid. Thereafter the policy expires because it is term insurance and it is this form of insurance the gentleman from Philadelphia has referred to as being so cheap a form of insurance, that lasts for a length of time and then stops as fire insurance does, without any value.

Secondly, paid up insurance lasts for the length of the life of the policy holder and is then paid. Of course, it is on a reduced basis; the premiums are not continued. The third of course is the cash value when the policy holder stops paying premiums.

Mr. President, actual experience and records prove there is a selection against the company and therefore they have asked for the privilege of keeping life insurance in the years to come on a safe, sound and solid basis, by changing to 130 per cent mortality, which has been their actual experience.

That concludes what I have to say but, Mr. President, I should like to say I would be very glad to answer any question that I can with regard to these bills.

Mr. SHAPIRO. Mr. President, I should like to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will be glad to, Mr. President.

Mr. SHAPIRO. Mr. President, I should like to ask the gentleman from Cumberland to tell us, on the basis of 130 per cent, whether the extended term insurance will be for a less period or for a greater period?

Mr. WADE. Mr. President, that would reduce the length of time that the automatic extended insurance would be carried. However, as I said previously, it is giving the opportunity to the company to keep the insurance on a sound basis.

Mr. SHAPIRO. Mr. President, will the gentleman from Cumberland state whether or not it is true on the basis of the present Homan's mortality table every insurance company in Pennsylvania makes a profit on its mortality set up?

Mr. WADE. Mr. President, the thing known as dividends in life insurance is the distribution of the profits from mortality that the gentleman from Philadelphia has just mentioned, as well as surplus earnings over and above the reserve rate used, whether three per cent, three and a half per cent, two per cent, or two and a half per cent.

Mr. SHAPIRO. The gentleman has not answered my question. Isn't it true every insurance company's statement contains on the profit and loss side of the balance sheet, or earnings sheet, an item known as gains on mortality.

Mr. WADE. No, Mr. President, that is not true. Some companies do make a profit from that source. One of the large New York companies, now shows a loss, through mortality written up to what we call seventy per cent mortality. That company shows a loss, because they did not anticipate the mortality would be that high.

Mr. SHAPIRO. Mr. President, is the gentleman now speaking of the new table or of the old table?

Mr. WADE. I am speaking of the old table, the American experience table of mortality, which is still used by ninety per cent of the companies.

Mr. SHAPIRO. Will the gentleman state whether or not the insurance companies still charge five per cent on loans to policy holders?

Mr. WADE. I can not answer for all companies; most companies I think charge five per cent.

Mr. SHAPIRO. Mr. President, there has not been a bill introduced in this Senate chamber since I have been here, and certainly not in the last four years, reducing the rate of interest which insurance companies are charging, and I will meet the gentleman some other time, I have been intending for some time to discuss this insurance question, and I will be glad to meet him, and as to whether or not I know anything about the report on the United States investigation, I suggest to the gentleman that he look at any one of the large major companies' statements in Pennsylvania, the New York Life Insurance Company, for instance, or such companies, and he will find that their experience table, using the Homan's table, has earned them a profit of at least fifty per cent of their anticipated mortality and he will find during the last twenty-five years, including the war, no insurance company has listed a mortality rate of over sixty-five per cent and he will find if he looks at the statements of insurance companies that the major portion of their profit is earned from charging policy holders five or six per cent interest on their own money.

He will also find one of the troubles of life insurance companies today, is that the banking interests have gotten together and are lending the policy holders on their policies loans at three per cent and two and a half per cent, with the result that the insurance companies' earnings are decreasing not because of death rates but because of anything else, because no insurance company ever went broke by paying death rates.

Insurance companies that lose and go defunct are those companies which lose on their investments. There is no reason why an insurance company should lose money on paying death rates because insurance companies know under the Homan's table 7.9 people die at age thirty-five and the insurance company does not care who those 7.9 people are, because they have collected in the premiums the $79.80 that will be necessary to pay that mortality but the vice in the situation is that 7.8 per cent of that added expense is because of excessive salaries paid to officers of the company, and an additional amount which they arrived at by taking the fact a man living to be ninety-two years of age, not seventy years of age, but they take ninety-two years of age and make an average premium every year on the basis of ninety-two.

That additional amount of money allows them to make investments which they put in their investment department, and if the gentleman knows anything about insurance he knows every year as the amount of money in the investment department increases the amount of insurance which the companies have is decreased through reinsurance, so that when I have thirty dollars in the investment and I have a policy of a thousand dollars I only have $970 insurance. If I die the company takes thirty dollars out of this investment department and $970 out of the mortality reserve fund, and if that goes on, as the period goes on, I have three hundred dollars investment and seven hundred dollars insurance. The company reinsures, through reinsurance, on the basis of seven hundred dollars but they charge me on the basis of one thousand dollars and if I die the company does not give a thousand dollars life insurance, they give me three hundred dollars of my own money, which they accumulated by overcharging me, and then give me seven hundred dollars insurance which they take from some other account, that they have reinsured.

Mr. President, here is a man who cannot pay premiums; he has overpaid, many, many years he has overpaid and after he has overpaid all those years they now say we are going to give you less extended insurance if you cannot pay any more. I do not think that is the way to solve the problem.

The difficulty arises, as I say, from the fact that banks are encroaching on the insurance companies preserves, and what they are doing is to lend me money at three per cent, so I do not go to the insurance company and pay them five per cent, and if the insurance company cannot get five per cent from me on the one real investment they have, which is to lend me money on my own money and charge me interest, then of course the $30,000,000 all large companies made last year on six per cent and five per cent interest is going to add up to $20,000,000 or $25,000,000.

The trouble of the matter is the more the banks take the loans the more they undermine their own security, because if the insurance companies can not earn this money necessary to pay actual expenes these insurance companies become insolvent, and eventually the banks will be stuck with a great deal of security not worth the paper it is written on.

Mr. WADE. Mr. President, I certainly do not want to prolong this argument but I say with all due apologies to the gentleman from Philadelphia many of his statements lack experience or knowledge regarding the insurance business.

In the first place, Mr. President, I might say to the gentleman from Philadelphia the Homan's table was not compiled—and this is a mere technicality—in 1869; it was compiled in 1857.

In the second place, Mr. President, the figure shown by the American table of mortality is not 7.6; it is 7.19; and that means that there are 719 deaths expected out of every one hundred thousand people.

Now, on the other hand, Mr. President, life insurance companies do not take that mortalities, or they do not expect one hundred per cent mortality. Competition in the life insurance business has long since forced rates down below that. They only expect a portion of that mortality because they make a selection of their risk; they do not insure everybody who comes down the street. Many of you gentlemen here probably have been compelled to undergo strict examinations in order to obtain life insurance.

Next, in connection with banks may I say, and not boastingly, I am associated as president of a bank, and

there is not the competition between the banks and the life insurance companies the gentleman thinks there is. The banks because of the administration in Washington—and I say that advisedly—have been forced to hunt investments and in looking over the field of investments they can find nothing finer than life insurance on which to make loans and because of that and because life insurance companies have been bound by contract to charge five per cent interest on their loans the banks have been holding out their hands and saying we will be glad to make loans to you, at a less interest rate than you must pay under your contract with the life insurance company.

Now, again, Mr. President, I want to make a slight correction, and it is only a technical correction; the American table of mortality shows the last death at the age of ninety-six and not at the age of ninety-two.

On the other hand, as to the gentleman's statement that as the years go by this reserve is built up and the risk is lessened for the life insurance companies, that is quite correct, but you must remember that the mortality rate does not stay at 7.19 all the way through. As men and women get older the mortality rate increases and some safe scientific basis must be devised to take up the slack on the increased mortality table and reserve. As the years go along it lessens the life insurance risk, and because of that they are able to give you a contract that will last thirty, forty or fifty years without an increase in premium. On the other hand if you talk about the cheap insurance the gentleman from Philadelphia has mentioned, then as the years go by your insurance premium increases until finally you reach the age of sixty or sixty-five, and instead of getting the pension which you will get, which many men here in American today are receiving from legal reserves of life insurance, then the mortality rate has gone up so far and the earning power has gone down to the place where because of necessity they are compelled to drop the life insurance they have and that leaves that family without the protection they deserve.

Mr. SHAPIRO. Mr. President, I am glad to prolong this discussion because I think it is important. I do not think anyone should complain about the fact we are discussing one of the most important economic factors in our lives.

I am quite sure the gentleman from Cumberland has had considerable experience with life insurance companies and probably some connection with them. I will say very frankly when I talked about 7.9 I talked about a thousand deaths and not a hundred thousand deaths, and it may be Homan's table was originated in 1857.

There is no question the life insurance companies have been making a profiit through the use of the Homan's table because when Homan made his survey he took a thousand cases indiscriminately and when the companies insure they have selective cases and that results in a lesser mortality than they anticipated. If you will pardon a personal allusion, I will suggest to the gentleman from Cumberland that I personally in 1929 changed from investment life insurance to pure life insurance, and my premiums have not gone up; when I get to be sixty-five years of age I will not need an insurance company because the savings which these gentleman say they would have made for me I have made for myself, and when I reach the age of sixty-five, paying into the fund the same amount which the insurance company would have charged me for the policies, I will not need any insurance because I will have saved and earned enough money to clear the face of the policies which I now have.

I make that statement for a very real reason, Mr. President, and that is that the insurance compaines for years have preyed upon a weakness of human nature, that is they could sell you a policy for ten dollars, which is pure insurance, and you could take the extra amount which they would charge you and invest it and you could make the same investment they do and you would get a better return, because there would not be any charge for services; you could invest that surplus in government bonds, which is where the insurance companies invest their funds, if you had the will power to put it away and not touch it.

So, because of that weakness, that the average person does not have the will power and the insurance company preys on him and sells him an insurance policy that is burdensome for him to carry, because the man who wants protection is not looking at the same time for savings and if he is he does not get the saving because the saving he is talking about after you take it you lose the life insurance and if you keep the life insurance you lose the saving.

No man can walk into an insurance office and take a policy which has a surrender value and say give me four hundred dollars and let me have six hundred dollars insurance. They will not do it; no man can say to them, "I will take my four hundred dollars out and I want my insurance to be extended for a certain period of time at six hundred dollars." No man can do that.

What I mean, Mr. President, is that you cannot get your saving and keep your insurance at the same time, what I am complaining about is that the people are entitled to protection, they are entitled to what they get in the way of life insurance surety but we should not encourage life insurance companies to continue in the investment business.

You can talk and you can raise all the technicalities you want to, but I have my own experience and I have given the matter a great deal of study. I have not gone into the technicalities arising out of extended life insurance at one hundred and thirty days of mortality, I assure you I have not done that, but for over a period of ten years I have studied life insurance company reports and I have read very carefully such information as is available from the United States investigation and I assure the gentleman if he will read that report very carefully he will not get any comfort as far as life insurance companies are concerned. I am quite concerned over the fact that in my opinion the truth of the investigation has not been published because of the fear it might instill.

The best illustration I have of what I am talking about is I have thirty per cent more life insurance today for less premium than I paid ten years ago, with the same compaines in which I insured before. In other words, Mr. President, in 1929 I changed my policies to pure insurance and I have twenty-five to thirty per cent more life insurance at thirty to forty percent less premium. That is a concrete illustration of what I am talking about, stripped of all technicalities and why this Senate has any right to say to insurance companies you can base your savings on two per cent because no man needs an insurance company to give him two per cent, he can buy government bonds; he may get one and three quarters per cent and be a hundred and fifty per cent better off because he has got a govern-

ment bond back of him, which is the same thing the insurance companies will invest in, and he does not have to pay the insurance company officers high salaries.

Mr. President, I propose to vote against every bill which strikes against this condition piecemeal. That is what I am talking about, this piecemeal effort to protect life insurance companies and which will not give them protection. In my opinion the only protection the life insurance company can get is to get out of the investment business.

Now, when I say 7.9 deaths in a thousand that means that the insurance company charges you 7.9 or $7.90 and adds legitimate expenses and adds a portion for reserve; then they are in the insurance business and that is all they should be in. But when they add more to it by taking from ninety-two to ninety-six years as the ultimate span of life, then they are loading the premium and they are using it for investment purposes. Look at the history of insurance companies and you will find that those companies which went broke did not go broke on the basis of figuring their mortality wrong but they went broke on the basis of making investments of surplus premiums which resulted in their having mortgages on apartment houses and things of that sort when a crisis came along they were stuck with investments that could not be turned into cash and they could not meet their obligations. Under the circumstances I say it would be much better for us to wait until the final completed report from Washington is prepared so we can ascertain the real condition and then try to correct it.

Mr. WADE. Mr. President, I very much appreciate the remarks of the gentleman from Philadelphia. I would like to renew this conference with him, as he suggests, to further discuss this proposition we are discussing here publicly this morning. I am going to say to him if since 1929 he changed his policies I am going to take the liberty of having my rate book along with me because I think I can convince him he might well make some changes again in his insurance program. However, Mr. President, that is personal.

I want to say with apologies to the gentleman from Philadelphia, that not all the people in America have the superior intelligence of the gentleman from Philadelphia—and I mean that sincerely—not all the men and women in America have the opportunity to compare these different investments, and while he admitted in his discussion that if he were investing his surplus money in United States government bonds, they would yield much less than two per cent for him, whereas on the other hand he can go to a sound, solid and secure life insurance company in America today and get a guarantee of two and one half per cent and a dividend beside.

Now, Mr. President, regarding the T.E.M.C. investigation the gentleman from Philadelphia has mentioned, that report is practically completed. The gentleman would lead us to believe the report is not completed but it is and there are two things that it pointed out. The first is that sixty-five million policy holders of America have something they can depend on in the future, and I say to you members of this Senate and Mr. President that is something that the life insurance companies can be justly proud of.

The second thing I would like to mention in connection with this T.E.M.C. investigation, a report of over six thousand cases proved conclusively that the people that own life insurance policies have a larger saving there available in liquid cash to them and their families than they have from any other course or combination of sources. In other words, their holdings in life insurance companies are worth more to them today and cost them less than their savings in all other lines combined.

Now again, Mr. President, just to bring up a technicality as to the history of mortality losses or gains, profits have been distributed in the form of dividends, except of course where there have been losses, and in concluding this discussion as far as I am concerned I say to you not one policy holder in the last ten depression years has lost a single dollar. As a matter of fact I can increase that figure to twenty-five years, not one policy holder of Pennsylvania life insurance companies has lost a single dollar. In the case where a company got into difficulties those companies have been reinsured and their obligations carried on in the future by other companies that were sound and secure.

Mr. EDMONDS. Mr. President, I just want to say a word in connection with this discussion. As I understand the gentleman from Philadelphia, Mr. Shapiro's cricitism of life insurance companies, it seems to me that has nothing to do with this legislation.

It will be admitted first that the old American experience table is out of date and there ought to be a new one substituted. Is there any objection to that?

It is admitted secondly that the insurance companies cannot earn three and one half per cent on their investments at the present time, and is there any objection to reducing the amount of that percentage, which only has its effect upon the reserve; on the two per cent basis they must establish more of a reserve, which would be good financing. Is there objection to that?

Is there objection Mr. President, to the statement when extended insurance is taken upon surrender of a policy, on the failure to make payment on it, that the life return is greater than is expected in the table, and that under those circumstances there ought to be some larger overage in order to adjust it?

If there is no objection to those three points, Mr. President, then these two bills should pass.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barr,	Deitrick,	Kephart,	Tallman,
Bartlett,	DiSilvestro,	Letzler,	Taylor,
Becker,	Ealy,	Mallery,	Thomas,
Carr,	Edmonds,	McGinnis,	Tyler,
Chapman,	Farrell,	Miller,	Wade,
Coleman,	Geltz,	Mundy,	Walker,
Cox,	Heyburn,	Ruth,	Wilson, H. I.,
Crider,	Homsher,	Snowden,	Wilson, T. B.,
Crowe,	James,	Stevenson,	

NAYS—11

Cavalcante,	Haluska,	McCreesh,	Shapiro,
Dent,	Jaspan,	McQuiddy,	Stiefel,
Frey,	Lanius,	Reed,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RE-REFERRED

Mr. THOMAS B. WILSON, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 361, entitled:

An Act to protect the obligors or guarantors of debts for which judgments are entered and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prohibiting, for certain periods, the sale on execution of property at less than its fair market value; and prescribing the method of fixing the fair market value of said property.

and asks that it be re-referred to the Committee on Law and Order.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 79, entitled:

An Act to amend subsection (a) of section twelve of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement or real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 18, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 18, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

BUTLER COUNTY

Paul H. Croll, Butler, March 24, 1941.

DELAWARE COUNTY

Mrs. Blanche M. Gaskill, Ridley Twp., Folsom, March 24, 1941.

PHILADELPHIA COUNTY

Maurice Rosenblum, Phila., 1802 South 6th Street, March 24, 1941.

ALLEGHENY COUNTY

R. G. Prokich, Pittsburgh, 511 Bakewell Building, March 28, 1941.

DELAWARE COUNTY

Miss Florence Gardner, Haverford Twp., 2325 Darby Road, Upper Darby, March 28, 1941.

LEHIGH COUNTY

William A. Gotthardt, Allentown, March 28, 1941.

PHILADELPHIA COUNTY

Walter S. Hartley, Phila., 15 West Highland Avenue, March 30, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 18, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BERKS COUNTY

Mrs. Helen M. Koch, Reading.

BUTLER COUNTY

Miss R. Esther Anderson, Butler.

DELAWARE COUNTY

Mrs. Sophia Tercha, Chester.

NORTHAMPTON COUNTY

Miss Naomi I. Crouthamel, Easton.

WASHINGTON COUNTY

Don Lee Reeves, Charleroi.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. WADE

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Tallman,
Cavalcante,	Frey,	McGinnis,	Taylor,
Chapman,	Geltz,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Scarlett,	Wilson, T. B.,
Dent,	Kephart,	Shapiro,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Washington will state his question of personal privilege.

Mr. REED. Mr. President and members of the Senate, on February 17, 1941, I introduced Senate Resolution No. 27 relating to the study and the repeal of unnecessary and burdensome legislation. At that time I stated on the floor of the Senate that at a later date I would discuss in more detail some of the phases of this problem.

Today, Mr. President, I desire to direct my energies to this task and as the gentlemen of the Senate are in some degree of hurry to get away I will cut down somewhat on my remarks with the right reserved to myself and one or two of my colleagues to discuss this resolution in greater detail.

Unusual and exceptional are the times. Deep and destructive currents are forcefully pounding at our social and economic order, and while we sit idly by in self-satisfied security, the dangers multiply and salvation each day becomes more difficult and remote.

The time is ripe for impartial and courageous public action. The people are crying for economic reform. They are searching the political horizon for manifestations of help. Too frequently in the past has pure and wholesome public service been impeded and suppressed by political bosses and party organizations. The Tweed Ring of New York; The Thompson Organization of Chicago, the Penrose Crowd of Philadelphia; the Pendergrast Machine of Kansas City; the Kline Organization of Pittsburgh; the Tammany Ring of New York; are potent and historical examples of this assertion.

In a recent editorial in the Pittsburgh Press speaking on returning the government back to the people it was stated in part:

"But for eighteen years the politicians in and out of the Legislature, have reduced that action to a mere gesture. In those eighteen years the Legislature has been run by all kinds of politicians—Vare Republicans, Grundy Republicans, Mellon Republicans, Pinchot Republicans, assorted species of Democrats, coalitions and other varieties."

To-day, in a great measure, this practice still prevails. Survey your own official surroundings, and the chances are that you will discern some political boss hidden in the back ground attempting to control and direct your official action. Such a policy is distinctly distasteful and reprehensible when applied to the legislative branch of our government; for legislation at its best must have in it the unbiased and independent thought of all.

Listen to me, as I inform you that it is reliably reported that there are members in our law making Assembly of Pennsylvania that are employees on their County or City payroll, some receiving as high as $3000.00 a year. Are they selected because they are members of the Assembly? If so, can they give to both employments the pure, independent, efficient service that the public requires of them? Ponder this question and answer it yourself, and in so doing, consider what part, if any, the County or City political boss will play in shaping and controlling the legislative conduct of such employees.

I have prefaced my remarks with these observations in order to emphasize the present need of independent and courageous thought and action. A few weeks ago, in discussing present day conditions, one of the Senators on the other side remarked to me, that he believed that one of the outstanding needs of the day was men of courage and integrity. I agreed with him, and I believe that all of you are in accord with his views. Charged with this belief let us consider the matter before us, the repeal of unnecessary legislation.

I have been told that in the attempted political build-up in the State back through the years every conceivable group was marked for organization in order that complete party solidarity might result. This plan has tended towards centralization, with the removal of power from the people at home.

In that connection, Mr. President, I want to read again from this editorial in the Pittsburgh Press:

"The politicians never have had a better chance to give the government back to the people—all the people—than now."

One of the first Acts passed under this program was the Act of May 10, 1913, P. L. 199 authorizing and empowering the County Commissioners and the County Solicitor, and the Chief Clerk of said Commissioners, of each County, to organize themselves into a State Association, for the purpose of holding annual meetings, and providing for the payment of the expenses thereof.

Section 2 of the Act provides as follows:

"The actual expenses of the county commissioners, county solicitor, and chief clerk, attending such meetings of said State Association, including traveling expenses and hotel bills actually paid by them, expenses of committees, together with the necessary expenses of the convention, including printing and the employment of stenographers, shall be paid by the various counties by orders drawn on the county treasurer. The time spent in attending said meeting shall not be more than four days, exclusive of the time employed in traveling thereto and therefrom. The expenses herein mentioned as the necessary expenses of the convention shall not be more than ten dollars to any county per annum."

This Act was amended by the Act of May 17, 1917 P. L. 202 increasing the expenses of the convention from $10.00 to $25.00 per annum for each County; and by an Act of 1921 P. L. 76 this expense was increased to $50.00 per annum. See also Act 1929 P. L. 1278.

Commencing with the year 1915 and ending with, and including, 1939 I have estimated that $679,832.92 of the peoples' money have been spent in Pennsylvania under these Acts of Assembly.

By the Act of June 14, 1923, P. L. 774 the Sheriffs of the several counties of this Commonwealth were authorized to organize themselves into a State Association.

For the years 1924 to 1939, both inclusive, I have estimated that there was expended in the Commonwealth under this Act of Assembly $80,400.00 of the peoples' money.

By the Act of April 23, 1927, P. L. 380 the Register of Wills of the several counties of this Commonwealth were authorized to organize themselves into a State Association.

For the years 1928 to 1939, both inclusive, I have estimated that there was expended in Pennsylvania under this Act of Assembly $60,300.00 of the peoples' money.

By the Act of 1929, P. L. 1278, No. 447, the County Controllers of the several counties of this Commonwealth were authorized to organize themselves into a State Association.

For the years 1930 to 1939, both inclusive, I have estimated that there has been spent in the Commonwealth under this Act of Assembly $54,000.00 of the peoples' money.

For the periods of time enumerated these four groups have spent the estimated amount of $874,532.92 of the peoples' money. This is just a small segment of this phase of the problem. There are many other groups in this class, which some legislators have classified as pressure groups. It might not be out of order, in passing, to call your attention to Senate Bill No. 8 which provides for the organization of County Treasurers in the State; and also to House Bill No. 286 which provides for the organization of Prothonotaries and Clerks of Courts into State organizations.

The question then recurs should these laws be repealed as unnecessary legislation? Have they advanced economy and efficiency in government? A careful study of governmental problems shows that economy and efficiency are best promoted by those officials that cling tenaciously to their local problems and listen attentively to the wishes of their people. In the first place, a person seeking public office should be qualified to perform the duties of such office, if elected. When elected, he should scrupulously employ his time in giving the best service possible to the people, for he is amply paid for such service. In the more important offices, he is given the right to select an attorney, whose compensation is paid by the people. In my County legal services for the County Commissioners, Sheriff and Controller cost the people $5,000.00 a year. I could never understand how the people were benefited by the organization of these various groups. Back through the years I have talked to many officials who have attended State meetings and many of them have told me that the only benefits they received were in the form of a good time. In these times of economic stress, with the cupboard almost bare, the people should not be required to pay for such good times. It is regrettable, however, on the other hand, that so few taxpayers know that such state meetings are set up and conducted from hard earned moneys contributed by them in the form of taxation. If they were cognizant of this fact, and inquired of a person seeking public office whether he was in favor of such expenditures, I am sure that such office seeker in most cases would give him a negative answer. In conclusion I desire to inform you that I am bringing these things to your attention for the sole and only purpose of promoting the welfare of the people of the Commonwealth. I realize that such groups might contest the repeal of these statutes, but in our consideration we must remember that an office holder is but a servant of the people whose interest should at all times be paramount. This thought should give us the necessary courage to do our duty. Let us then fearlessly and impartially move forward in a solution of this important problem.

Mr. President, I have talked with many people relative to these matters since the introduction of this resolution and it seems to me they are unanimously in favor of the abolition of these phases of burdensome legislation. I had intended to take up another segment of this problem but I want to give a few minutes of my time to my colleague from Fayette, Senator Cavalcante.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, in harmony with the clarion remarks of the gentleman from Washington, Mr. Reed, I desire to make a few remarks on my question of personal privilege, touching upon the integrity of this Senate.

The PRESIDENT. The gentleman from Fayette will proceed.

Mr. CAVALCANTE. Mr. President, under the Constitution of this Commonwealth and the laws enacted thereby it is the sworn duty and power of His Excellency, the Governor of this Commonwealth, to make appointment to many important and serious public offices in this Commonwealth. Under our Constitution His Excellency is given the power to nominate the persons who shall hold these offices. That same Constitution then gives the Senate of this Commonwealth the duty of passing upon the wisdom of those nominations and whether they shall be confirmed or approved. It happened no later than this Session that when a nomination has been made by His Excellency public sentiment has required the withdrawal of that nomination.

We can see the wisdom in the provisions of our Constitution that give His Execellency the right to nominate and the Senate the duty and power to confirm or not confirm the nominations made.

Mr. President, there is now dormant in the Committee of Executive Nominations the nominations to two very important posts in our Commonwealth and the gentlemen nominated by His Excellency to those posts are gentlemen who have served on the floor of this Senate, men who have their own distinct and personal philosophies, philosophies that are founded in sincerity. I have no fault to find with any man who is sincere in his beliefs. His beliefs and his philosophies may have courses far different from mine, his philosophies may pursue a conservative course and my philosophies may pursue a more progressive and liberal course, but nevertheless it is unquestionable that these two men, these two gentlemen nominated by the Governor to these two posts are men of intergrity and men whose moral character can not be questioned, nor can their qualifications to fill the posts to which they have been nominated by His Excellency, the Governor be questioned, and yet, Mr. President, those two nominations,

despite the fact they were sent to the Senate quite some time ago, are still in the Committee on Executive Nominations. I tell you frankly, Mr. President, that it is not the fault of the chairman of the Committee on Executive Nominations, nor of any member of that committee, but the fault and the reason why those nominations have not been confirmed heretofore, before this time, is due to those political bosses that the gentleman from Washington stated are hidden in the background and as one member of this Senate with all the energy in me, I intend to oppose that kind of pressure upon the activities of this Senate.

Now, Mr. President, the gentleman from Washington has given warning that some of his colleagues are going to take up the phases of the question so liberally and so well stated by him, some time in the future. Let me assure the members of this Senate that the colleagues who will treat the phases of that question in the very near future are not going to be so polite as the gentleman from Washington, but his colleagues are going to name names, are going to name orginizations, and I charge right here and now on the floor of this Senate that the confirmation of those two gentleman is being now prevented by a venal pressure—spelled v-e-n-a-l, and I am emphasizing that because I have chosen that word deliberate and with my full senses, and, Mr. President, I assure you that we are not going to wait much longer before we do name names on this question.

It is the desire of many on the floor of this Senate that these two gentleman nominated to posts on the Liquor Control Board, be brought to the floor of this Senate before the end of next week, and if anything against their moral fitness or other fitness to fill those posts is present, many of us want to know it now, for we are tired and sick of these corrupt and venal pressures brought to bear upon these activities of this Senate by these political bosses and these political organizations hidden in the background.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 5:00 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDEENT. The time of recess having elasped the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 98 (Senate Bill No. 368), entitled:

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws 1024), entitled "Female Labor Law," by further regulating the employment of females in certain establishments with respect to their hours of labor.

Which was committed to the Committee on Labor and Industry.

House Bill No. 208 (Senate Bill No. 369), entitled:

An Act to further amend the act approved the second day of July, one thousand ninehundred and thirty-seven (Pamphlet Laws 2724), entitled "Soil Conservation Districts Law" by providing changes in the membership of the State Soil Conservation Board; prescribing procedures for the allocation of funds among districts, requiring the filing of budget reports, changing the necessary favorable vote in referenda on the creation, addition of territory to, and dissolution of districts; changing the requirements of petitions for inclusion of additional territory; requiring district supervisors to be residents of such districts; further defiining the powers of districts; and making appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 468 (Senate Bill No. 370), entitled:

An Act making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease.

Which was committed to the Committee on Appropriations.

House Bill No. 578 (Senate Bill No. 371), entitled:

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously, and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 581 (Senate Bill No. 372), entitled:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN SENATE BILL No. 198

He also returned to the Senate, Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

with the information that the House has passed the same without amendments.

HOUSE MESSAGE

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 17, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 24, 1941, at 4:30 o'clock, p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, March 24, 1941, at 9 o'clock, p. m.

HOUSE CONCURS IN AMENDMENTS TO HOUSE RESOLUTION

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Resolution, Serial No. 202, as follows:

PRINTING ADDITIONAL COPIES OF THE "FIRST REPORT ON THE TAX AND FINANCIAL PROBLEMS OF THE COMMONWEALTH"

In the House of Representatives, February 26, 1941.

Whereas, The Joint State Government Commission of the General Assembly of Pennsylvania has, within the past few days published its "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly," which contains information and studies of great value to the General Assembly and to the people of the Commonwealth; and

Whereas, The appropriation made for the use of the Joint State Government Commission permits the printing of a limited number of copies only of this report, which will be greatly inadequate to meet the demand for the same; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby authorizes and directs the printing of 2500 additional copies of the "First Report on the Tax and Financial Problems of the Commonwealth of Pennsylvania to the General Assembly by the Joint State Government Commission of The General Assembly," and directs that the cost thereof be charged against the appropriation for printing required by the General Assembly. 1000 of said copies shall be for the use of the Joint State Government Commission.

200TH ANNIVERSARY CELEBRATION OF BIRTH OF THOMAS JEFFERSON

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 5, 1941.

Whereas, On April 2, 1943 our Nation will celebrate the 200th Anniversary of the birth of its Luminary of Luminaries, Thomas Jefferson, who by general consent shares only with Dr. Franklin the honor of being the most versatile and accomplished of Americans and whose immortality, to use the expression of Woodrow Wilson, "does not lie in any one of his achievements, but in his attitude toward mankind;" and

Whereas, Preparatory to the celebration of the 200th Anniversary of the birth of Thomas Jefferson, a Bicentennial Commission was established by Congress last year; and

Whereas, In these days of strain and stress, of gloom and vaccilation, a celebration revolving around the immortal draftsman of the Declaration of Independence will result in the reaffirmation of Jefferson's teachings, the salubrious and tonic values whereof have been already universally acknowledged; and

Whereas, The ringing phrases of the Declaration of Independence, intended according to Jefferson's expression "to be an expression of the American mind," are together with Lincoln's Gettysburg speech the greatest monuments of the English language, as well as limpid springs of political rejuvenation, from which our Republic had drunk heretofore and shall continue to deeply drink henceforth; and

Whereas, The February report of the Thomas Jefferson Memorial Foundation shows that the last cent of mortgage on Monticello has been paid as a result of its devoted work over a period of eighteen years; and

Whereas, Under the direction of Mr. Fiske Kimball, the most sympathetic and learned scholar in Jeffersonian draftsmanship and archtecture, the interior and exterior of Monticello have been restored and the gardens thereof made beautiful according to Jefferson's plans and drawings, thus restoring to our Nation one of its Shrines; and

Whereas, The preservation and recovery of Jefferson's beautiful historic house and estate at Monticello is a memorable work of patriotism and public spirit, that will enrich not only Virginia but the whole United States of America; now be it therefore

Resolved (if the House of Representatives concur), That the General Assembly of Pennsylvania appoint a Commission, to be known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania," to consist of six members, three of whom shall be appointed by the Speaker of the House on the part of the House of Representatives, and three of whom shall be appointed by the Persident Pro Tempore of the Senate on the part of the Senate of the General Assembly, and the task whereof shall consist in evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by Congress for Pennsylvania's part in the celebration of the 200th Anniversary of the birth of Thomas Jefferson, in order that said plans may be submitted in the form of a report to the General Assembly of Pennsylvania in 1943 for proper action; and be it further

Resolved, That the General Assembly of Pennsylvania commend the Thomas Jefferson Memorial Foundation for its work of restoration of the Shrine at Monticello and its pious care thereof, and call upon the citizenry of Pennsylvania to lend its moral and material support thereto.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 402, entitled:

An Act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Force, for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States.

House Bill No. 320, entitled:

An Act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled "An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein" authorizing execution of process in certain cases for the perpetuation of testimony.

Whereupon,

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) in the presence of the Senate signed the same.

PETITION

The PRESIDENT. The Chair lays before the Senate a communication from the Steel City Industrial Union Council of Pittsburgh, urging rejection recommendations following the Joint State Government Commission's Report on Relief, which will be noted in the Journal.

BILLS INTRODUCED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 373, entitled:

An Act making an appropriation to the Pennsylvania Society to protect Children from Cruelty, located at Four Hundred and Fifteen South Fifteenth Street, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. EDMONDS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS read in place and presented to the Chair Senate Bill No. 374, entitled:

An Act to provide for the settlement of disputes among states with respect to domiciliary death taxes, and imposing certain duties upon the Department of Revenue, the Attorney General and executors and administrators.

Which was committed to the Committee on Judiciary General.

Mr. RUTH. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH read in place and presented to the Chair Senate Bill No. 375, entitled:

An Act to amend clause five of section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," requiring the levy of a tax for fire protection.

Which was committed to the Committee on County Government.

He also read in place and presented to the Chair Senate Bill No. 376, entitled:

An Act to further amend section one thousand three hundred and one of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," establishing a compulsory tax levy for fire protection.

Which was committed to the Committee on Municipal Government.

Mr. STEVENSON. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON read in place and presented to the Chair Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Which was committed to the Committee on Municipal Government.

Mr. WADE. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 378, entitled:

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes;" exemptng from said tax casualty insurance companies having no capital stock.

Which was committed to the Committee on Judiciary General.

He also read in place and presented to the Chair Senate Bill No. 379, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for Statean d county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies from the provisions thereof.

Which was committed to the Committee on Insurance.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 268, on third reading, entitled:

An Act to further amend section three hundred one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 270, on third reading, entitled:

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 289 (House Bill No. 225), as follows:

An Act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "State Council of Defense Act"

Section 2 Establishment of State Council of Defense The Governor is hereby authorized and empowered in time of emergency or public need in the nation or the State to create by proclamation a State Council of Defense hereinafter designated as the "Council" for the general purpose of assisting in the coordination of the State and local activities related to national and State defense Whenever he deems it expedient the Governor may by proclamation dissolve or suspend such council or re-establish it after any such dissolution or suspension

Section 3 Organization of Council (a) The council shall consist of the Governor (who shall be chairman) the Lieutenant-Governor the State Treasurer the Auditor General the Secretary of Internal Affairs the Adjutant General the Speaker of the House of Representatives and the President pro tempore of the Senate and their respective successors in office and three citizens of Pennsylvania one to be appointed by the Governor one by the Speaker of the House of Representatives and one by the President pro tempore of the Senate

(b) The council may employ an executive director and such technical clerical stenographic and other personnel and fix their compensation and may make such expenditures within the appropriation therefor or other funds made available to it as are necessary to carry out the purposes of this act

(c) The members of the council shall serve without compensation but may be reimbursed for their actual and necessary traveling and other expenses incurred in connection with attendance upon meetings of the council

(d) The council shall be provided with appropriate office space furniture equipment supplies stationery and printing in the same manner as other State agencies are supplied

Section 4 Powers and Duties The council shall have the following powers and duties

(a) To adopt amend and repeal rules regulations and by-laws governing its procedure and activities

(b) To cooperate with the Advisory Committee to the Council of National Defense through its Division of State and Local Cooperation or with any similar Federal agencies hereafter created and with any departments or other Federal agencies engaged in defense activities

(c) To cooperate with similar councils of defense in other states

(d) To cooperate with local defense councils

(e) To supervise and direct investigations and report to the Governor with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters in so far as they are or may be related to defense

(1) Industrial materials and facilities
(2) Production and manufacturing facilities
(3) Agriculture food supply and land use
(4) Transportation facilities
(5) Labor supply and training labor relations and human resources professions trades and skills
(6) Consumers and consumer protection
(7) Housing and related facilities
(8) Health hospitals and sanitation facilities
(9) Welfare
(10) Educational facilities
(11) Recreational areas and facilities
(12) Finance
(13) Civil liberties including but without limitation the protection thereof maintenance of law and order and measures to guard against sabotage and subversive activities
(14) Civil defense including police mobilization coordination for fire protection and disaster relief
(15) Any other type of activity directly or indirectly related to defense

(f) To create committees either within or without its membership to aid it in the discharge of its powers and duties

(g) To require and direct the cooperation and assistance of State and local governmental agencies and officials

(h) To make full investigations as to all questions directly or indirectly relating to the powers or duties vested in it by this act or by any other law

(i) To do all acts and things not inconsistent with law for the furtherance of defense activities

Section 5 Utilization of Existing Services and Facilities In order to avoid duplication of services and facilities the council and the local and district councils of defense established under the authority of this act are directed to utilize the services and facilities of existing officers offices departments commissions boards bureaus institutions and other agencies of the Commonwealth and of the political subdivisions thereof All such officers and agencies shall cooperate with and extend their services and facilities to the council and to the local and district councils of defense as they shall request

Section 6 Local Councils of Defense Each political subdivision of the Commonwealth may establish a local council of defense by the proclamation of the executive officers or governing body thereof Local councils of defense if and when established shall cooperate with and assist the council and shall perform such services as may be requested by it Local councils may act jointly with other such councils In so far as applicable local councils shall have the same power and duties within their respective jurisdictions as are vested in the council Such local councils shall terminate or cease activity whenever the council is dissolved or suspended

Section 7 District Councils of Defense In cooperation with local officials the council is authorized to establish district councils of defense in critical areas of the Commonwealth of special importance in defense activities Such district councils shall act as coordinating agencies under the supervision and direction of the council and in cooperation with local governmental agencies

Section 8 Authorization for Appropriation The sum of twenty-five thousand ($25,000) dollars or so much thereof as may be necessary is hereby appropriated to the council from the General Fund for the payment of expenses necessary to effectuate the purposes of this act Payments out of such appropriation shall be made by the State Treasurer upon requisition of the chairman of the council and the warrant of the Auditor General

Section 9 Separability of Provisions If any provision of this act or the application of such provision to any person or circumstance is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 10 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,

Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McCreesh,	Taylor,
Chapman,	Geltz,	McGinnis,	Thomas,
Coleman,	Haluska,	McQuiddy,	Tyler,
Cox,	Heyburn,	Miller,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. SHAPIRO. Mr. President, I should like to explain my vote. I am voting "aye" on this bill, because I am told there are a number of activities which the Governor is anxious to begin in connection with national defense, and I hesitate, because of my objection to this bill, to vote "no" in view of that circumstance, but I should like to make record of the fact that this bill has been, in my opinion, very loosely drawn, in that it gives the Governor the right to disband this committee and then reinstate it again without any provision as to the methods under which it should be reinstated.

I am relying, however, on the fact that this is a matter of national defense, and will be treated accordingly.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, as follows:

An Act To further amend section 10 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 635) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) During each year seven million five hundred thousand dollars ($7,500,000) of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury Payments shall be made into such fund each month in the amounts of $625,000 and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years

All moneys received by the counties hereunder shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated Any county may reallocate or reappropriate and pay any of the moneys so received under this act to any city borough town or township for road highway or bridge purposes The county commissioners of each county shall make to the department on or before the first day of May and November of each year on forms prescribed prepared and furnished by the department a report showing the receipts and expenditures of such moneys received during the preceding six months by the county from the Commonwealth under the provisions of this section Such reports shall be transmitted to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any such report the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed

(b) The remainder of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional emergency tax of one cent per gallon or fractional part thereof collected under the provisions of this act shall be paid into the State Treasury by and through the department and all such tax paid into the State Treasury shall be credited to the General Fund

Section 2 This act shall become effective on the first day of June one thousand nine hundred and forty-one

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MALLERY. Mr. President, in view of the importance of this bill, I feel that I should make some remark concerning it. It is an endeavor to aid, in a measure, the over burdened tax payer in the cities—and when I say cities, I mean all of the cities of the Commonwealth, cities of the first class, second class, second class A, third class cities, towns and all of the boroughs and townships of the first class, as well as townships of the second class and the counties.

Mr. President, from information which I have received from the Highway Department, I am advised that there are at present on the state highway system 40,522 miles of roads; in the second class townships, there are 44,564 miles of road; there are 1,047 miles of county roads; 1,634 miles

of first class township roads; 5,899 miles of borough streets or roads; and 5,723 miles of roads in third class cities.

I would call to the attention of the members of the Senate that there are 13,256 miles of roads in the Commonwealth found in townships of the first class, in the boroughs, and in all of the cities which do not now receive any share of the liquid fuel tax fund. Of the 67 counties in the state, but 15 of those counties have any county roads.

Allegheny County has 493.77 miles;
Beaver County has 19.22 miles;
Blair County has 47.45 miles;
Cambria County has 5.28 miles;
Centre County has 7.17 miles;
Clearfield County has 2.45 miles;
Fayette County has 63.54 miles;
Jefferson County has 1.82 miles;
Lackawanna County has 2.05 miles;
Luzerne County has 102.39 miles;
Montgomery County has 70.07 miles;
Pike County has 3.98 miles;
Washington County has 65.71 miles;
Wayne County has 6.71 miles;
Westmoreland County has 76.44 miles of roads.

Now, Mr. President, in order to keep up the county roads, the Legislature heretofore has provided that one-half cent of the gasoline tax shall be refunded to the counties in support of these county roads. I have before me the amounts allocated each year from 1921 until 1940, inclusive; I am not going to read those figures, but this paper or chart will be available to any member of the Senate who desires to see it.

I have before me, Mr. President, a report which shows the number of gallons of gasoline on which the one-half cent tax was paid to the counties beginning with the year 1922.

In 1922 the number of gallons was 290,398,730 and that has increased every year until in 1940 the amount was 1,575,077,718 gallons.

Mr. President, Senate Bill No. 297 is an amendment to the act of 1931, Pamphlet Laws 149, and I quote from section 10 on page 158: "Disposition and Use of Taxes. One half cent per gallon of the tax collected under the provisions of this act shall be paid into the liquid fuel tax fund by the State Treasurer and such monies paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth."

In 1938 the number of gallons of gasoline sold in Pennsylvania was 1,397,068,219, and in 1939 the gallonage was 1,476,077,410 gallons or an increase of 5.5 per cent.

In 1940, the gallonage was 1,575,077,718, an increase in 1940 over 1939 of 6.7 per cent.

The estimated revenue to be obtained on the three cents gas tax for the year 1941, not taking the increase of 6.7 per cent, but merely a five per cent increase, would amount to 1,653,831,603 gallons.

In 1942 there should be sold in Pennsylvania 1,736,523,183 gallons. There was available in 1939 and 1940, $91,534,653 from the three cents tax on the gasoline sold in 1939 and 1940. That money was distributed as follows:

To the counties was paid the sum of $15,256,000
To the townships was paid the sum of .....$ 8,500,000
Leaving to the State Highway Department $67,778,653

This bill, Mr. President, instead of appropriating the one-half cent per gallon on all of the gas sold in Pennsylvania to the counties, freezing the amount of seven and one-half million dollars a year, that of course is a reduction in the amount which the counties will receive, but it is an amount larger than the counties have ever received heretofore, and inasmuch as the needs of the counties are somwhat static, that is, there is no appreciable number of roads being added to the county highway system, it is believed that seven and one-half million dollars a year will be adequate for county purposes.

Now, Mr. President, under the estimated yield for 1941 and 1942, there should be realized from this three cents tax on gasoline sold in the state, the sum of $101,710,643.

Distributing that money under Senate Bills Nos. 297 and 298, the money would be distributed for the biennium as follows:

To the counties $15,000,000;
To all municipalities $15,000,000;
And to the Highway Department $71,710,643

In other words, it will be seen, Mr. President, that the Highway Department will receive in 1941 and 1942, an amount of approximately four million dollars more than it had in 1939 and 1940, and in addition thereto, Mr. President, I want to call your attention to a statement which I have received from the Department of Revenue, giving the amounts received for the years 1938, 1939, and 1940 from commercial motor truck and tractors licenses, manufacturers, jobbers and dealers licenses, motor bus and omnibus licenses, motorcycle and motorbicycle licenses, motor vehicle licenses, tractor licenses, trailer and semi-trailer licenses, transfer of registration fees.

The receipts for the year ending May 31, 1938, were $29,977,683.22;
For the year ending May 31, 1939, the receipts were $30,407,003.05;
For the year ended May 31, 1940, the receipts were .....$31,911,567.44.

In other words, Mr. President, you will note that the receipts have increased each year almost one million dollars over the preceding year.

The receipts from operators' licenses for the year ended May 31, 1938, were $3,290,487.50;
For the year ending May 31, 1939 the receipts were $3,104,143.00;
For the year ending May 31, 1940 the receipts were .....$3,299,878.50.

Mr. President, the members of the local government commission together with other interested parties, citizens of the state, representatives, particularly of the State Association of Boroughs, State Association of Townships and the State Association of Cities of the Third Class, have cooperated in the preparation of this bill, and one thing that the committee had always in mind was not to do anything that would tend to upset the program of the Highway Department. We know and realize that Pennsylvania has, as was stated, 40,522 miles in the state highway system, and in the State of New York I believe they have something like twelve thousand miles, in their state highway system. So, Mr. President, we realize that the State Highway Department has a big job in looking after these forty odd thousand miles of road, and in the preparation of this bill we were careful to see that the townships of the second class received approximately what they have been receiving; likewise we have taken care to see that

the counties receive as much as they have ever received heretofore, and as I have pointed out, the Highway Department will have as much money available during the next biennium as it ever had in the past, and they will have more.

Now, Mr. President, I want to remind my colleagues that much has been said about home rule on this floor, and much has been said about the overburdened taxpayer. Like Mark Twain said about the weather, "We do a lot of talking about it but we don't do much about it," and now is our opportunity, it seems to me, and I would respectfully ask my colleagues to support the bill.

Mr. REED. Mr. President, I desire to interrogate the gentleman from Blair.

The PRESIDENT. Will the gentleman from Blair permit himself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. REED. Mr. President, I should like to ask the gentleman from Blair how this bill changes the existing law?

Mr. MALLERY. Mr. President, I presume the gentleman from Washington refers to Senate Bill No. 297?

Mr. REED. Yes, the bill we are voting on at the present time.

Mr. MALLERY. Mr. President, under the existing law, the counties receive one-half cent a gallon on all gasoline sold in Pennsylvania. Under this bill the amount will be fixed, as I have just stated, and as the figures show, the gallonage has increased each year. In 1940 it increased 6.7 per cent over the number of gallons sold in 1939. Instead of the counties receiving the increase each year, the amount will be frozen at $7,500,000, so as to enable some distribution to all of the cities, and the boroughs and the first-class townships, which are not receiving anything from the Liquid Fuel Tax Fund.

Mr. REED. Mr. President, under this amended bill, what provision is there that a certain township will get any part of that $7,500,000?

Mr. MALLERY. Mr. President, that is taken care of in Senate Bill No. 298. Under that bill, $7,500,000 a year will be allocated to all of the cities, the boroughs, the towns and townships of the first and second classes, on the basis of sixty-five per cent of the number of miles in each municipality, and on the basis of thirty-five per cent of the population.

Might I say to the Senator from Washington that there is nothing scientific about this. That percentage was arrived at in order to give the townships substantially what they are receiving now. The sponsors of the bill do not claim there is anything scientific to the bill; it is a practical bill. We feel that the townships are entitled to and deserve the amount they are getting, and that is the reason this formula of sixty-five and thirty-five was adopted.

Mr. REED. Still another question, Mr. President. Suppose the first bill passes and the second bill falls?

Mr. MALLERY. Mr. President, I might say to the Senator from Washington these are companion bills, and if they do not both pass, neither one should pass.

Mr. CAVALCANTE. Mr. President, the purpose of this bill is laudable and I am satisfied that the motives of the sponsors are proper and sincere, but I do not share their optimism that the appropriation of this money will work any reduction in the taxes of the property owners.

We have been in the past led in the belief that the grading of appropriations to townships and other municipalities would result in a lowering of taxes to home owners, but a careful survey of those appropriations will disclose how far mistaken we were in our beliefs.

Mr. President, in 1937, we passed a law that abolished what we then called the county homes, and created institution districts, and the hue and cry for the abolition of county homes was that it would result in a lowering of taxes to the property owners. All we need to do today is to survey our surroundings and check up on whether or not the abolition of the county homes brought any relief to the property owners. We will find that instead of lowering taxes in many of the institution districts, taxes have been jacked up, have increased.

Mr. President, in 1937 we enacted an appropriation bill appropriating money out of the motor fund for township aid. The purpose of that bill was to help reduce the taxes on real estate; it was the intention of the legislators that this contribution to townships would be reflected in a lowering of taxes to the property owners, but in order to make sure that that purpose was achieved, there was included in that appropriation bill the provision that before a township could share in the appropriation they had to show that their levy was not over seven mills.

In 1939 we made a similar appropriation for aid to the townships, and I opposed that appropriation because it did not contain a provision similar to the one in 1937. Mr. President, the law as it now stands does not prohibit the township supervisors from increasing the millage or levy.

Here we have another bill, and as I have stated, the purpose is laudable and I think the sponsors are properly motivated, and their optimism is that it will be reflected in a lowering of taxes to the property owners. I think that the ultimate purpose of this bill will never be realized, because the bill does not contain any provision that before a county may share in the appropriation, they shall see to it that there is some reduction in the taxes to the home owners and the property owners. There is no use in chiding ourselves at all. What will result is this: the appropriation is made, the money will be apportioned to the counties, the county commissioners will be the ones who will say how it shall be spent, because section ten on page sixty specifically says that any county may reallocate, reappropriate or pay any of the moneys so received under this act, to any city, borough, town or township for road, highway or bridge purposes. There is no compulsion or any duty upon the county commissioners to reallocate or reapportion the money. What will result here will be that we will put into the hands of politicians, and I trust that there will not be much serious contention, especially whenever we keep in mind the remarks of the gentleman from Washington this morning, of how the county commissioners are organized into a powerful pressure group at the expense of the taxpayers, that those county commissioners are angels and they are not politicians, and the result of this appropriation will just mean that more money is put into the hands of politicians who will spend it, not to reduce the taxes on real estate, never will this money be reflected in any reduction of taxes to the home owners at all, but it will be used to create more political jobs for politicians in this Commonwealth.

However, Mr. President, I took a chance on the other bills and know the results. I am willing to take another

chance although I feel certain that the home owners or the property owners will never derive one single benefit from the payment of this money to the counties. This money will never be reflected in any lowering of taxes.

Mr. President, I have made these remarks in order to explain my vote. I will vote for the bill, intend to vote for it, but I am certain it will not be reflected in any savings to the real estate owners of the counties.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Snowden,
Bartlett,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Lanius,	Stiefel,
Carr,	Edmonds,	Letzler,	Tallman,
Cavalcante,	Farrell,	Mallery,	Taylor,
Chapman,	Frey,	McCreesh,	Thomas,
Coleman,	Geltz,	McGinnis,	Tyler,
Cox,	Haluska,	McQuiddy,	Wade,
Crider,	Heyburn,	Miller,	Walker,
Crowe,	Homsher,	Reed,	Wilson, H. I.,
Deitrick,	James,	Ruth,	Wilson, T. B.,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, as follows:

An Act Making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities boroughs towns and townships of the Commonwealth for maintenance construction reconstruction resurfacing or improvement of municipal roads highways and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three permitting the use of the funds for maintenance and repair of municipal roads highways and bridges under certain conditions and providing for the method of payment to such political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen million dollars ($15,000,000) is hereby appropriated to the Department of Highways for the two calendar years beginning January first one thousand nine hundred forty-two out of the Motor License Fund for allocation to and expenditure in the cities boroughs towns and townships (hereinafter called municipalities) of the Commonwealth in the amounts upon the terms in the manner and for the purposes hereinafter set forth in this act

Section 2 Sixty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of this Commonwealth in the ratio which the mileage of municipal roads and highways in each municipality bears the total mileage of municipal roads and highways in all of the municipalities in the Commonwealth as of January first one thousand nine hundred forty-two

Thirty-five per centum of the moneys hereby appropriated shall be allocated and apportioned among the municipalities of the Commonwealth in the ratio which the population of a municipality bears to the total population of the Commonwealth as shown by the 1940 decennial census of the United States

The funds so apportioned shall be expended by the respective municipalities under the supervision and subject to the approval of the Department of Highways and in compliance with such rules and regulations as the Department of highways may prescribe in carrying out the provisions of this act

The funds allocated by this act shall be used for the maintenance construction reconstruction resurfacing and improvement of municipal roads and highways and the maintenance construction and reconstruction of municipal bridges in municipalities excepting that in municipalities which do not have sufficient funds from other sources for the maintenance and repair of all the roads highways and bridges under their jurisdiction the allocations to such municipalities shall be used in whole or in part for such maintenance and repair purposes

Section 3 Before any of the funds allocated to municipalities by this act shall be expended for construction reconstruction resurfacing or improvement the corporate authorities of the respective municipalities shall by resolution specify the location and type of construction of the road or highway proposed to be constructed reconstruced resurfaced or improved or the bridge to be constructed or reconstructed and shall submit the same to the Department of Highways together with estimates plans if any and specifications for the approval of said department

Section 4 Nothing in this act shall be construed to relieve any municipality from any obligation they may have incurred under any contract or agreement entered into prior to January first one thousand nine hundred forty-two for the construction or repair of any road highway or bridge now under its jurisdiction

Section 5 The supervisors of each township of the second class and the corporate authorities of each other municipality not having a department or bureau of highways or streets shall appoint a foreman who may be a member of the board of supervisors or an officer or employe of the municipality to supervise the work to be done under the provisions of this act and in the event more than one foreman is required the Department of Highways may authorize the supervisors or corporate authorities of the municipality to appoint one or more additional foremen The Secretary of Highways shall have the right to remove any foreman so appointed for incompetency or for neglect or refusal to comply with the rules and regulations of the Department of Highways prescribed for the work under this act The corporate authorities of each municipality shall also employ any laborers required for said work and fix their wages

Nothing herein contained shall be construed to prevent work under the act being done by contract let by the corporate authorities of the municipality and approved by the Department of Highways

Section 6 No payment shall be made from moneys allocated under this act to the municipalities except on warrants drawn by the Auditor General upon the State Treasurer as provided by the act of Assembly to the treasurer of the municipality on vouchers approved by the Secretary of Highways and such payment if approved by the Secretary of Highways shall be made in four equal installments payable the first day of March the first day of June the first day of September and the first day of December of each year

There shall be submitted to the Department of Highways by the proper authorities of each municipality a report on the last days of February May August and November of each year showing the cost of the work done under the provisions of this act in such detail as may be required by the Department of Highways

In case any records or reports required by law are not made in the manner or at the time required no further funds shall be approved for payment by the Secretary

of Highways to such municipality until such reports have been made and approved

Nothing in this act shall be construed to permit the funds appropriated by the act to be paid for other than labor rental of equipment payrolls material purchases including repair parts for equipment small tools road drags and snow fence on road highway and bridge work performed by the municipalities under the provisions of this act

Nothing herein contained shall be construed to prevent the use of any of the funds allocated under this act for Federal projects sponsored by municipalities and approved by the Department of Highways or for county-aid work relating to the improvement of roads highways and bridges

Section 7 The term "municipal roads and highways" as used in this act shall be construed to mean all roads and highways for the maintenance of which municipalities are by law responsible and shall not include any roads and highways taken over by the Commonwealth as part of the state highway system

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Jaspan,	Snowden,
Bartlett,	DiSilvestro,	Kephart,	Stevenson,
Becker,	Ealy,	Lanius,	Stiefel,
Carr,	Edmonds,	Letzler,	Tallman,
Cavalcante,	Farrell,	Mallery,	Taylor,
Chapman,	Frey,	McCreesh,	Thomas,
Coleman,	Geltz,	McGinnis,	Tyler,
Cox,	Haluska,	McQuiddy,	Wade,
Crider,	Heyburn,	Miller,	Walker,
Crowe,	Homsher,	Reed,	Wilson, H. I.,
Deitrick,	James,	Ruth,	Wilson, T. B.,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 300 on third reading, entitled:

An Act to further amend subsection (h) of section one hundred two of the act approved the third day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

be recommitted to the Committee on Forests and Waters, Game and Fish for the purpose of amendment.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, I would like to have the indulgence of the sponsor of this bill, and ask that it be recommitted to committee for the purpose of amendment.

I would like to call the attention of the Senate to the fact that this bill gives the Department of Forests, Waters, Game and Fish the right to sell any telephone lines or parts thereof that they may have in forest preserves.

I understand the Department of Forests, Waters, Game and Fish has about nine hundred miles of obsolete lines that are expensive to maintain and replace, and they are asking authority to sell it and install a much better service at a much cheaper rate.

Unfortunately, Mr. President, in this bill there is not the same provision we find in the administrative code; where other departments are permitted to sell or exchange or destroy property. Every other department under the administrative code has this provision in it, that it must be with the approval of the Governor, and there is obsolutely no check up in this bill to protect the Commonwealth in case the Department of Forests, Waters, Game and Fish would sell these lines for less than their value or sell lines that they really need and replace them with public utility lines.

Mr. President, with the indulgence of the sponsor of this bill, I move that Senate Bill No. 300 be recommitted to the Committee on Forests, Waters, Game and Fish in order that there may be inserted in this bill the proper amendment.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS 43

Barr,	DiSilvestro,	Kephart,	Stevenson,
Bartlett,	Ealy,	Lanius,	Stiefel,
Becker,	Edmonds,	Letzler,	Tallman,
Carr,	Farrell,	Mallery,	Taylor,
Chapman,	Frey,	McCreesh,	Thomas,
Coleman,	Geltz,	McGinnis,	Tyler,
Cox,	Haluska,	McQuiddy,	Wade,
Crider,	Heyburn,	Miller,	Walker,
Crowe,	Homsher,	Ruth,	Wilson, H. I.,
Deitrick,	James,	Shapiro,	Wilson, T. B.,
Dent.	Jaspan,	Snowden,	

NAYS 2

Reed, Cavalcante,

So the question was determined in the affirmative.

SENATE BILL No. 268 CALLED UP

Mr. GELTZ. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 268, which went over in its order.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 268, as follows:

An Act to further amend section three hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending re-

vising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 Section three hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended in part by the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 793) is hereby further amended to read as follows.

Section 301 Computation of Reserve Liability The Insurance Commissioner shall each year compute the reserve liability as of the thirty-first day of December of the preceding year of every company authorized to make insurance on lives in this Commonwealth in accordance with the terms of the policy contract and rules following

(a) The net value of all outstanding policies of life insurance issued by the company prior to the first day of January one thousand eight hundred and ninety shall be computed upon the basis of the American experience table of mortality with interest at not less than four and one-half and not more than six per centum per annum.

(b) The net value of all outstanding policies issued between the first day of January one thousand eight hundred and ninety and the first day of January one thousand nine hundred and three on the combined experience or actuaries' table of mortality with interest at four per centum per annum.

(c) The net value of all outstanding policies of life insurance issued on and after the first day of January nineteen hundred and three on the American experience table of mortality with interest at three and one-half per centum per annum Provided however That any company may value its group term insurance policies under which premium rates are not guaranteed for a period in excess of five years according to the American men ultimate table of mortality with interest at three and one-half per centum per annum.

(d) The net value of all policies of life insurance issued on and after January first one thousand nine hundred and twenty-one where the premiums are payable monthly or oftener shall be valued according to the American experience table of mortality with interest at three and one-half per centum per annum But any company may voluntarily value its industrial policies according to the standard industrial mortality table with interest at three and one-half per centum per annum

The net value of a policy at any time shall be taken to be the single net premium which will at that time effect the insurance less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated

The legal minimum standard for valuation of annuities issued after January one one thousand nine hundred and twelve shall be McClintock's table of mortality among annuitants with interest at three and one-half per centum per annum but annuities deferred ten or more years and written in connection with life or term insurance shall be valued upon the same mortality table from which the consideration or premiums were computed with interest not higher than three and one-half per centum per annum

Any such company may however at any time elect under any of its policies of life insurance to reserve on the American experience table of mortality with a lower rate of interest but at a rate not less than two per centum or on the American men ultimate table of mortality (with such modification and extension below age twenty as may be approved by the Insurance Commissioner) with interest at a rate not more than three and one-half per centum and not less than two per centum and its obligations under such policies shall thereafter be valued accordingly

The aggregate net value so ascertained of the policies of any such life insurance company shall be deemed its reserve liability to provide for which it shall hold funds in secure investments of an amount equal to such net value above all its other liabilities The Insurance Commissioner shall after having determined as above the net value of all the policies in force see that the company has that amount in safe legal securities after all its other debts and claims against it have been provided for The provisions of this section for the valuation of policies and for premium rates shall not apply to companies or associations transacting business on the mutual assessment plan

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 37

Barr,	Dent,	Kephart,	Stevenson,
Bartlett,	DiSilvestro,	Lanius,	Tallman,
Becker,	Ealy,	Letzler,	Taylor,
Carr,	Edmonds,	Mallery,	Thomas,
Chapman,	Farrell,	McGinnis,	Tyler,
Coleman,	Geltz,	McQuiddy,	Wade,
Cox,	Heyburn,	Miller,	Walker,
Crider,	Homsher,	Ruth,	Wilson, H. I.,
Crowe,	James,	Snowden,	Wilson, T. B.,
Deitrick,			

NAYS 8

Cavalcante,	Haluska,	McCreesh,	Shapiro,
Frey,	Jaspan,	Reed,	Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 270 CALLED UP

Mr. GELTZ. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 270, which went over in its order.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 270, as follows:

An Act to amend section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by authorizing such townships to regulate the use of certain parks and recreational grounds providing penalties for violation of rules prescribed therefor and authorizing police officers to arrest violators thereof on view

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended by adding thereto after clause twenty-one clause twenty-two to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * *

XXII Regulation of Parks To regulate by resolution the use and enjoyment by the public of any park or recreational grounds conducted by any public or charitable organization to prescribe rules for the use by the public of such parks and recreational grounds and the facilities and amusements connected therewith and upon violation of any such rules when prominently posted at conspicuous places in such parks or recreational grounds to collect from any person violating the same a penalty of not less than two or more than ten dollars for each such violation by summary proceedings before any justice of the peace alderman or magistrate of the county in which said park or recreational grounds is situated

Any police officer when displaying a badge or sign of authority may arrest upon view any person violating any such rules and such peace officer shall forthwith make and file with the justice of the peace alderman or magistrate before whom the arrested person is taken an information setting forth the offense

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	DiSilvestro,	Kephart,	Snowden,
Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Letzler,	Stiefel,
Carr,	Farrell,	Mallery,	Tallman,
Cavalcante,	Frey,	McCreesh,	Taylor,
Chapman,	Geltz,	McGinnis,	Thomas,
Coleman,	Haluska,	McQuiddy,	Tyler,
Cox,	Heyburn,	Miller,	Wade,
Crider,	Homsher,	Reed,	Walker,
Crowe,	James,	Ruth,	Wilson, H. I.,
Deitrick,	Jaspan,	Shapiro,	Wilson, T. B.,

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I offer the following amendment and move its immediate adoption.

The amendment was read as follows:

Amend, page 1, between lines 5 and 6, after the word "States" and before the word "Section", by inserting the following: "or who has not been a resident of the United States for the past ten years or who has not taken out first citizenship papers to become a citizen of the United States."

Mr. CROWE. I object, Mr. President.

Mr. SHAPIRO. Mr. President, I second the motion.

Mr. KEPHART. I withdraw the amendment.

Mr. SHAPIRO. Mr. President, I withdraw my seconding of the motion.

BILL OVER IN ORDER

Mr. GELTZ. Mr. President, I move that Senate Bill No. 50 on second reading go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

It is so ordered.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COLEMAN. Mr. President, I rise on a question of parlimentary inquiry.

The PRESIDENT. The gentleman from Lackawanna will state his question of parliamentary inquiry.

Mr. COLEMAN. Mr. President, I should like to inquire as to the exact status of Senate Bill No. 50. As I understand it the amendment offered by the gentleman from Philadelphia has been withdrawn and the bill will go over in its order, on second reading.

The PRESIDENT. The Chair so understands.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission: establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding

of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to produce permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; dening perjury, defining remedies, repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations," by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commisison to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise on a question of personal privilege.

The CHAIR. If there is no objection, the gentleman from Warren may proceed.

WHAT'S WRONG WITH THE UNITED STATES?

Mr. CHAPMAN. Recently I sat in a group listening to a radio broadcast of the British Broadcasting Company. The announcer told of the landing of an invisible army in France from airplanes. Men of France who had fled to England and who were now returning to their native land to bolster morale and also to send word to the British of conditions there. I remarked, "An army of Nathan Hales." In the group was a young man twenty years of age, a high school graduate now attending a business college. "Nathan Hale?" said he, "Who was Nathan Hale?" Somewhat astounded I waited for others in the group to answer and out of three High School graduates only one knew the story of Nathan Hale.

Pursuing the matter still, I spoke in another group of how Robert E. Lee led the Blue on the march through Georgia and my statements went unquestioned by the group of young people until an older man smilingly said, "Senator yu misspoke, didn't you? Didn't Sherman lead that march to the sea?"

These instances have caused me wonder and to ponder on why our young people are so woefully ignorant of American history. These are not isolated cases. I have tested it again and again and I urge that all within hearing of my voice do the same.

Is it our schools? Is it the reading matter available to the young people now or is it our way of life with its many activities that preclude the time to reading of our land, of the deeds of its heroes? It is something to cause a tinge of fear in the heart.

Perhaps it is the spirit of commercialism abroad in the land. I was told just a few days ago of a bell boy, twenty-one years of age, in a large hotel who while talking with others of the Quisling's of Norway and of their selling out to the German remarked, "That's all right, isn't it? They got well paid for it." How far has that thought imbedded itself in the youth of our land? For the old Proverb is still true that "As a man thinketh in his heart, so is he."

And thinking along this line I recalled the Fourth of July celebrations when I was a lad. The reading of the Declaration of Independence was always a big feature and then some local orator gave a patriotic address and later a parade and a balloon ascension. And now at how many celebrations is the bulwark of our liberties read? I feel that perhaps we are living too fast and that into our thought is being spread by calculating groups ideas that are not truely American.

I feel that there is room to return to the old time text books that gave attention to our land, its heroes and its ways of life. The town meeting that once held sway could readily be again summoned to order in every corner of our land. We need faith!

Are we too far from the soil to revere and love our native land? Have we forsaken home for the automobile and have we paraphrased the good old song, "My auto, 'tis of thee?" How many men and women today have in their hearts the love of liberty that would cause them to lay down their lives for it? I see a need for patriotism in this land of ours. Not lip service but deeds. It has been pointed out within the past few days that we are following the path that led France to its doom. Plenty of appropriations, plenty of cheers, plenty of plans but poor production. The safety of the nation lies not only in ships, guns, planes and ammunition but in the hearts of our people.

Are we inclined to "let George do it?" Have we grown smug and greedy and grasping? France was filled with strikes that tied up vital defense schemes and left the door open to the dictators. God forbid that we follow the same course here! I shudder when I pick up my papers and read that defense production is not up to program. Every man, woman and child in our fair land should sit down and think of what befell the fourteen nations of Europe that are now raped by the dictators, its gold stolen and the people slaves to the Hitler gangsters.

I appeal for a revival of the spirit of Americanism. The spirit that made men free. For the love of country that will cause a man to leave all and follow the flag. There are thousands of young men who are doing that very thing. Our navy quota is being filled by enlistments of the sturdy men of the nation. God bless them! Uncle Sam needs the loyal support of his nephews.

And to the end that insidious words and deeds do not undermine their efforts every citizen who loves the Stars and Stripes must constitute himself an officer to see that sabotage and propaganda are quickly handled. Our State is fortunate in having its splendid State Police. This group of highly trained and efficient men is small and somehow I feel that more men could be used to deal with subversive elements. Major Lynn G. Adams, tried and true, is a great

leader of this force and his hands should be upheld by all in the war on crime and Un-American forces.

People without jobs are especial prey of the Red and the Nazi and the Fascist. It is our duty to aid in every way in the encouragement of industry to afford the jobs needed. Our Department of Commerce has aided in bringing to Pennsylvania scores of new industries and has helped to hold the ones that threatened to leave the State. Let its efforts be redoubled. The survey under way to locate idle plants, idle machines and idle men will be a great help in the putting of men to work. Our road building program will soon be under way and it will absorb more and more. We must find work for idle hands to do.

Today one of our biggest problems is the handling of malcontents, misguided and deluded people who have absorbed ideologies that are not American. I feel that over our land must go sweeping a great revival of American teachings, of the tales of our heroes (too often besmirched by the smart debunkers of present day literature) and of the love of country. Give us men unfettered in mind, heart and soul who place country first above all petty political bickering. Let there be more of the spirit of Decatur who said, "Right or wrong—My Country."

RESOLUTION MEMORIALIZING STUDENT CONGRESS

Mr. COX. Mr. President, because of the lateness of the hour, I will speak very briefly to explain the resolution I am about to introduce at this time.

Mr. President, on March 7th and 8, 1941, the California State Teachers College, of California, Pennsylvania, held the second session of the Annual Student Congress of the Western Pennsylvania District of the National Forensic League.

This, Mr. President, is an attempt on the part of the Forensic League to give practical experience to the students of the high schools of Pennsylvania in their form of government. It has a Senate with representatives from the various high schools, it has a House of Representatives, there are pages, there is a Speaker of the House, there is a President Pro Tempore of the Senate, there is a majority leader and a minority leader.

Mr. President, this was one of the most interesting things I have ever witnessed from the standpoint of practical education, and it was an amazing thing.

Several years ago Senator Reed was invited to this Congress and acted as the Governor of Pennsylvania. I this year was invited to act as the Governor of Pennsylvania, and I think that is a pretty rapid promotion, gentlemen—ten weeks in the Senate and then the Governor for two days.

It was all so very unsual, due to the fact that the Senate and the House in this Student Congress both had a majority of Republicans, which, of course, gave me the opporunity of vetoing many bills which I would not have the oportunity to veto here.

It seems to me, Mr. President, that this assembly is a great contrast to another assembly which was held in the Senate chambers of this Commonwealth that week. I refer of course to the hearing which was held here on the so-called Anti-Communist bill, and when I saw the freshness, the vigor, the vitality and the avidity with which those youngsters seriously approached their duties as senators and as representatives, I was amazed, and I thought then and I know that you will agree with me that when a person has reached maturity, that they have become so embiterted, so defeated by their life up until that time, there is not much that we can do about it, but with those people, of course, they are plastic, they are idealists, they have great energy and tremendous interest, and, Mr. President, anything that we in the Senate can do to encourage them, I feel should be done.

For that purpose, Mr. President, I present the following resolution and I move its immediate adoption.

Mr. WALKER. Mr. President, I desire to have the opportunity to second the motion made by the gentleman from Allegheny, Senator Cox and particularly so, because I have a high school in my district, the Glassport High School, which was fortunate enough to participate in the congress which the gentleman just mentioned.

Mr. COX offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 18, 1941.

Whereas, On March 7 and 8, 1941, at California State Teachers' College, California, Pennsylvania, was held the second session of the Annual Student Congress of the Western Pennsylvania District of the National Forensic League, and

Whereas, Students representing high schools from Beaverdale, Bentleyville, Brownsville, California, Cumberland Township, Centerville, Charleroi, Derry Township, East Pike Run, Glassport, Monessen, Hurst of Mount Pleasant Township, Munhall, Point Marion, St. Vincent, Waynesburg, and West View participated in this Congress, and

Whereas, This Congress affords training for more than 150 high school students in the proper methods of legislative procedure, and

Whereas, It is necessary in these perilous times that the citizens of the United States do their utmost to insure the Democratic form of government for the future citizens of this nation. Therefore be it

Resolved (if the House concur),That the Sponsors of this Student Congress together with the students themselves be highly commended for their efforts to preserve democracy, and be it further

Resolved, That it is the sentiment of the Assembly of Pennsylvania that the Student Congress be continued and, if possible, broadened to include a larger number of students, and be it further

Resolved, That copies of this resolution be sent to all schools participating in the Student Congress and to every student who took part.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. COX. Mr. President, because of the great number of students and sponsors participating in the Student Congress I did not include their names in the resolution. I would ask permission at this time to have their names included in the Legislative Journal.

The PRESIDENT. If there is no objection it is so ordered.

Mr. COX. Mr. President, I also ask that the resolution be printed.

The PRESIDENT. If there is no objection it is so ordered.

PENNSYLVANIA DISTRICT STUDENT CONGRESS

PENNSYLVANIA SENATE OFFICERS

President—Charles Keller, California.
Majority Leader, Philip Skirpan, St. Vincent.
Minority Leader—Jack Collins, California.
Clerk—Caroline Cook, Charleroi.
Sergeant-at-Arms—Donald Allyaud, Cumberland.
Chief Page—Robert Musser, California.

Parliamentarian—Edmund Cuneo, O. S. B., St. Vincent.
Secretary—Robert H. Strosnider, Waynesburg.

PENSYLVANIA HOUSE OFFICERS

Speaker—Letrick Harris, East Pike Run.
Majority Leader—Alan Kotler, California.
Minority Leader—Adlele Becker, California.
Clerk—Joseph Gustafson, Munhall.
Sergeant-at-Arms—Patsy Glott, Bentleyville.
Chief Page—Herbert Walfish, California.
Parliamentarian—Ella Travis, Point Marion.
Secretary—J. W. Coatsworth, East Pine Run.

CHAPTER: BEAVERDALE

Coach A. L. O'CONNOR, Jr.

Senators

Clarence Harriger, Jr. Doris Jean Johnson

Representative

Joseph Grubar

Page

Everett Williams

CHAPTER: BENTLEYVILLE

Coach J. R. VAN KIRK

Senators

Gaylord Greenlee Harriet McConnell

Representatives

Albert Crowe
Isaac Crurring
John Furcini
Beatrice Menego
Jimmie Mabas
Margaret Menego
Margaret Patterson
June Patterson
Jean Moore
Ruth Birebek

Page

Helen Polesky

CHAPTER: BROWNSVILLE

ROBERT E. AUSTIN, Principal

Senators

Shirley Mitchell Joseph Peters

Representatives

Ethel Vig
Doris Walsh
Alice McMillen

CHAPTER: CALIFORNIA

CARL E. MUGNANI, District Director N.F.L.

Senators

Jack Collins Charles Keller

Representatives

Adele Becker
William Bohn
Nicholas Caruso
Henry Haranin
Allen Kotler
Thomas Lykos
Joseph Stack

Pages

Harriet Bell
Hetty Jane Ansill
Janet Cairns
Betty Schoolhouse
Betty Wilson
Ellen Devers
Eleanor Douglas
Gloria Gallo
Mary E. Kline
Beverly Smail
Phyllis Bell
Lillian Conlon
Robert Musser

CHAPTER: CENTERVILLE

W. R. WILLIAMS, Coach at W. Brownsville, Pa.

Senators

Ruth Davies Frank F kete

Representatives

Betty Hall
Helen Phillips
Josephine Thomas
Betty Jane Miller
Frances Kutz

Page

William Weigel

CHAPTER: CHARLEROI

L. D. SCHREIVER, Coach at Charleroi, Pa.

Senators

William Strauser Fred Hazlett

Representatives

Robert Thirkield
Stasia Gray
Joseph Chesure
William Jacobs
Raymond Fels

Pages

Caroline Cook
Agnes Richer
Bertha Lesefky
Lois Green
Peggy Frazier
Alice Hott
Gloria Woodward
Lois Leiner
Dilouise Hostettler
Dorothy Bromiwich

CHAPTER: CUMBERLAND COUNTY

Ruth Bailey, Coach, at Carmichaels, Pa.

Senators

Jacqueline Struble John Koral

Representatives

Edna Ersagovich
Mildred Slonecker
Peggy Popson

Pages

Donald Allayand Lilliam Valli

CHAPTER: DERRY TOWNSHIP

Coach, D. K. Shirey, Derry, Pa.

Senators

Eleanor Stevens Phyllis McCracken

Representatives

Marion Fatora
Jeanne Augustus
Martha Jane Nace
Phyllis Watkins

CHAPTER: PIKE RUN TOWNSHIP HIGH SCHOOL

Coach, J. W. Coatsworth, California, Pa.

Senators

Bernard Baceski Oliver Hormell

Representatives

William Collins
Letrick Harris
Peter Marutiak
Helen Garnic
Melvin Harris
Frank Tonkavich
Marie Vitchoff

Page

Noah Artis

CHAPTER: GLASSPORT HIGH SCHOOL

Coach J. A. Srp., Glassport, Pa.

Senators

Jack Jones — John Antico

Representatives

Robert Buechler — Clemens Urbanski

CHAPTER: MONESSEN HIGH SCHOOL

Coach, Lynne Hanninen, Monessen, Pa.

Senators

William Chartner — Mathilda Caterino

Representatives

Mildred Ann Ditty — Jack Jennings
Anna Ruhl — Theodore Leinberger
Joan Sedlar — William Schoaf

Ruth Stern

Pages

Richard Stonage — Charles Stonage
Bernard Bernstein — Robert Peters

CHAPTER: MT. PLEASANT TWP. HIGH SCHOOL

Coach, E. Silvis, Mt. Pleasant, Pa.

Senators

Robert Hauser — Daniel Murtha

Representatives

Williard Adams — Calvin Metz
James Metz — Leo Kaczmarek

Page

Betty Funkhouser

CHAPER: MUNHALL

Coach, Ben Elkins, Munhall, Pa.

Senators

Lucille Morgan — Joseph Siedlarz

Representatives

William Anderson — Charles Barry
Florence Stahlberg — Lester Rubinstein

Pages

Rosemary Burke — Joseph Gustafson
Mary Lou Guidish — Anne Lebedda

CHAPTER: POINT MARION

Coach, Ella M. Travis, Pt. Marion, Pa.

Senators

Joseph Roberts — Margie Blosser

Representatives

Harold Klein — Bernard Klein
Lois South

Pages

Emogene Erwin — Mary L. De Gardayn

CHAPTER: ST. VINCENT'S PREP.

Coach, Fr. Edmund Cuneo, O.S.B., Latrobe, Pa.

Senators

Phillip Skirpan — Hugh Hardecker

Representatives

Paul Adams — William Ucker
Paul Gehring — Ted A. Hearn

CHAPTER: WAYNESBURG HIGH SCHOOL

Coach, Robert Strosnider, Waynesburg, Pa.

Senators

Betty Fox — Jerry Tracy

Representatives

Mary Lou Thompson — Sarah Hoy
Don Longanecker — Jeanne Thomas

CHAPTER: WEST VIEW HIGH SCHOOL

Helen Skovira, Coach, West View, Pa.

Senators

Walter Reickley — William Stremel

Representatives

Dorothy Almore — Bertha Muller

RESOLUTION PROCLAIMING MARCH 25TH AS HELLENIC DAY IN PENNSYLVANIA

Mr. BARR offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 18, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind;

Whereas, that treasured pearl of our language, the word democracy, meaning the rule of the people, is derived from the ancient Greek, Democracy was founded in ancient Athens. When Greece of the early Christian era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our own glorious nation at its foundation.

Whereas, on March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of indominable courage of the Lacedaemonians at Thermopylaie has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, the Greeks have been associated with the United States since the early days of the Republic. In 1804 the first challenge to our infant nation embroiled us in war with the Barbary States of Northern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge. Wars are not won by naval victories alone; our infant republic

could not send a military expedition across the seas. However, a military force was organized under the command of General William Eaton, U.S.A., and Colonel Tobias Lear who had been military secretary to George Washington: this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek Companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Deren, led by Patrick N. O5Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, people of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades in the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, a campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate, or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved, (if the House concur), That the Legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the celebration of Greek Independence Day on March 25th as Hellenic Day, and be it further

Resolved, (if the H. R. concur), that his Excellency, the Governor of Pennsylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ERRATUM

Mr. STIEFEL. Mr. President, I desire to make a correction in the Legislative Journal, on page 671 in the left hand column, line 30, where it shows. "three hundred appendices." It is impossible to have three hundred appendices in a report; it should have been three appendices.

I therefore, Mr. President, ask that the Journal be corrected from three hundred to three appendices.

The PRESIDENT. The correction will be noted.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, March 19, 1941, at 11:00 o'clock, a. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to,

The Senate adjourned at 6:30 o'clock, p. m., until Wednesday, March 19, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 18, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The SPEAKER. Prayer will be offered by the Rev. Percy R. Stockman, Dean of the Episcopal Convocation of North Philadelphia, who is the guest of the gentleman from Bucks, Mr. Stockham. The invocation will be delivered by Rev. Stockman at the invitation of the Chaplain of the House.

The Rev. PERCY R. STOCKMAN, offered the following prayer:

Let us pray. Almighty God, the author and giver of all good, without whom nothing is strong, nothing is holy, enable us in all things to commit our ways unto thee, that Thou being our ruler and guide, we may so pass from things temporal and enjoy things eternal.

Be with the President of these United States, the Governor of this great Commonwealth of ours, and all others in authority in these very serious times of great international and national import. Especially we pray for those engaged in this Legislative Assembly, that their deliberations may be for the well being of all our people and their law making be found in accord with Thy eternal good.

To the honor and glory of Thy holy name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. ALLMOND, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. BRETHERICK. HOUSE BILL No. 832.

An Act to amend sections three thousand one hundred and one and three thousand one hundred and two of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," permitting the zoning of undeveloped portions only of townships.

Referred to the Committee on Townships.

By Mr. JAMES. HOUSE BILL No. 833.

An Act to amend section five of the act, approved the first day of May, one thousand nine hundred nineteen (P. L. 103), entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings; requiring the approval of the commission of the design and location of all public monuments, memorials buildings or other structures and certain private structures, proposed to be erected anywhere in this

Commonwealth other than in cities of the first and second class," requiring approval of the State Art Commission of additional structures; and prohibiting disbursements of public moneys in certain cases.

Referred to the Committee on State Government.

By Messrs. WOLF and PAUL A. BRUNNER. HOUSE BILL No. 834.

An Act requiring persons selling "merchandise" as herein defined, to place weighing and measuring devices in full view of the purchasers; imposing certain duties on the Department of Internal Affairs and the several county and city inspectors of weights and measures; and providing penalties.

Referred to the Committee on State Government.

By Mr. HIRSCH. HOUSE BILL No.835.

An Act making an appropriation to the Pennsylvania Association for the Blind, Incorporated.

Referred to the Committee on Appropriations.

By Mr. PROSEN. HOUSE BILL No. 836.

An Act to further amend section four hundred and twenty of the act approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," permitting claimants to engage experts to examine their injuries and to testify; and imposing the cost thereof on employers.

Referred to the Committee on Workmen's Compensation.

By Mr. PROSEN. HOUSE BILL No. 837.

An Act to further amend section one thousand six hundred and seven of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith;" requiring the teaching in high schools of the theories of proper and safe operation of motor vehicles.

Referred to the Committee on Education.

By Mr. HARE. HOUSE BILL No. 838.

An Act to add section one thousand two hundred seventeen to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing that employes of school districts who enter, or are called into active service with the armed forces of the United States, shall be entitled to leaves of absence during the period for which it is necessary to remain in such service; protecting and securing certain rights of those employes during such leaves of absence; and imposing certain additional duties upon the Commonwealth and the various school districts thereof.

Referred to the Committee on Education.

By. Mr. WOODSIDE. HOUSE BILL No. 839.

An Act making an appropriation to the Department of Commerce, out of the Motor License Fund, for the proper conduct of a specific portion of its work.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 840.

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and institution district hospitals.

Referred to the Committee on Appropriations.

By Mr. MARKS. HOUSE BILL No. 841.

An Act to amend section four hundred three of the act approved the third day of June, one thousand nine hundred and thirty-three (P. L. 1449), entitled "An act establishing a court of record in the county of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the court, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officals and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," as amended in part, further regulating the jurisdiction of aldermen, magistrates and justices of the peace in cases where certain children are involved.

Referred to the Committee on Judiciary General.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 842.

An Act to amend section 233.1 of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for the appointment of a solicitor by the register of wills in counties of the fourth class.

Referred to the Committee on Counties.

By Mr. BOORSE. HOUSE BILL No. 843.

An Act to further amend section thirty-eight of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 568), entitled "An act relating to the commencement of actions," requiring more specific statements in the return of writs of summons.

Referred to the Committee on Judiciary General.

By Mr. BOORSE. HOUSE BILL No. 844.

An Act to further amend section two hundred fourteen of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain ad-

ministrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing a minimum salary for state employes.

Referred to the Committee on State Government.

By Mr. BOORSE. HOUSE BILL No. 845.

An Act prohibiting the sale or offering or exposing for sale of insecticides in powder form unless the same shall be colored green.

Referred to the Committee on Public Health and Sanitation.

By Mr. GRYSKEWICZ. HOUSE BILL No. 846.

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method for collecting such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, by requiring school boards in all school districts to grant leaves of absence to all school employes who shall volunteer or be called for military naval or similar service under the Selective Service Law of 1940 or subsequent laws of the United States of America and to all school employes in the National Guard, land or naval reserve forces who shall be called for active duty; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, re-employment; requiring school boards to employ substitutes in place of such employes; reserving all rights and privileges of employes granted leaves of absence under the provisions herein; superseding or repealing all contrary laws.

Referred to the Committee on Education.

By Mr. STOCKHAM. HOUSE BILL No. 847.

An Act to further amend three hundred one and to amend section four hundred one of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by further limiting the control and regulation of the commission in respect to rates, service and extensions by municipal corporations.

Referred to the Committee on Public Utilities.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 848.

An Act to further amend paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the continuation of payments for closed schools to districts which by reason of any increase in population have been changed from a fourth class district to one of another class.

Referred to the Committee on Education.

By Messrs. KILROY and TURNER.
HOUSE BILL No. 849.

To amend the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointments of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use and keeping of weighmaster's certificates; conferring powers and imposing duties upon the State, city, and county inspectors of weights and measures and the Department of Internal Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the act; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

Referred to the Committee on State Government.

By Messrs. SHEPARD and D'ORTONA.
HOUSE BILL No. 850.

Regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class.

Referred to the Committee on Cities-First Class.

By Mr. BOIES. HOUSE BILL No. 851.

An Act to add section six hundred seventeen and one-tenth to the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," providing for the issuance of a limited operator's license in certain cases to persons whose operator's license has been revoked or suspended.

Referred to the Committee on Motor Vehicles.

By Mr. POWERS. HOUSE BILL No. 852.

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring extra fees for the assignment of special registration plates.

Referred to the Committee on Motor Vehicles.

By Mr. HIRSCH. HOUSE BILL No. 853.

An Act to further amend section eight hundred seven of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the election of councilmen.

Referred to the Committee on Boroughs.

By Mr. SCANLON. HOUSE BILL No. 854.

An Act to further amend sections three hundred four and four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the hours of when sales may be made at Pennsylvania Liquor Stores, and permitting hotel and restaurant licensees to sell by the bottle at certain times, for consumption off the premises.

Referred to the Committee on Liquor Control.

By Mr. SCANLON. HOUSE BILL No. 855.

An Act to further amend section seven hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing that twenty per centum of the license fees be appropriated to the use of the Pennsylvania Liquor Control Board for enforcement purposes only.

Referred to the Committee on Liquor Control.

By Mr. SCANLON. HOUSE BILL No. 856.

An Act to further amend section four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from state stores and of fees; and imposing penalties," by allowing sales up to two o'clock antemeridian on Sunday providing electors approve by a referendum.

Referred to the Committee on Liquor Control.

By Mr. FALKENSTEIN. HOUSE BILL No. 857.

An Act imposing an annual license fee on all persons

operating certain hotels in the Commonwealth, and imposing penalties.

Referred to the Committee on Ways and Means.

By Mr. FALKENSTEIN. HOUSE BILL No. 858.

An Act imposing an annual license fee on all persons operating cabarets in the Commonwealth.

Referred to the Committee on Ways and Means.

By Messrs. D'ORTONA and REYNOLDS.
HOUSE BILL No. 859.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the power of the Department of Public Assistance to determine the eligibility of applicants for assistance.

Referred to the Committee on Welfare.

By Mr. MUNLEY. HOUSE BILL No. 860.

An Act to amend sections nine hundred twenty-two and one thousand four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that any candidate defeated for nomination to an office at a primary election, shall not be a candidate for the same office at the succeeding election.

Referred to the Committee on Elections.

By Mr. GRYSKEWICZ. HOUSE BILL No. 861.

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs; and revising, amending and changing the law relating thereto.

Referred to the Committee on Boroughs.

By Mr. VOORHEES. HOUSE BILL No. 862.

An Act to amend section three hundred and five, and to further amend section one thousand two hundred and two of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by requiring all appointees and employes of school districts of the first class to be residents of the districts wherein employed.

Referred to the Committee on Education.

By Mr. WOODSIDE. HOUSE BILL No. 863.

An Act to amend the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues, establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by changing the method of handling the funds made available from time to time to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; clarifying the procedure for establishing such liability of the Commonwealth; and providing for the transfer and lapsing of certain moneys into the General Fund.

Referred to the Committee on Workmen's Compensation.

By Mr. WOODSIDE. HOUSE BILL No. 864.

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases and repealing and lapsing certain appropriations.

Referred to the Committee on Appropriations.

By Mr. READINGER. HOUSE BILL No. 865.

An Act to amend section one of the act, approved the fourth day of April, one thousand nine hundred and nineteen (P. L. 38), entitled "An act relating to the parties to writs of scire facias sur mortgage in certain cases, and to the title acquired by a sale on a judgment of foreclosure in such cases," making provision for cases where the original mortgagor is dead; and validating past proceedings and titles acquired thereby.

Referred to the Committee on Judiciary General.

By Mr. HARKINS. HOUSE BILL No. 866.

An Act to further amend section eleven of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties" restricting judgments to only those recovered in personam.

Referred to the Committee on Motor Vehicles.

By Mr. HARKINS. HOUSE BILL No. 867.

An Act to further amend subsections (c), (d), and (e) and (f) of, and to add section 823.1 to, the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 906) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the issuance and revocation of licenses for offical inspection stations, imposing certain additional duties upon the Secretary of Revenue, and prescribing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. REUBEN E. COHEN and O'NEILL. HOUSE BILL No. 868.

To further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Departmnet of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before he board.

Referred to the Committee on Labor.

By Messrs. BROWN and McKINNEY. HOUSE BILL No. 869.

To amend the act, approved the fifteenth day of July, one thousand nine hundred thirty-six (P. L., First Extraordinary Session, 47), entitled "An act to enable persons, associations, partnerships, and corporations to borrow money and secure the repayment thereof by the execution and recordation of chattel mortgages on any chattels of any kind or description; providing for bonds with confessons of judgments; regulating the assignment and release of such mortgages; and assignating the operation and effect of the lien of such mortgages" by extending, enlarging, and removing the limitations from the class of those who may become chattel mortgagees; by making further provision respecting fees of recorders of deeds in connection with chattel mortgages, extension of the lien of said mortgages and defaults of said mortgages; and by defining violations and prescribing penalties.

Referred to the Committee on Judiciary General.

By Mr. O'MULLEN. HOUSE BILL No. 870.

To further amend sections twenty and twenty-one of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by further regulating manufacturers and distributors and importing distributors of malt and brewed beverages.

Referred to the Committee on Liquor Control.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 9. (HOUSE BILL No. 871.)

An Act concerning the permanent recordation of certain births, birth certificates, the issuance of copies of such certificates, and prescribing the procedure therefor; enlarging the powers and duties of the Department of Health and the Bureau of Vital Statistics providing for appeals from the action of the Bureau of Vital Statistics to the Orphans' Court and imposing duties and powers on such Orphans' Court.

Referred to the Committee on State Government.

SENATE BILL No. 66. (HOUSE BILL No. 872.)

An Act to further amend the last paragraph of section four hundred thirty-nine of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing additional duties on and providing for additional compensation of veterans' grave registrars.

Referred to the Committee on Counties.

SENATE BILL No. 163. (HOUSE BILL No. 873.)

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Referred to the Commtitee on State Government.

SENATE BILL No. 187. (HOUSE BILL No. 874.)

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and

taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

Referred to the Committee on Judiciary General.

SENATE BILL No. 253. (HOUSE BILL No. 875.)

An Act relating to members of the bureau of fire in cities of the second class; providing, subject to the approval of the electors, for a three-platoon system for such members, with certain exceptions; providing for an election on such question; and regulating hours of service, hours of rest and annual vacations.

Referred to the Committee on Cities—Second Class.

BILL INTRODUCED AND REFERRED

By Mr. VAN ALLSBURG. HOUSE BILL No. 876.

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by regulating the use or disclosure of public assistance lists and records, and adding to penal provisions.

Referred to the Committee on Welfare.

RESOLUTION INTRODUCED AND REFERRED

By Mr. EDWIN A. LEE. RESOLUTION No. 55.

In the House of Representatives, March 18, 1941.

On January 7th, this House of Representatives passed a resolution extending its thanks to the Honorable Ellwood J. Turner for his untiring efforts in securing additional facilities and comforts for the members and officers of the House.

Among the improvements brought about through his efforts, was the remodeling and refurnishing of the suite of offices occupied by the Speaker of the House, but this suite still lacks the embellishments that form so important a part in the decorative scheme of offices occupied by officials of the Executive branch of the State Government.

In order that there shall no longer exist this difference between the Executive and Legislative branches, arrangements should be made to hang on the walls of the Speaker's office portraits of the Speakers of this House, starting from the time of its remodeling, and nothing could be more appropriate than having the first portrait to be placed therein, that of the Speaker responsible for the improvements; therefore be it

Resolved, That this House hereby suggests to the Appropriations Committee of the House that, in the preparation of the General Appropriation Bill, the following item should be inserted therein:

For the payment of the cost of painting a portrait of former Speaker Ellwood J. Turner to be placed in the office of the Speaker of the House in the Capitol Building, the sum of seven hundred and fifty dollars ($750);

and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to the Chairman of the Appropriations Committee.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 17, 1941.

Whereas, Principles of free government are being assailed throughout the earth; and

Whereas, the flag of the United States is a symbol of American liberties and privileges; and

Whereas, this flag is an inspiration to all citizens and an assurance that the privileges of liberty are everywhere present in the Commonwealth of Pennsylvania; therefore be it

Resolved, (if the House of Representatives concur) That the American flag shall be displayed in every public office in the Commonwealth of Pennsylvania, and in every institution receiving state aid; and be it further

Resolved, that all private factories, stores and commercial institutions be requested to comply with the spirit and purpose of this resolution.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

Phone, Hilltop 1002

Township of Haverford,
Delaware County, Pennsylvania,
Administration Building,
2325 Darby Road, Upper Darby P. O., Pa.

Thomas Weidemann,
Treasurer

March 14, 1941.

Hon. Elmer Kilroy,
House of Representatives,
Harrisburg, Pa.

My dear Mr. Speaker:

As a member of the Local Government Commission, I find it impossible to attend the numerous sessions and, therefore, deem it best to tender my resignation as a member of same.

Very truly yours,

(Signed) THOS. WEIDEMANN.

TW:CL

APPOINTMENT TO LOCAL GOVERNMENT COMMITTEE

The SPEAKER. The Chair appoints to fill the vacancy created by the resignation of Mr. Thomas Weidemann, the gentleman from Lehigh Mr. LICHTENWALTER.

REPORTS FROM COMMITTEES

Mr. MUNLEY, from the Committee on Liquor Control, reported as committed, House Bill No. 259, entitled:

An Act to further amend sections four hundred eleven, and six hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15—1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold; and imposing further penalties.

Mr. PROSEN, from the Committee on State Government, reported as committed, House Bill No. 583, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Mr. MOONEY, from the Committee on Cities-Second Class, reported as committed, House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

Mr. SARRAF, from the Committee on Welfare, reported as committed, House Bill No. 487, entitled:

To repeal clause (o) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by eliminating requirement that the names of general assistance recipients be made public.

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 692, entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

Mr. POWERS, from the Committee on Cities-Second Class, reported as committed, House Bill No. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

Mr. McDERMOTT, from the Committee on State Government, reported as committed, House Bill No. 401, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and regorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

Mr. STINE from the Committee on State Government reported as committed House Bill No. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

Mr. TATE from the Committee on Judiciary General reported as committed House Bill No. 553, entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by

providing for forfeiture of the right to take property under the will of a murdered testator.

Mr. TATE from the Committee on Judiciary General reported as committed House Bill No. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

Mr. SKALE from the Committee on Judiciary General reported as committed House Bill No. 393, entitled:

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," by extending the provisions thereof to vending equipment used in distribution of such articles and further defining parties having a right of action for unfair competition.

Mr. FLEMING, from the Committee on Welfare, reported as committed, House Bill No. 237, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers city departments of public welfare, the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians, and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," increasing the maximum cost of burial.

Mr. CULLEN, from the Committee on State Government, reported as committed, House Bill No. 158, entitled:

An Act to further amend sections two hundred two and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employes Retirement Board from the Department of State to the Treasury Department.

Mr. CULLEN, from the Committee on State Government, reported as committed, House Bill No. 159, entitled:

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employes' Retirement Board from the Department of State to the Treasury Department; and transferring certain appropriations.

Mr. FINESTONE, from the Committee on Judiciary Special, reported as amended, House Bill No. 616, entitled:

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "An act to Consolidate, Revise, and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

Mr. DiGENOVA, from the committee on Law and Order, re-reported as committed, House Bill No. 367, entitled:

Legalizing the operation of bowling alleys and participation in the sport of bowling on Sunday.

Mr. TARR, from the Committee on Mines and Mining, reported as committed, House Resolution No. 28.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 376, entitled:

An Act to amend paragraph (a) of section eight hundred sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 463, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 561, entitled:

An Act to amend section six hundred and eight of the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by making further provisions concerning the voting shares held by incorporated institutions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 93, as follows:

To further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by further regulating the employment of females in certain establishments with respect to their hours of labor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended by the act approved the ninth day of June one thousand nine hundred and thirty-nine (P. L. 306) is hereby further amended to read as follows

Section 4 No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day [except that in manufacturing establishments operating not more than two shifts females may be employed between the hours of six o'clock in the morning and twelve o'clock midnight Provided That employment in such cases shall not exceed eight (8) consecutive hours in any one day (exclusive of meal period) or five (5) days in any one week The provisions of] Provided That this section shall not apply to managers superintendents or persons doing clerical or stenographic work

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, this bill amends the law to permit the employment of women in certain establishments between the hours of ten and twelve o'clock in the evening. Two years ago the law was amended to permit the employment of women between the hours of ten and twelve o'clock in the evening in certain establishments, particularly manufacturing establishments. At that time it was pointed out that it would be an advantage to industry and would not do any serious harm to labor in any respect to pass that legislation.

I have made inquiries of the Department of Labor and Industry and of the Department of Commerce concerning the effect of this legislation, and although they have received in each department, thousands and thousands of letters complaining about most everything in the Commonwealth of Pennsylvania, I understand they have received no complaint, or any communication, objecting to the operation of the law as it was passed in the session of 1939.

They tell me that particularly in certain defense industries women are much more competent in certain routine inspection work than men, either because they have more patience than we do or from some inherent physical ability they are able to make routine inspections time after time on the same type of work with a much greater degree of efficiency than most men can. As industry is now being stepped up, and as we cannot foresee in the future how necessary it is going to be to extend it even beyond anything we may now consider, it seems to me it is foolish for us at this time to hamstring the possibilities of employing women during two separate working shifts in the manufacturing establishments. No state in this great country of ours will be depended upon to produce in the defense industries like the Commonwealth of Pennsylvania. No state has the resources, has the trained people, has the manufacturing establishments

to produce the materials for defense that we have. We should not hamstring these industries by passing legislation which will prevent them from employing women during those two extra hours, which means not only employment during those two hours, but means employment during a second shift. There will be a great number of men who will be called out of industry for the service. There will be a great number of men who will be called out of industry to carry out certain phases of government work. There will be a great number of men who will be called out of particular types of industry to accept positions in other types of industry which they as men, alone can do. Those places must be filled. They must be filled by people who are competent to carry out the type of work these men do and which the defense program demands.

For these reasons it seems to me it would be foolish at this time to pass this type of legislation and I think that this House should defeat this bill.

Mr. WILLIAMS. Mr. Speaker, I come here today and ask for the passage of House Bill No. 93. This bill in the form as presented to the House will put us back to the 1913 act. I recall very vividly the picture which was painted in this House in 1939 by the then Republican majority. They came before this Legislature and asked that this particular bill be amended so that they could extend the working time until twelve o'clock midnight in plants of industrial production. Their arguments on the amendments were of this nature, that they had industries waiting on the border of our Commonwealth, that were going to come into this Commonwealth to build factories and mills and were going to solve the unemployment problem of this Commonwealth. I ask any member of the House has this materialized? Has the Department of Commerce through this particular amendment of the 1913 act brought industry into the Commonwealth of Pennsylvania? I do not believe they can show one iota as to where this has been done.

There are several reasons why I can ask for the repeal of this particular act. I can argue it on health standards, labor standards, working conditions and a number of other things that I do not care to mention at this time. I feel that the amendment in 1939 was just a part of an entire program dovetailed to break down labor standards in the Commonwealth of Pennsylvania. At that particular time we asked for a public hearing on this bill and it was granted. I recall very vividly that the only persons who came before the Labor Committee, in sponsorship of the amendments to the act of 1913 were the Chamber of Commerce in Philadelphia and the then Secretary of the Department of Commerce of Pennsylvania, Mr. Brown. Mr. Lewis failed to take a stand on this bill. Some of the Members who were for the bill spoke to him about it and he said he was for it. Somebody against the bill spoke to him and he was against the bill. Nobody knew where he was on the bill. Nevertheless, the glass industry, the hosiery industry, the textile industry and the automobile industry, and by that I mean the workers in those industries came and protested the amendment in 1939. They are still presenting protests and they are asking that the bill be put back into the form it was in 1913. I ask the Members of the House to vote for this bill.

Mr. VAN ALLSBURG. Mr. Speaker, I had not intended to speak upon this bill, and as a matter of fact I had not paid very much attention to it until a few minutes ago. I want to call to the attention of those on the other side of the House, who are anxious to have this law, or portions of it repealed, especially to what the last gentleman who spoke said, in essence, that he could justify, the passage of this bill regardless of what standards you wanted to discuss. I would like to have him tell the Members of this House how the canners of Pennsylvania, those who process foods, both vegetables and fruits, perishable products can operate their plants if they do not have night shifts. Will he please explain how they can do it? If he thinks he can answer that, I'll have something to say following it. I would like to have him explain, if he can, how the canneries can operate.

Mr. WILLIAMS. Mr. Speaker, I might answer that question by asking the gentleman a question. How did the canning industry carry out their work between the years 1913 and 1939?

Mr. VAN ALLSBURG. Mr. Speaker, they carried it out as best they could and I want to say that I personally took part in throwing into the dump heap approximately ten thousand bushels of tomatoes in two weeks time during that period because we could not get the necessary help day and night to take care of those products. That is the condition they are facing.

Mr. WILLIAMS. Mr. Speaker, I might say that between the hours of six in the morning and ten o'clock in the evening, they have ample time in which to do this particular work. The extension of time is not for the particular purpose of helping the canning industry. The real purpose of this bill was in the glass industry in particular. They were going to work women three shifts and they were going to work men one shift. The pressure on the bill was so great that they finally amended the bill so that it would only take in industries working three shifts. Nevertheless industries already in Pennsylvania working more than two shifts, naturally came back to the next session of the Legislature and put up a howl and therefore they amended the bill to suit these particular industries, because we did not think that they should not have equal treatment just because of the fact that they did not work three shifts.

Therefore, Mr. Speaker I think this question is entirely out of order in that particular case.

Mr. VAN ALLSBURG. Mr. Speaker, the great difficulty that comes up when we come to legislate for this group or that group is the fact that we are either neglecting entirely certain other groups or we are working a great or unjust hardships on them. I want to call your attention to the fact that perhaps at no time in the history of this Commonwealth will it be so incumbent on all types of industry to operate their plants to the full and I refer especially to the canning industry which provides for that can be shipped and used for defense purposes. I want to tell you if you think you are making friends on the whole by the passage of this bill, I am sure you are making a mistake and I am sure you will get a backfire from the people back home because you are making it impossible for them to operate. It is very unjust. Therefore, I oppose this bill.

Mr. MORAN. Mr. Speaker, I did not inted to say anything on this bill, but I think there are questions that have not been answered. While I do not say I have all the answers, I think I have some.

In 1939 the then act was amended to its present form. This act sets us back to where it was in 1939. The real

purpose of this act in 1939 was to put women in men's jobs, or in other words, to get cheaper labor. As you know women work from seventeen to twenty-five cents an hour less than men. The people that were behind this work in 1939 were not interested in whether it was men or women that worked night turn or day turn. What they were interested in was that they were getting cheaper labor. We do not have, any of us, objections to women working night turn or working on other work if they receive the wages that are paid to men. In other words let us have equal pay for equal work. Therefore, Mr. Speaker, I would ask the members to vote for this bill.

Mr. GATES. Mr. Speaker, I rise particularly to ask my colleagues on this side of the House to vote for this particular bill. Prior to 1939 there had been enacted in 1913 this very wonderful and humanitarian bill. It was on our statute books from 1913 to 1939. It was enacted into law by a Republican Legislature. It was enacted into law by a Republican Senate and it was signed and made an Act by the signature of John K. Tener a Republican Governor of the Commonwealth of Pennsylvania. In 1939 we were amazed to find that this bill came out on the floor of this House. If you will recall on the first vote eighty-three persons voted for this bill and eighty-one voted "nay." Then on the following day the big billiwigs of certain interests got busy and put pressure on certain men who had voted one way and forced them to vote another. They had another hearing on this particular bill. I well recall two men in this House who voted on the proposition and voted "no." The following day they came to my desk and told me they had to change their vote, because certain interests had forced them to do it. One fellow had a brother employed with the Commonwealth of Pennsylvania, with a wife and two children. He was afraid to vote his honest conviction for fear that particular brother would lose his job. We had a public hearing on this most important measure and as you have heard, only two men in the state of Pennsylvania appeared in favor of the passage of that amendment. Mr. Richard P. Brown, who flew in from New York to attend that meeting by aeroulane, finally made this remark that he thought eventually, after hearing both sides of the case, the enactment of this bill into law would do more harm than good.

The Young Men's Republican Organization, one of the strong Republican organizations of western Pennsylvania appeared against the enactment of this particular bill, but because certain people in the Commonwealth had taken it upon their shoulders to say that they are the Republican Party in this great State does not mean my friends, that the rank and file of the honest to God Republican people in the State of Pennsylvania stand for this particular amendment when it has to do more with the moral situation of the women of my Commonwealth than any other bill that could be enacted in the House of Representatives.

May I say to you that in words very much better than I can express, I would like to read the testimony of one woman that was given in this House in 1939.

> "Mr. Speaker and Members of the House all of the speakers who have preceeded me have emphasized one point, perhaps two it has to do with the replacement of men by women and the menace that is represented by women and the menace that is represented by the employment of women to the wage standards of men.
>
> "There is another aspect of this situation, Mr. Speaker, that I would like to emphasize also, and which I think we ought to give at least a moment's thought to, and that is the menace of the exension of the working hours of women until twelve o'clock at night to the home life of thousands of families in this Commonwealth."

I wish you might all have been present and heard some of the testimony of these women working in manufacturing plants in the outer districts of larger cities after midnight. I think you would be less anxious to save those few paltry dollars and would be more anxious to save the honor of the women of this Commonwealth.

> "I think we sometimes fail to use our imagination in connection with women as workers in industry. I think we sometimes fail to remember the long, bitter costly struggle it has taken to bring the conditions of work, the wages and the hours involving women to the point where they are today. I think we fail to understand exactly what the effect is on the average home where the mother has to go out to work. I think it is time for us to remember that in pratically all the factories where women are employed, seventy-five percent of these women are married and are mothers with children. The hours that we know about and that have been achieved in connection with women are these, they start at six o'clock in the morning and conclude at ten o'clock at night. I feel that any one of us if we stop to think about this situation of the woman can realize that no woman can leave her home and arrive at her job at six o'clock without having to get up perhaps either four-thirty or five o'clock, take care of the family's breakfast, travel to the spot and arrive there by six o'clock. I think many of us have never stopped to think of the effect upon the children. We are so concerned, some of us in the House, to see to it that the children are given milk in connection with relief, but there are also those children who need milk whose mothers have to go out to work every day and have no one to give it to them after the mother has gone to work at perhaps five o'clock in the morning, and will be away from her home until ten o'clock at night so that she will not be able to arrive home until eleven o'clock which means her relationship with her family has been disrupted. Were we to pass this bill, which means that a woman will have to stay away from her home until twelve o'clock at night, we would make it utterly impossible for a woman to have any sort of a normal relationship with her children, with her husband, and with her friends, because she has to prepare to leave home at four o'clock in the afternoon at about the time her children are coming home and an hour before her husband arrives. It seems to me, Mr. Speaker, were we to make it possible for a woman to work until twelve o'clock at night, we would be taking a backward step not only as far as the working conditions of women are concerned, but also so far as the maintainence of decent family relationships are concerned. As a matter of fact, if we were to use our intelligence in connection with the employment of women in industry today, we would make every effort to enact laws to see to it that the hours of work of women coincide more closely with the hours that the children are at school, during which their husbands are at work, because the average woman who is working in industry today is working because she must do so to maintain the family budget, not because she necessarily wishes to do so or to replace men in any way."

Mr. Speaker I want to go from that and read from another portion of this great talk.

> "I said a few things last night about what happens when a woman, has to get up so early in the morning, before she leaves her home, her husband and her children, to go to work. In an effort not to speak too long, and I sincerely hope I did not do that, I said nothing about the other end of the story, about the women leaving the factories at twelve o'clock at

night and arriving at their homes possibly at one or two o'clock in the morning when the rest of the family is asleep. It means that she disturbs the whole family, they are not able to sleep as soundly as they should. When she ought to be able to go to bed to get her necessary rest her family is getting up. It means that they have a disruption of the normal family relationship. I would have the men of this House think in different terms about what their attitudes should be toward human beings, toward even that despised group, on the part of some of the men of this House, in connection with social workkers. True they have their faults, but, Mr. Speaker, this much is true too, the whole field of social workers today does represent some attempt on their part to bring about a new relationship among human beings, to create psychologically some of those things that man has been able to create materially for the improvement of human life. I stated last night that it seems to me this bill which would take a woman out of her home during these abnormal hours is a backward step. If we are at all interested in maintaining decent relationship in the home, we should strive to have the women come out of the home at the time when the children and husbands are away from home. That is not possible, I understand, due to the industrial set-up as it exists today. I do think, Mr. Speaker, without feeling that I am in any sense being sentimental, that the men of this House as they sit around and smoke their cigars, and as they get a great sense of well-being from doing so, should think what their ideas would be if some day their own economic status should change and their wives for some reason or other should be compelled to work, whether or not they would be willing to see their wives go out of their homes at four o'clock in the afternoon, with the knowledge that they would not return until one or two o'clock the following morning."

Mr. Speaker, I will conclude my plea to my Republican colleagues to support this bill on a strictly moral basis for the uplift of the women of the state of Pennsylvania.

Mr. AUKER. Mr. Speaker, I did not intend to speak on the bill myself, but the gentleman from Armstrong, Mr. Gates, has cast a reflection that may affect some members on this side of the House which would not be true and just for the purpose of the record, as far as I am personally concerned, I voted for this particular amendment in 1939 and there was not any pressure whatsoever brought upon me, and I intend to vote against this bill as it stands now on the calendar and there is not any pressure brought upon me to vote "no" on this measure. I still have not been able to see or hear from the proponents of this bill where it is going to correct that situation they say will be corrected. I have not heard of any immoralities being committed upon women by being allowed to work until 12 o'clock. I have not heard of any women being corrupted or any homes broken up or that sort of thing nor have they put forth any evidence that such things exist. I think it is a good bill and I intend to vote "no" on this particular measure.

Mr. TURNER. Mr. Speaker, I had not intended to say anything on this particular measure, mindful of my admonition the other night to the majority floor leader that Abraham Lincoln said that nobody should explain, your friends do not need it and your enemies wouldn't believe you. I am nevertheless constrained to say something in reference to the remarks of the gentleman from Armstrong which I think are not only a misstatement of the facts, but are casting a reflection upon those members on this side of the House who were Members in 1939 and who voted for this measure. I know of no pressure at any time that was brought by an manufacturer, any big business man or anyone else concerned with business or industry in Pennsylvania to secure the passage of this act. The facts were very plainly stated at the time. They were very well known by all the people.

A large industrial concern wanted to come into Pennsylvania and this industrial concern would have employed about five thousand people at a time when we needed employment very badly in Pennsylvania. They employed as a part of their group of employes women, and because of the product which they manufactured and the shifts under which they had to operate they could not come into Pennsylvania under the laws that existed in Pennsylvania pertaining to the employment of females. Consequently, Mr. Richard Brown, the Secretary of Commerce, came before us and said that he thought if we could modify this law—that it might enable us to get other industries of a similiar character or those that needed benefits of such a law, to come into Pennsylvania and to create greater employment. If that is any influence on the part of a great industry, I fail to see it. I think Mr. Brown was actuated by the desire to help the people of Pennsylvania by the creation of more work for them. He was anxious to help the people of Pennsylvania, because a reduction of our unemployment load would give us an opportunity to reduce the burden of taxation upon the people of Pennsylvania. If that is fostering immorality, if that is doing something wrong in behalf of industry, if it is improper influence, as far as I am concerned, I'll be charged with improper influence because I do not concede that there is any improper influence in an attempt to secure industry for Pennsylvania in order to give employment to the people of Pennsylvania. I think my good friend from Armstrong has been carried away with his enthusiasm in the matter and has made statements which are unfair to the members on this side of this House; are unfair to those who were Members during the 1939 session, and had the responsibility of putting through this legislation.

Mr. GATES. Mr. Speaker, I am really quite sorry that Mr. Turner saw fit to make the statements that he did. I have disagreed with him on many occasions on matters of public welfare. Honest difference of opinion should be prevalent in this House. I respect his opinions; I respect his views. I ask him also to respect mine and believe that when I make a statement, I make it from the heart and not from the head.

In answer to Mr. Auker I am sorry he spoke, because he happens to be one of the men who on the first day this bill was under consideration voted "yes" on the bill and he was consistent in his vote and I have no objection to that. He also has an honest difference of opinion with me and with that I have no fault to find. So with that statement I ask each of the members of this House, whether he is a Democrat or whether he is a Republican, that when I rise in this House on any question, may I say to you as I stand here and face each and every one of you, I shall never speak on any bill unless it is from my heart, with a sincere conviction in my heart that I am speaking for the best interests of the people of the Commonwealth in which I was born, in which my father was born and in which my grandfather lived.

Mr. LOVETT. Mr. Speaker, I did not feel that I should speak on this particular bill, but due to the fact that my good friend, Mr. Gates on the other side of the House has

taken up the cudgel in support of this bill, I want to rise in defense of Mr. Gates in his statement, that I well know and you men here know that during the last session of the Legislature when the bill that we are now repealing was before us, my good friend Mr. Turner said there was no pressure. I might say at that time that I stated to this House that we found men on the opposite side of this House going through the aisles to change the minds of those men who had voted their true convictions the day before on this particular piece of legislation. History repeats itself. We find those same men today in opposition to this bill and I, like Mr. Gates, find no fault with those men using their own convictions, but I say to you that during the last session of the Legislature they did insist upon changing the minds of men on the other side of the House to vote for that particular bill. I want to say to you that I am now ready to make a seat over on this side of the House for my friend Mr. Gates who has finally agreed and who has always agreed to a certain extent when it came to legislation in the interest of the working men and women of the State of Pennsylvania, to vote with the men who vote their convictions on this kind of legislation. I am very willing and glad to welcome that kind of man on any side of the House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. FLEMING, COOPER and RHEA asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—145

Achterman,	Flynn,	Marks,	Reynolds,
Allmond,	French,	Maxwell,	Rhea,
Baker,	Gallagher,	McClanaghan,	Rooney,
Balthaser,	Gates,	McDermott,	Rose, S.,
Baugher,	Gerard,	McFall,	Rose, W. E.,
Bentley,	Goodwin,	McGrath,	Rosenfeld,
Bentzel,	Gross,	McIntosh,	Rush,
Boies,	Gryskewicz,	McLanahan,	Sarraf,
Boney,	Haberlen,	McLane,	Scanlon,
Bradley,	Haines,	McMillen,	Schwab,
Breth,	Hamilton,	McSurdy,	Shaffer,
Brown,	Harkins,	Melchiorre,	Shaw,
Brunner, P. A.,	Harmuth,	Mihm,	Shepard,
Burns,	Harris,	Modell,	Skale,
Burris,	Heatherington,	Monks,	Sorg,
Chervenak,	Helm,	Mooney,	Stine,
Chudoff,	Hering,	Moran,	Tarr,
Cochran,	Herman,	Moul,	Tate,
Cohen, M. M.,	Hirsch,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Holland,	Nagel,	Thompson, R. L.,
Cook,	Huntley,	Nunemacher,	Verona,
Cooper,	Jefferson,	O'Brien,	Vincent,
Cordier,	Keenan,	O'Connor,	Vogt,
Corrigan,	Kenehan,	O'Mullen,	Voldow,
Cullen,	Kline,	O'Neill,	Watkins,
Dalrymple,	Knoble,	Owens,	Weiss,
Dennison,	Kolankiewicz,	Petrosky,	Welsh, E. B.,
DiGenova,	Komorofski,	Pettit,	Welsh, M. J.,
Dolon,	Krise,	Polaski,	Wilkinson,
D'Ortona,	Leonard,	Polen,	Williams,
Duffy,	Lesko,	Powers,	Wolf,
Early,	Levy,	Prosen,	Woodring,
Elliott,	Leydic,	Rausch,	Wright,
Falkenstein,	Lichtenwalter,	Readinger,	Yester,
Finestone,	Longo,	Reagan,	Young,
Fleming,	Lovett,	Reese, R. E.,	Kilroy,
	Malloy,	Regan,	Speaker.

NAYS—45

Auker,	Habbyshaw,	Reese, D. P.,	Trout,
Bower,	Hall,	Riley,	Turner,
Brunner, C. H.,	Hare,	Royer,	Van Allsburg,
Cadwalader,	Hewitt,	Sarge,	Voorhees,
Dix,	James,	Serrill,	Wagner,
Eckels,	Jones, G. E.,	Simons,	Weingartner,
Elder,	Lee, E. A.,	Snyder,	Winner,
Ely,	Leisey,	Sollenberger,	Wood, L. H.,
Fiss,	Lyons,	Stambaugh,	Wood, N.,
Foor,	McClester,	Stockham,	Woodside,
Gillan,	McKinney,	Taylor,	Yeakel,
Gyger,	Muir,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the verification of the roll.)

The affirmative roll was verified.

The Clerk read the negative roll.

Mr. BAUGHER. Mr. Speaker, I heard my name on the negative roll. I voted in the affirmative and desire to be so recorded.

The SPEAKER. The affirmative roll has been verified.

Mr. BAUGHER. Mr. Speaker, I understand that I was on both the affirmative and negative roll.

The SPEAKER. The Chair is informed that the gentleman voted "nay". The affirmative roll has been verified.

QUESTION OF INFORMATION

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Monroe will state his question of information.

Mr. ACHTERMAN. Mr. Speaker, has the verification of the roll been announced to the House?

The SPEAKER. The affirmative verification has been announced. The result has not been announced, but the verification of the affirmative roll has been announced.

Mr. ACHTERMAN. Mr. Speaker, may I ask the unanimous consent of the House to permit the gentleman to be recorded on the affirmative roll, as the gentleman says he voted?

The SPEAKER. Will the House give its unanimous consent for the gentleman to be recorded on the affirmative roll? Is there objection? The Chair hears none and the gentleman will be so recorded.

The negative roll was then verified, and the roll was verified.

REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair at this time welcomes to the House a delegation of Republican women from the first district of Montgomery County, who are the guests of the gentleman from Montgomery, Mr. Cadwalader.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 581, as follows:

An Act making an appropriation to the Department of Agriculture for laboratory research in the prevention of the transmission and in the cure of mastitis in cattle

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand ($50,000) or as much thereof as shall be necessary is hereby specifically appropriated to the Department of Agriculture to be used by the Department of Agriculture in laboratory research work designed to prevent the transmission of the disease

of cattle known as mastitis and to effectuate a cure for such disease

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, although the sponsorship of this bill is different from the series that have gone before us, it seems to me to smell of that great agricultural program which I spoke about last night, from Smith to Moul, to the Democratic caucus, to the floor of the House.

The Department of Agriculture tells us that they have been carrying on experiments in cooperation with the University of Pennsylvania. I understand the University of Pennsylvania, I think they said, has six more cows to test before they will state whether they have found a cure or a prevention for mastitis. The amount expended by the Department of Agriculture is the sum of five thousand dollars for this present biennium in conjunction with the University of Pennsylvania. In answer to a question the Department of Agriculture said, of course, if the University of Pennsylvania did not find a cure in this experiment which they are making in research at the present time, that then the University would carry it on during the next biennium under a similar arrangement. I think we are all in favor of research on these cattle diseases. I think all of us farmers realize the necessity to carry on this research, but gentlemen, I want to point out that this sort of appropriation has almost always heretofore been a part of the general appropriation bill. We now see this list of bills coming out on the calendar, which have raised to the "nth" degree the amount that will be necessary to spend, five thousand dollars, fifty thousand dollars—although of course we all know in reasearch you can expend any amount, you can expend five hundred thousand dollars, if can get it; you can expend one million dollars, if you can get it, but the reasearch that you can carry on is limited to the institutions that have the ability to carry on the research that is necessary. Therefore, while we all on this side of the House, I believe, are going to vote in favor of this measure, we just feel that we have to point out that this is just another little bit of sugar candy to attract the farmers of Pennsylvania, making them believe that you are starting out with an appropriation for research on mastitis, when the present Department has been carrying on a program of reasearch in the first place, and in the second place when the appropriation rightfully belongs in the general appropriation bill with other appropriations of this kind.

Mr. ACHTERMAN. Mr. Speaker, I desire to make a few brief remarks on this part of the Democratic program in relation to farmers and their cattle. I am saying this in all sincerity and not because of anything cynicism or sarcastic.

At the present time the Department of Agriculture is in a small measure, and only in a small measure, subsidizing the University of Pennsylvania in connection with the study of preventive medicine for mastitis.

The Secretary of Agriculture advised me that he felt and had been told that progress was being made in the study, and that he hopes, mind you he only hopes, that they would be able to state affirmatively that a cure might have been discovered. However, that was based on just another one of the hopes that we have heard so much of in this House under the present administration. I then asked him what he thought with regard to the study, whether it should be discontinued, and he said, "By all means, no." He felt this study was essential and that it was necessary. Nor did he raise any objection in my discussion with him as to the amount of the appropriation, and he knew the amount involved. So I say to you, Members of the House, this is not handing out any sugar candy to anyone. When I am saying that I am using as authority for that statement the Secretary of Agriculture who comes from the party on the other side of the House. He believes the study is essential; he believes that the study is necessary and he does not believe that it should be discontinued. I can understand the willingness of the members on the other side to vote for this bill but I cannot understand either their cynicism or their sarcasm in expressing their intention to support the bill.

Mr. GATES. Mr. Speaker, I for one on this side of the House expect to support this bill because I think it has the interest of the farmers in my district at heart. If I thought this bill, as one previous speaker said a "smelly" bill that it was sugar coated, I certainly would not vote for the bill. I can't understand any man's getting up on this floor with any degree of intelligence, and saying that it is a "smelly" bill, and it is sugar coated, and in the next breath saying he expects to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEEAS—190

Achterman,	French,	Maxwell,	Rush,
Allmond,	Gallagher,	McClanaghan,	Sarge,
Auker,	Gates,	McClester,	Sarraf,
Baker,	Gerard,	McDermott,	Scanlon,
Balthaser,	Gillan,	McFall,	Schwab,
Baugher,	Goodwin,	McGrath,	Serrill,
Bentley,	Gross,	McIntosh,	Shaffer,
Bentzel,	Gryskewicz,	McKinney,	Shaw,
Boies,	Gyger,	McLanahan,	Shepard,
Boney,	Habbyshaw,	McLane,	Simons,
Bower,	Haberlen,	McMillen,	Skale,
Bradley,	Haines,	McSurdy,	Snyder,
Breth,	Hall,	Melchiorre,	Sollenberger,
Brown,	Hamilton,	Mihm,	Sorg,
Brunner, C. H.,	Hare,	Modell,	Stambaugh,
Brunner, P. A.,	Harkins,	Monks,	Stine,
Burns,	Harmuth,	Mooney,	Stockham,
Burris,	Harris,	Moran,	Tarr,
Cadwalader,	Heatherington,	Moul,	Tate,
Chervenak,	Helm,	Muir,	Taylor,
Chudoff,	Hering,	Munley,	Thompson, E. F.,
Cochran,	Herman,	Nagel,	Thompson, R. L.,
Cohen, M. M.,	Hewitt,	Nunemacher,	Trout,
Cohen, R. E.,	Hirsch,	O'Brien,	Turner,
Cook,	Holland,	O'Connor,	Van Allsburg,
Cooper,	Huntley,	O'Mullen,	Verona,
Cordier,	James,	O'Neill,	Vincent,
Corrigan,	Jefferson,	Owens,	Vogt,
Cullen,	Jones, G. E.,	Petrosky,	Voldow,
Dalrymple,	Keenan,	Pettit,	Voorhees,
Dennison,	Kenehan,	Polaski,	Wagner,
DiGenova,	Kline,	Polen,	Watkins,
Dix,	Knoble,	Powers,	Weingartner,
Dolon,	Kolankiewicz,	Prosen,	Weiss,
D'Ortona,	Komorofski,	Rausch,	Welsh, E. B.,
Duffy,	Krise,	Readinger,	Welsh, M. J.,
Early,	Lee, E. A.,	Reagan,	Wilkinson,
Eckels,	Leisey,	Reese, D. P.,	Williams,
Elder,	Leonard,	Reese, R. E.,	Winner,
Elliott,	Lesko,	Regan,	Wolf,
Ely,	Levy,	Reynolds,	Wood, L. H.,
	Leydic,	Rhea,	Wood, N.,

Falkenstein,	Lichtenwalter,	Riley,	Woodring,
Finestone,	Longo,	Rooney,	Woodside,
Fisher,	Lovett,	Rose, S.,	Wright,
Fiss,	Lyons,	Rose, W. E.,	Yeakel,
Fleming,	Malloy,	Rosenfeld,	Yester,
Flynn,	Marks,	Royer,	Young,
Foor,			Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 468, as follows:

Making an appropriation to the Department of Agriculture for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three million dollars ($3,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Agriculture for the two fiscal years beginning June first one thousand nine hundred and forty-one for the payment of indemnities for animals appraised and destroyed to prevent the spread of Bang's disease

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. Speaker, the first appropriation by the Legislature for Bang's Disease was made in 1937, and one thousand two hundred dollars was appropriated for that purpose. In January 1939, when this administration took office, four counties in Pennsylvania were Modified Accredited Areas. The testing had ceased in November 1938, and the appropriation by the 1939 Session of the Legislature was not available until June 1, 1939.

Since June 1, 1939, thirteen counties have been tested and are now Modified Accredited Areas, and by the close of this biennium, two additional counties, Huntingdon and Blair, will be added to this list, making a total of nineteen counties tested as of the close of the present biennium.

In the control of Bang's Disease, Pennsylvania, during the past two years, has been brought from seventh to fourth place among the States of this country in the number of blood tests conducted, and from tenth to fifth place in the number of counties accredited for Bang's Disease. During this biennium forty-five thousand herds representing four hundred eighty nine thousand cattle were tested and when Huntingdon and Blair counties will be tested, that number will be approximately five hundred thousand cattle.

Testing this large number of cattle taxed the laboratory at Summerdale to capacity. A total of one million two hundred fifty thousand specimens of blood, tissue, and so forth, were received and analyzed. This was two hundred fifty thousand specimens more than in the year 1938.

On December 31, 1940, Pennsylvania had under supervision for Bang's Disease Control 64,518 herds, with a cattle population of 555,032 animals. On December 31, 1940, there were on the waiting list 201,253 cattle awaiting tests.

The counties of Luzerne and McKean are fully signed up and awaiting tests, and aside from this, on December 31 there were 444 townships in other counties awaiting tests.

During the biennium 1937 to 1939, 36,653 cattle were tested monthly, and during the present biennium, the monthly testing averaged 43,554. As is well known, the tests include both initial and retests, and it should be noted that in some cases, as many as eight retests of the same herd is required before the Disease is entirely eliminated. During the present biennium, January 1, 1939 to December 31, 1940, 1,450,305 cattle were tested. This number included all tests and retests of cattle.

Under the present program of testing cattle in Pennsylvania, every available man and all the laboratory facilities were put into use. In addition, the Department had the cooperation of the Federal Bureau of Animal Industry and the assistance of seventeen veterinarians paid entirely by the Federal Government, besides some clerical help and technicians in the laboratory.

To date, as of February 28, 1941, the Commonwealth paid for indemnities since June 1, 1937, $1,832,070.75, and the Federal Government paid since August 1, 1934, $2,407,151.37 for cattle indemnities. It is noted that the Federal Government paid indemnities for Bang's Disease testing beginning with 1934 whereas the Commonwealth of Pennsylvania started on June 1, 1937.

It is interesting to note that in1937, when the proposition was before the Legislature to appropriate money for Bang's disease eradication, the Administration forces then in power insisted that one million two hundred thousand dollars was the highest amount that could be used economically because of the limited facilities of the laboratory at Summerdale, after a survey made by the Committee from the Assembly. At that time, the Republicans in this House stood out and recommended an appropriation of $2,000,000.

The progress made by the Department of Agriculture in the eradication of Bang's disease has been the greatest stride ever made in testing cattle. On March 1, 1938, when a great many farmers in the state pushed for testing, there was a waiting list of one hundred eighty-eight thousand cattle. By May 31, 1941, nineteen counties will be completely tested and the waiting list will be reduced beyond what it has been at any point in the history of cattle testing. And by the end of this biennium the number of cattle on the waiting list will be one hundred eighty-one thousand as compared to one hundred eighty-eight thousand at the same time in 1938.

Mr. Speaker, I am going to vote on this bill, because I refuse to be misunderstood as being opposed to an appropriation for Bang's disease.

I could have voted for an amount of two million with much more grace, since I believe the Department could have come much nearer using this amount than the three million in this bill. If this amount prevails it will be necessary to increase office space; nearly double the number of Veterinarians, and enlarge the laboratory space.

As a matter of fact the back bone of Bangs testing will be broken in another two years even at the present rate of testing .

Mr. McFALL. Mr. Speaker, after listening to the

lengthy debate last night and going along so peacefully this afternoon, I was just on the point of arising and begging that some little tiny bit of opposition to this bill be offered, when, lo and behold, our good friend from Tioga, Mr. Snyder, got up and read a very lengthy statement, which is very nice, but at the conclusion of it he said he is going to vote for the bill.

This bill carries with it an apropriation of three million dollars,—and just now three million dollars of anybody's money is a whole lot of money. This bill says that three million dollars or so much thereof as may be necessary, is hereby specifically appropriated to the Department of Agriculture. In other words, this bill says it may take three million dollars, if they can use it, or it may not take that much money, and from the information I have gleaned I understand this perhaps will go along for quite some years before this dread disease among cattle will be under control. I have spoken with quite a number of veterinarians and one of them particularly told me that if he could come before a body such as we represent and tell the true story of what Bang's disease means to cattle, and then finally to the health of human beings, we probably would be shocked tremendously. Therefore, I cannot understand why we cannot go along with a program of this kind, and once and for all get an organization that will work and wipe out this dread disease completely. I know from actual experience, because I have been working among the farmers for a good many years, and I know their troubles and their difficulties, and in my own county I have been making a plea for a young farmer who took over his father's farm, who has a herd of forty-eight head which have Bang's disease. He is on the list as number seven hundred. The test will probably be made some time next summer, perhaps as late as during the month of August. During this time Bang's disease in going to continue in his herd. The scientific fact of this disease is that a herd of forty-eight head in three years time can be inoculated with this disease, everyone of them. Therefore, it is of vital importance that we take this step now, and I am going to ask the Members of this House to vote "yes" on this bill.

Mr. ACHTERMAN. Mr. Speaker and members of the House, I desire to make a few remarks in support of this measure. It has not been stated but it is estimated by the Department of Agriculture that there are approximately one million four hundred thousand dairy cattle in Pennsylvania. At the time of the close of this biennium approximately one third of that number will have been tested for Bang's disease. As has been pointed out, there has been approximately one million eight hundred thousand dollars which will be paid by that time for indemnities. There remains two-thirds of the cattle to be tested in Pennsylvania. That means certainly that the amount appropriated here, if the same rate of indemnity holds true, would not be an excessive appropriation. Perhaps it would not be sufficient to carry on the extra work. The Secretary of Agriculture advises me that in southeastern Pennsylvania, and as a matter of fact in almost all of eastern Pennsylvania, the territory has not been touched, and the conditions there are far more serious in that particular area than they are in that part of Pennsylvania in which the tests have already been made.

Now then, as to whether or not the Secretary could carry out the program. He was asked that specific question and he said, "Well, it would be a big program." The fact that it is a big program is certainly no excuse to say that it could not be carried out. Then he mentioned to me the thought that it would be necessary for him to secure additional help from the Federal Government in the form of inspectors, and I asked him whether or not he thought there would be any difficulty in that respect and he said he did not believe there would be any difficulty in getting the Federal Government to cooperate with the enlarged program. He stated that it would tax his laboratory facilities. That was the one reason he advanced in favor of perhaps a curtailed program, and that is a reason which I certainly feel carries little weight when we understand the urgent necessity for the completion of this program in Pennsylvania. I haven't arisen today for the purpose of criticizing the Secretary of Agriculture in what he has done in his two years of office. It is commendable but certainly his job is not nearly done when two-thirds of Pennsylvania are still waiting for the benefit of this law.

Mr. WOODSIDE. Mr. Speaker, I favor appropriating to the Department of Agriculture such moneys for the indemnity on Bang's disease as they can reasonably and efficiently expend. I propose to vote against this appropriation, not because I am against appropriating a proper amount, nor do I think that this is not a proper amount, but because I think this bill was put out not with full study and in full sincerity. In the first place, the conference about which the gentleman from Monroe has spoken was held after the bill had been referred to the Appropriation Committee and considered by them and reported out, or at least reported out by them.

The information which is given us by the Secretary of Agriculture concerning this situation, I think is important for us to consider. In the first place let me say in reference to the statement made by the gentleman, Mr. McFall, concerning the appropriation of three million dollars or so much thereof as may be necessary, the fact is, of course, if we appropriate three million dollars we cannot use any of that money for any other purpose and as the budget has been operating in the last six bienniums, or at least in the last four bienniums, the balance which is left after meeting the other necessary expenses of the government is appropriated for relief, so that of course if you appropriate more money for any governmental purpose than is necessary, that much less money can be appropriated for general assistance.

I think it is important for us to understand the situation concerning these cattle indemnities. When the cattle are tested and found to be suffering from the disease and are destroyed, the Federal Government pays for ordinary cattle the sum of twenty-five dollars and the state government pays thirty-two dollars and fifty cents, providing of course that that does not represent more than ninety percent of the valuation of the cattle; if they are a special breed, fifty dollars from the Federal Government and fifty dollars from the state government.

Here is something that is very important. According to information received from those people who deal with this problem in the Federal Government they expect, mark you, they expect to receive less money in the next biennium than they have received in the past biennium in federal appropriations. Pennsylvania now stands in the foreground of this Bang's disease, and as stated by the gentleman from Tioga, now ranks third among all the states of the country. The other states which are now picking up in their pro-

gram are going to the Federal government and demanding more money. As a matter of fact, some of them have a pretty good argument to the effect that they are entitled to more money, so that even if the next appropriation of the Federal government is as much as the appropriation has been in the past biennium, it is still doubtful whether the Commonwealth of Pennsylvania will receive any more money than it has received during the past biennium. If they do not and the state goes ahead and tests these cattle, condemns them and they are killed, what will happen? What are you doing to the farmer? You are doing this: those farmers are going to be paid thirty-two dollars and fifty cents by the state, but they are not going to get the twenty-five dollars from the federal government, or if they are a special breed of cattle, fifty dollars from the State, but not fifty dollars from the Federal government. There is one other thing that can happen by moving this faster than the market can take it. It happened during the tuberculosis clean-up.

I might point out to you that during the tuberculosis clean-up, which clean-up covered a period of twenty years or longer, there were times when the program was hurried and then what happened? These cattle were auctioned off for as low as fifty cents a piece and today they are receiving thirty-two dollars and fifty cents. That means two things. It means more expense for the Commonwealth of Pennsylvania in the first place, and it means, in the second place, greater loss to the farmers of the Commonwealth of Pennsylvania.

The Department of Agriculture, in order to carry out a program of an expenditure of three million dollars, providing of course, that the Federal Government will give them an equal amount of money, which they probably could not do, would have to increase its laboratories, it would have to go into a building program, it would have to go throughout the state and hunt employes. The Secretary has told me that it requires a special type of technician. True, they have received aid from the federal government. It might be possible they might receive more in the way of technicians but at the present time technicians as well as veterinaries are being taken away from the Department very rapidly because they are being called into the federal service, into the army. So, the problem, it seems to me, is the problem of the Department of Agriculture. They know how much they can efficiently and effectively expend.

Mr. Speaker, under the circumstances it seems to be that appropriating three million dollars is appropriating more money than actually can be efficiently and effectively used during the next biennium. I think a proper amount could be determined after full consultation with the Department, and at that time we should place in the general appropriation bill the proper amount. That is the way it has been handled in the past; that is the proper and orderly way to handle it, and I might say in the general appropriation bill introduced by me there is an item for such an appropriation to the Department of Agriculture in the sum of one million four hundred thousand dollars for the payment of indemnities for cattle destroyed because they are suffering from Bang's disease. It seems to me if that amount is not correct after full consultation with the Department, the correct amount ought to be ascertained and put in the bill. If the sum of three million dollars cannot be efficiently and effectively spent, I am for putting the correct amount in the general appropriation bill. I believe that is the efficient, and proper, and orderly way for this House to act upon this question.

Mr. Speaker, I am going to vote "no" on this bill.

Mr. ACHTERMAN. Mr. Speaker, and members of the House, may I say that the Committee on Appropriations prior to the time of reporting this bill out, consulted the sponsor of the bill and others interested in the measure, and were assured that the amount mentioned was essential and necessary for the work to be done. Subsequently, Dr. Leidy appeared before our Committee and certainly his testimony justifies the statements which the sponsor and the others interested in the bill made. Now, to allay the fears of the minority leader of the House, I have been advised by the federal government that they will be glad to cooperate and that the fund will be available.

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE: Mr. Speaker, I want to know what information the gentleman has as to the amount which will be appropriated by the federal government for this purpose during the next bi-ennium.

Mr. ACHTERMAN. Mr. Speaker, I have been advised that there will be a sufficient fund, without any mention as to what the federal appropriation will be, to meet a program of three million dollars on the part of Pennsylvania.

Mr. WOODSIDE. Mr. Speaker, does the gentleman know the manner of allocating these funds between the states and whether or not all of the funds now being appropriated are being allocated.

Mr. ACHTERMAN. Mr. Speaker, I do not know the methods of federal allocations.

Mr. WOODSIDE. Mr. Speaker, does the gentleman think the federal government is going to cut the allocations to other states in order to give Pennsylvania a greater sum during the next bi-ennium, and does the gentleman have any information from the federal government that they intend to do so?

Mr. ACHTERMAN. Mr. Speaker, I do know that they are very much interested in Pennsylvania because this is one of the states that has shown real progress in this problem.

Mr. WOODSIDE. Mr. Speaker, I realize they are interested also in our W.P.A. projects. I do not think the gentleman has answered my question. Certainly, there is a certain amount appropriated for this purpose. That amount is allocated throughout the United States to various states. As I have pointed out, a number of these states are just coming into the step of this program. They are making efforts to obtain a larger appropriation in comparison to the amount received in Pennsylvania. Many of them are actually in some respects entitled to a larger appropriation. The Department itself which is dealing with this problem has said definitely that no man knows today whether they will receive as much of an appropriation during the next bi-ennium as they received during this bi-ennium or not, but from what information they now have, they think they are going to receive less, and certainly not any more. Therefore, certainly, Mr. Speaker, there can be no assurance from the

federal government, nor can we properly expect, that they will give us more money in the next bi-ennium than they gave us during the past bi-ennium.

Mr. ACHTERMAN. Mr. Speaker, the information mentioned by the minority leader in his last remarks, is contrary to the information I have. May I say, for the information of the House that Doctor Leidy who appeared before our Committee, did not for one moment indicate that that problem faced him, but on the contrary he stated that he believed he would receive federal cooperation.

Mr. DIX. Mr. Speaker, in Wayne County we have a real problem in connection with Bang's disease. A great number of our farmers have come to me and asked that the county be cleared up a great deal faster than it has been in the past. However, while I intend to vote for this bill, it is my opinion that about one million five hundred thousand dollars or some such figure is enough for this season: In my observation I have found that a Republican administration can do as much work for one million five hundred thousand dollars as a Democratic administration can do for twice that amount of money. I have also observed as I have looked around the House here, that the fundamental difference, as far as finance is concerned, between the Democratic party and the Republican party is this, that the Republican party believes in the philosophy of Benjamin Franklin "a dollar saved is a dollar earned," and the Democratic party believes in the false philosophy that a dollar squandered is a dollar earned.

Mr. MOUL. Mr. Speaker, I desire to interrogate the gentleman from Tiogo, Mr. Snyder.

The SPEAKER. Will the gentleman from Tiogo permit himself to be interrogated?

Mr. SNYDER. I shall, Mr. Speaker.

Mr. MOUL. Will the gentleman please state to this House how many counties have been tested?

Mr. SNYDER. You mean as a Modified Accredited Area?

Mr. MOUL. Yes, Mr. Speaker.

Mr. SNYDER. Mr. Speaker, I think about seventeen, and two more will be completed by the end of the bi-ennium.

Mr. MOUL. Mr. Speaker, that is nineteen counties out of sixty-seven?

Mr. SNYDER. That is right, Mr. Speaker.

Mr. MOUL. Mr. Speaker, how many cattle have been tested in Pennsylvania?

Mr. SNYDER. I think about five hundred thousand.

Mr. MOUL. How many cattle are untested?

Mr. SNYDER. I think that information was furnished by the majority floor leader, and as I recall he said about a million and a half; in other words, about two thirds of the cattle were still untested.

Mr. MOUL. Mr. Speaker, does the gentleman from Tioga have any knowledge as to what it would cost approximately to test the balance of the cattle in Pennsylvania?

Mr. SNYDER. Mr. Speaker, I could only make a guess as to that cost myself. It might cost six million and it might cost ten. It has been stated in a former discussion here that it took from twenty to thirty years to clear up "T. B." tests, and it is pretty hard to say how long it would take to clear up this Bang's test.

Mr. MOUL. Mr. Speaker, is it practical to make a Bang's disease test in a county, a test of an individual farmer, and not test the herds around it?

Mr. SNYDER. That is correct, Mr. Speaker.

Mr. MOUL. Is it practical?

Mr. SNYDER. Mr. Speaker, no I would not say it was too practical. I understood the gentleman to ask me if it was possible. It is not practical.

Mr. MOUL. Mr. Speaker, is it practical to test an individual herd?

Mr. SNYDER. No, it is not, Mr. Speaker.

Mr. MOUL. What is the proper way to handle it, Mr. Speaker?

Mr. SNYDER. I would say the proper way to handle it is to get the townships signed up as Modified Accredited Areas.

However, I wonder if the gentleman from York is familiar with the work that it takes to get a township signed up or to get a county signed up? I have been in some of that work and I wonder if the gentleman from York realizes that the southeastern part of the state of Pennsylvania is not so anxious for Bang's testing. It may be possible to even enforce the Bang's disease test the same as it was the "T. B." tests but it is not a very good way to do it, that is, to force the farmers to do it when they do not want to do so.

Mr. MOUL. Mr. Speaker, if an individual farmer makes test of his herd, or has a test made of his herd, and his neighbor farmers are not in a position to make that test, what effect does it have on his ability to sell cattle from his area?

Mr. SNYDER. Mr. Speaker, not very much, because personally I have had an individual test for the past ten years, and only one or two of our neighbors' herds have been tested. However, as I said a while ago, it is better to have the surrounding farmers tested, but that is not absolutely necessary.

Mr. MOUL. Mr. Speaker, on the basis of an appropriation of three million dollars for the next biennium, how long does the gentleman think it would take to test the rest of the herds in Pennsylvania?

Mr. SNYDER. Mr. Speaker, probably four or five years, if it were possible to take care of the tests in the available laboratories they have here now.

Mr. MOUL. Mr. Speaker, if the appropriation were reduced to the figure of two million dollars, which the gentleman has suggested, how long would it take?

Mr. SNYDER. Mr. Speaker, in reply to that question I think I referred to it in the last part of my address when I said I thought the backbone of Bang's testing, where there was a pressure or desire or demand to have the townships as well as the counties cleaned up so as to become modified accredited areas, that in two years' time all of the work will be taken care of, along with all the individual tests which we have in other parts of the State. I do not say that it will be entirely taken care of, but I do believe that the pressure or demand will be relieved within a couple of years, for the reason that a large part of the state of Pennsylvania has made no effort, or made no demand to be tested.

Mr. MOUL. Mr. Speaker, just one more question, I understood the gentleman to say that he has tested his own herd. Did I understand him to say that the herds around him were not tested?

Mr. SNYDER. That is correct. We started testing. Some of them are and some of them are not

Mr. MOUL. Mr. Speaker, is there not a great chance that the gentleman might have his own herds infected because of those around him that have not been tested?

Mr. SNYDER. That is correct, Mr. Speaker. However, we have been fortunate enough not to have too much infection during the last eight years, since many of the herds around us have not been tested. We have just been fortunate, we have not been contaminated.

Mr. MOUL. Mr. Speaker, would it not have been much better for the gentleman to have had all the herds around him tested?

Mr. SNYDER. That is correct, Mr. Speaker. That is what I was referring to when I said that it requires some work to get ninety per cent of the farmers in a township to agree to a test, and that is some of the work I have been doing. It is very difficult to have a township signed up.

Mr. MOUL. Mr. Speaker, in the opinion of the gentleman from Tioga, does he think the chance for infection of his herd from some of the cattle that have not been tested for Bang's disease is greater than in the case of cattle of his neighbors being tested for tuberculosis. In other words, would the possibility for infection of his herd be greater than it would be if the other cattle had been tested in the case of tuberculosis?

Mr. SNYDER. That is correct, Mr. Speaker.

Mr. MOUL. Mr. Speaker, there would be a much greater chance for infection in connection with the Bang's disease than there would be in the case of tuberculosis.

Mr. SNYDER. That would be correct, so far as it would be possible to take care of the work.

I might add this: I am wondering what will happen in a couple years providing we have not increased our personnel of veterinarians, and I wonder what we will do in a couple years with this three million dollar appropriation?

Mr. MOUL. Mr. Speaker, that is a question for future sessions of the Legislature to decide. We are facing a problem and trying to solve it at this particular time.

I would like to ask another question which I believe is of vital importance to the members who represent the city districts.

In the case of Bang's disease in a herd of cattle, what effect, if any, will that milk transferred to humans have in case they use the milk that is infected by Bang's disease?

Mr. SNYDER. There isn't any question about that. There have been cases of undulant fever as a result of herds infected with Bang's disease. However, I am inclined to think if this uniform inspection goes through and the state standard is raised that that probably will be taken care of properly.

Mr. MOUL. Mr. Speaker, probably that would be fine, but until such time as it is done we have got to face the problem we have before us. That is all I have in the line of questioning.

Mr. Speaker, there was one point that was missed in the previous discussion on this particular bill, and that is the fact that unless you tackle the problem on a wide front there is a great chance of infection of the cattle of the farmer who does make the test.

The county of York is not fortunate enough to be one of the counties where we have a test throughout the county. Those farmers who asked for a test have had great difficulty in the past to get the test. There has been extreme delay in getting individual tests. The farmer who has had a test made of his herd is constantly in danger of his herd being infected by animals on neighboring farms. For instance, if you have a farm and you test your own cattle, and there is a farm above your particular property, on which there may be a stream, and the farm has cattle on it infected with Bang's disease, your herd may be affected at any time. Once one animal on that farm is infected within a very short time there is a possibility of infecting your entire herd. The problem of eradication of Bang's disease is one of speed. It certainly looks more like economy to attack the problem with large amounts of money, tackling the problem at once and eradicating it throughout the State of Pennsylvania as quickly as possible than it would be to linger over a period of the next ten or twelve years, because we can readily see over a period of time of ten or twelve years there will be a great opportunity for infecting many herds that would not be infected if it were done in a shorter period of time.

Now looking at the side of the question of the human who buys the milk, certainly there is going to be less chance of taking the disease of undulant fever if we can eradicate it within the next four or five years, as compared with a period of ten or twelve years, which would be the case if the policy suggested by the gentleman from Tioga were carried out.

I will ask the members of the House to vote for the bill, and I hope that the gentlemen on the other side will see to it that they do not cut that appropriation to two million dollars. I urge the gentlemen on the other side to leave the appropriation at three million dollars, and if necessary raise it at the next session of the Legislature, so that the disease can be eradicated quickly.

Mr. SNYDER. Mr. Speaker, I want to make a very brief statement. I would like to suggest to the gentleman from York that if he goes into York County and tries to sign up the townships and the county to become a Modified and Accredited Area, he will probably come to the conclusion that he would not even need five hundred thousand dollars for Bang's disease eradication. He will find what a job it is to get farmers to sign up on this program.

PREVIOUS QUESTION

Mr. SHEPARD. Mr. Speaker, I don't know much about these different diseases, but I was interested in the last paragraph of Mr. Moul's statement, that whatever action is taken requires speed, because if we keep on like this there will be other infections in this Commonwealth, and in the interest of speed and in the interest of preserving our own health too, I move the previous question.

The motion was seconded by Messrs. Kolankiewicz, Baker, Edwin F. Thompson, Jefferson, Harmuth, Stank, McDermott, Matthew J. Welsh, Verona, Breth, D'Ortona, Cochran, Chervenak, Nagel, Hamilton, Skale, Cullen, Modell, Boies, Harkins and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—150

Achterman,	Flynn,	Lovett,	Reese, R. E.,
Allmond,	French,	Lyons,	Reynolds,
Baker,	Gallagher,	Malloy,	Rooney,
Balthaser,	Gates,	Marks,	Rosenfeld,
Baugher,	Gerard,	Maxwell,	Rush,
Bentley,	Gillette,	McClester,	Sarraf,
Bentzel,	Goodwin,	McDermott,	Scanlon,
Boies,	Greenwood,	McFall,	Schwab,
Boney,	Gross,	McIntosh,	Serrill,
Bower,	Gryskewicz,	McKinney,	Shaw,
Bradley,	Gyger,	McLanahan,	Shepard,
Breth,	Haberlen,	McLane,	Skale,
Brown,	Haines,	McMillen,	Snyder,
Brunner, P. A.,	Hall,	McSurdy,	Sollenberger,
Burns,	Hamilton,	Melchiorre,	Sorg,
Burris,	Harkins,	Mihm,	Stambaugh,
Chervenak,	Harmuth,	Modell,	Stank,
Chudoff,	Harris,	Monks,	Stine,
Cochran,	Heatherington,	Mooney,	Tarr,
Cohen, M. M.,	Helm,	Moran,	Tate,
Cohen, R. E.,	Hering,	Moul,	Taylor,
Cordier,	Herman,	Muir,	Thompson, E. F.,
Corrigan,	Hersch,	Nagel,	Trout,
Cullen,	Hirsch,	Nunemacher,	Verona,
Dalrymple,	Holland,	O'Brien,	Vincent,
Dennison,	Huntley,	O'Connor,	Vogt,
DiGenova,	Jefferson,	O'Mullen,	Voldow,
Dolon,	Jones, G. E.,	O'Neill,	Watkins,
D'Ortona,	Keenan,	Owens,	Weiss,
Duffy,	Kenehan,	Petrosky,	Welsh, E. B.,
Early,	Knoble,	Pettit,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Polaski,	Wilkinson,
Elder,	Komorofski,	Polen,	Williams,
Elliott,	Krise,	Powers,	Wolf,
Falkenstein,	Leisey,	Prosen,	Wood, N.,
Finestone,	Leonard,	Rausch,	Woodring,
Finnerty,	Lesko,	Readinger,	Wright,
Fiss,	Leydic,	Reese, D. R.,	Young,
	Longo,		Kilroy, Speaker.

NAYS—21

Auker,	Cooper,	Krise,	Thompson, R. L.,
Boorse,	Foor,	McClanaghan,	Turner,
Bretherick,	Habbyshaw,	Rhea,	Winner,
Brunner, C. H.,	Hare,	Royer,	Wood, L. H.,
Cadwalader,	James,	Sarge,	Woodside,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 578, as follows:

An Act providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No Sufficient Evidence of Survivorship Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously the property of each person shall be disposed of as if he had survived except as provided otherwise in this act

Section 2 Beneficiaries of Another Person's Disposition of Property Where two or more beneficiaries are designated to take successively by reason of survivor under another person's disposition of property and there is no sufficient evidence that these benificiaries have died otherwise than simultaneously the property thus disposed of shall be divided into as many equal portions as there are successive beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each designated beneficiary had survived

Section 3 Joint Tenants or Tenants by the Entirety. Where there is no sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultaneously the property so held shall be distributed one-half as if one had survived and one-half as if the other had survived If there are more than two joint tenants and all of them have so died the property thus distributed shall be in the proportion that one bears to the whole number of joint tenants

Section 4 Insurance Policies Where the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise than simultaneously the proceeds of the policy shall be distributed as if the insured had survived the beneficiary

Section 5 Act Not Retroactive This act shall not apply to the distribution of the property of a person who has died before it takes effect

Section 6 Act Does not Apply if Decedent Provides Otherwise This act shall not apply in the case of wills living trusts deeds or contracts of insurance wherein provision has been made for distribution of property different from the provisions of this act

Section 7 Uniformity of Interpretation This act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it

Section 8 Short Title This act may be cited as the Uniform Simultaneous Death Act

Section 8 Repeal All laws or parts of laws inconsistent with the provisions of this act are hereby repealed

Section 10 Severability If any of the provisions of this act or the application thereof to any persons or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and to this end the provisions of this act are declared to be severable.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	French,	Maxwell,	Rush,
Allmond,	Gallagher,	McClanaghan,	Sarge,
Auker,	Gates,	McClester,	Sarraf,
Baker,	Gerard,	McDermott,	Scanlon,
Balthaser,	Gillan,	McFall,	Schwab,
Baugher,	Goodwin,	McGrath,	Serrill,
Bentley,	Gross,	McIntosh,	Shaffer,
Bentzel,	Gryskewicz,	McKinney,	Shaw,
Boies,	Gyger,	McLanahan,	Shepard,
Boney,	Habbyshaw,	McLane,	Simons,
Bower,	Haberlen,	McMillen,	Skale,
Bradley,	Haines,	McSurdy,	Snyder,
Breth,	Hall,	Melchiorre,	Sollenberger,
Brown,	Hamilton,	Mihm,	Sorg,
Brunner, C. H.,	Hare,	Modell,	Stambaugh,
Brunner, P. A.,	Harkins,	Monks,	Stine,
Burns,	Harmuth,	Mooney,	Stockham,
Burris,	Harris,	Moran,	Tarr,
Cadwalader,	Heatherington,	Moul,	Tate,
Chervenak,	Helm,	Muir,	Taylor,
Chudoff,	Hering,	Munley,	Thompson, E. F.,
Cochran,	Herman,	Nagel,	Thompson, R. L.,
Cohen, M. M.,	Hewitt,	Nunemacher,	Trout,
Cohen, R. E.,	Hirsch,	O'Brien,	Turner,
Cook,	Holland,	O'Connor,	Van Alisburg,
Cooper,	Huntley,	O'Mullen,	Verona,
Cordier,	James,	O'Neill,	Vincent,
Corrigan,	Jefferson,	Owens,	Vogt,
Cullen,	Jones, G. E.,	Petrosky,	Voldow,
Dalrymple,	Keenan,	Pettit,	Voorhees,
Dennison,	Kenehan,	Polaski,	Wagner,
	Kline,	Polen,	Watkins,

DiGenova,	Knoble,	Powers,	Weingartner,
Dix,	Kolankiewicz,	Prosen,	Weiss,
Dolon,	Komorofski,	Rausch,	Welsh, E. B.,
D'Ortona,	Krise,	Readinger,	Welsh, M. J.,
Duffy,	Lee, E. A.,	Reagan,	Wilkinson,
Early,	Leisey,	Reese, D. P.,	Williams,
Eckels,	Leonard,	Reese, R. E.,	Winner,
Elder,	Lesko,	Regan,	Wolf,
Elliott,	Levy,	Reynolds,	Wood, L. H.,
Ely,	Leydic,	Rhea,	Wood, N.,
Falkenstein,	Lichtenwalter,	Riley,	Woodring,
Finestone,	Longo,	Rooney,	Woodside,
Fiss,	Lovett,	Rose, S.,	Wright,
Fleming,	Lyons,	Rose, W. E.,	Yeakel,
Flynn,	Malloy,	Rosenfeld,	Yester,
Foor,	Marks,	Royer,	Young,
			Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 704, (Senate Bill No. 198), as follows:

To validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of January one thousand nine hundred and forty by any foreign corporation not authorized under the laws of Pennsylvania to hold the same the title to which real estate has been heretofore conveyed by such foreign corporation to a citizen of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen or corporation guarantee as aforesaid and his or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasibly as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, the gentleman from Warren, Mr. Muir, and I think also the gentleman from Philadelphia, Mr. Shephard, both are insisting that this bill is on the calendar in the wrong spot. They both think that it should have been the first bill on third reading because it is "an act to validate and quite"

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gallagher,	McClanaghan,	Sarge,
Allmond,	Gates,	McClester,	Sarraf,
Auker,	Gerard,	McDermott,	Scanlon,
Baker,	Gillan,	McFall,	Schwab,
Balthaser,	Goodwin,	McGrath,	Serrill,
Baugher,	Gross,	McIntosh,	Shaffer,
Bentley,	Gryskewicz,	McKinney,	Shaw,
Bentzel,	Gyger,	McLanahan,	Shepard,
Boles,	Habbyshaw,	McLane,	Simons,
Boney,	Haberlen,	McMillen,	Skale,
Bower,	Haines,	McSurdy,	Snyder,
Bradley,	Hall,	Melchiorre,	Sollenberger,
Breth,	Hamilton,	Mihm,	Sorg,
Brown,	Hare,	Modell,	Stambaugh,
Brunner, C. H.,	Harkins,	Monks,	Stine,
Brunner, P. A.,	Harmuth,	Mooney,	Stockham,
Burns,	Harris,	Moran,	Tarr,
Burris,	Heatherington,	Moul,	Tate,
Cadwalader,	Helm,	Muir,	Taylor,
Chervenak,	Hering,	Munley,	Thompson, E. F.,
Chudoff,	Herman,	Nagel,	Thompson, R. L.,
Cochran,	Hewitt,	Nunemacher,	Trout,
Cohen, M. M.,	Hirsch,	O'Brien,	Turner,
Cohen, R. E.,	Holland,	O'Connor,	Van Allsburg,
Cook,	Huntley,	O'Mullen,	Verona,
Cooper,	James,	O'Neill,	Vincent,
Cordier,	Jefferson,	Owens,	Vogt,
Corrigan,	Jones, G. E.,	Petrosky,	Voldow,
Cullen,	Keenan,	Pettit,	Voorhees,
Dalrymple,	Kenehan,	Polaski,	Wagner,
Dennison,	Kline,	Polen,	Watkins,
DiGenova,	Knoble,	Powers,	Weingartner,
Dix,	Kolankiewicz,	Prosen,	Weiss,
Dolon,	Komorofski,	Rausch,	Welsh, E. B.,
D'Ortona,	Krise,	Readinger,	Welsh, M. J.,
Duffy,	Lee, E. A.,	Reagan,	Wilkinson,
Early,	Leisey,	Reese, D. P.,	Williams,
Eckels,	Leonard,	Reese, R. E.,	Winner,
Elder,	Lesko,	Regan,	Wolf,
Elliott,	Levy,	Reynolds,	Wood, L. H.,
Ely,	Leydic,	Rhea,	Wood, N.,
Falkenstein,	Lichtenwalter,	Riley,	Woodring,
Finestone,	Longo,	Rooney,	Woodside,
Fiss,	Lovett,	Rose, S.,	Wright,
Fleming,	Lyons,	Rose, W. E.,	Yeakel,
Flynn,	Malloy,	Rosenfeld,	Yester,
Foor,	Marks,	Royer,	Young,
French,	Maxwell,	Rusn,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendments.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 79.

An Act to amend subsection (a) of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedent and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land, the discharge of residuary estates

and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to all and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORT OF TREASURER OF JOINT STATE GOVERNMENT COMMISSION

The SPEAKER laid before the House a communication from Honorable Ellwood J. Turner, addressed to the Speaker, accompanied by the report of the treasurer of the Joint State Government Commission from August 17, 1939, to February 1, 1941, showing the receipts and expenditures of the Commission during that period which was read by the clerk.

The SPEAKER. In accordance with the request contained in the communication the report will be noted in the Journal of the House, and printed in full in the Legislative Journal.

House of Representatives, Harrisburg,
March 18, 1941.

Honorable Elmer Kilroy
Speaker of the House,
Harrisburg, Pennsylvania.

My dear Mr. Speaker:

Herewith I beg to hand you two copies of the report of the Treasurer of the Joint State Government Commission from August 17, 1939, to February 1, 1941, showing receipts and expenditures of the Commission during that period.

Owing to the fact that the Commission of which I was the chairman carried on until March 12th for the purpose of completing its reports, a supplemental Treasurer's report from February 1st to March 12th will be submitted in a few days.

I think it would be well to have this report printed in the Journal.

Very truly yours,

ELLWOOD J. TURNER.

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
TREASURER'S REPORT
FEBRUARY 1, 1941.

Receipts	
Accounting for Requisitions on State Treasurer as follows:	
August 17, 1939	$10,000.00
January 4, 1940	9,653.14
May 8, 1940	5,346.86
July 1, 1940	5,000.00
August 27, 1940	8,000.00
November 1, 1940	7,000.00
January 21, 1941	6,000.00
	$51,000.00
Disbursements	
Office Expense	
Salaries	$28,085.23
Supplies	1,236.31
Postage	262.00
Telephone and Telegraph	801.70
Traveling Expenses—Employes	1,493.41
Books, Magazines, etc.	22.75
Miscellaneous	332.39
	$32,233.79
Commission Expenses	
Traveling Expenses—Members	4,025.55
Expenses of Committees	
Finance	5,920.33
Relief	3,227.57
Departmental Organization	2,730.27
Unemployment Compensation	1,207.30
Administrative Law	650.25
Research	234.75
	$17,996.02
Total Disbursements	$50,229.81
Bank Balance—February 1, 1941	770.19
Balance in State Treasury—February 1, 1941	14,000.00
Total Appropriations to Commission	65,000.00

RECAPITULATION

Total Appropriations	$65,000.00
Disbursements to date	50,229.81
Balances—February 1, 1941	14,770.19
Appropriation Liabilities	6,132.35
Balance for Commission Expenses	8,637.84

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
FEBRUARY 1, 1941.

APPROPRIATION LIABILITIES

Reports in Hands of Printer	
General Printing	$ 105.00
Finance Report	2,244.50
Unemployment Compensation Report (Part I)	332.85
Unemployment Compensation Report (Part II)	450.00
Departmental Organization Report (Part I)	2,400.00
Departmental Organization Report Supplement (Recommendations and Special Studies)	600.00
	$6,132.35

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
DETAILED REPORT—SALARIES OF EMPLOYES
FEBRUARY 1, 1941.

	SALARY
A. Alfred Wasserman, August 16, 1939	$8,750.00
Phyl A. Greenspan, December 4, 1939	3,465.00
Kalman Silver, July 1, 1940	1,625.00
Antoinette S. Giddings, August 21, 1939	2,696.74
Rose Ann Tracy**, November 1, 1939	1,650.00
Temporary Employes	
George G. Snyder, July 8, 1940, September 28, 1940, October 16, 1940, January 31, 1941	1,381.72
Eugene C. McLaughlin, July 24, 1940, February 1, 1941	1,044.56

Charles P. Cella, October 1, 1940	500.00
Robert Chantigian, October 1, 1940	500.00
Edward W. Jacobs**, November 27, 1940	626.67
Robert Weiss, June 9, 1940, February 2, 1941	246.00
Rita E. Brennan, June 18, 1940	817.71
Margaret Ricci, October 1, 1940	317.02
Verna Musser, November 18, 1940	380.00
Leah Silver, December 11, 1940	140.00
Marie O. Fitzsimmons, September 23, 1940, November 15, 1940	282.69
Special Temporary Investigations	
J. D. Bruce, Jr., October 23, 1939, January 27, 1940	925.00
Bernard L. Fox, October 23, 1939, January 27, 1940	680.00
Joseph N. Harman, October 23, 1939, January 27, 1940	560.00
Clarence E. Wells, October 23, 1939, January 27, 1940	560.00
A. K. Merbreier, December 4, 1939, January 27, 1940, June 20, 1940, August 17, 1940	657.13
Alex Myers	150.00
Robert H. McCadden, December 18, 1939, January 6, 1940	120.00
Per Diem Employment	
John McDaniels (mimeographing	10.00
Harry Wagenheim (mimeographing)	55.00
Russell Stoner (auditing)	50.00
Adeline Fortino (stenographic services)	5.00
Mary Anderson (stenographic services)	5.00
Louise Maynard (stenographic services)	5.00
	*$28,205.24

*This total differs from the items "Salaries" on page 1 of the Treasurer's Report inasmuch as some of these salaries are chargable to various Committee and are included in the total amount spent by those committees.

**Resigned as of March 1, 1941.

As of February 1, 1941, 5 permanent employes, 7 temporary employes.

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
DETAILED REPORT—SUPPLIES
FEBRUARY 1, 1941.

Cotterel Company	$ 530.97
Temme Daller Co.	169.00
Pittman Publishing Co.	3.50
Standard Mailing Machines Co.	20.97
Office Equipment Co.	39.40
Capitol Blue Print Co.	19.30
The Haloid Co.	55.28
F. L. Hessenberger	109.83
E. A. Wright Company	11.76
Harrisburg Blue Print Co.	8.00
Brownell Photo-Litho. Co.	63.00
Thomas W. Price Co.	15.25
Donaldson Paper Company	50.20
John W. Armstrong	3.40
D. L. Ward Company	127.55
A. J. Lehrman and Sons	8.30
A. Alfred Wasserman	.20
Antoinette S. Giddings	.40
Total	$1,236.31

COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
DETAILED REPORT—TRAVELING EXPENSES—EMPLOYES
FEBRUARY 1, 1941.

Edward W. Jacobs	$ 152.23
Lawrence K. Brown	25.23
John L. Hauser	328.00
Joseph N. Harman, Jr.	66.60
J. D. Bruce, Jr.	179.32
Clarence E. Wells	19.50
Bernard L. Fox	12.25
A. K. Merbreier	271.58
Phyl A. Greenspan	2.70
Robert H. McCadden	4.80
Fred C. Storz	70.50
Donald E. Dunn	16.65
Russell B. Stoner	349.08
A. Alfred Wasserman	559.78
Dept. of Property & Supplies	26.50
Antoinette S. Giddings	8.45
C. E. Granger	3.00
H. P. Griffiths	2.00
Alex Myers	6.00
Total	*$2,104.27

*This total differs from the item "Traveling Expenses—Employes" on page 1 of the Treasurer's Report inasmuch as some of these expenses are chargable to various committees and are included in the total amount spent by those committees.

BILL ON SECOND READING

The SPEAKER. If there is no objection the Chair will return to the second reading calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 604, entitled:

An Act to amend section three of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (Pamphlet Laws two thousand forty-five), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure;" by defining further the duty of support of indigent persons by children or grandchildren.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. Matthew J. Welsh asked and obtained permission for the Committee on Military Affairs, to meet during the session of the House.

QUESTION OF PERSONAL PRIVILEGE

Mr. RUSH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. RUSH. Mr. Speaker, in the Journal under date of March 12, page 693, I notice on the vote taken on House Bill 450 that I am not recorded as voting. This bill deals with third class cities. I was present in the House and voted "aye" on this bill and I would like to be so recorded.

Again on page 694, the same day, on the vote taken on House Bill 465, also dealing with third class cities, I was present and voted "aye" on this bill but am not so recorded. I would like to have that correction made.

PERMISSION TO ADDRESS HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

Mr. Speaker, I have in my hand a communication which I understand was sent to all the members. It is from the State Federation of Sportsmen Clubs, and is entitled "Federation Bulletin No. 1", having to do with game legislation before this House.

The reason I rise to speak is because one of the bills they review is Bill 633 introduced by me and Mr. Tarr. Some of the things stated in their bulletin regarding that bill are perhaps based upon not a long study of the bill, and I want to inform the House, or rather to request them, to keep an open mind upon it and at the right time and in the right place we will present our facts as they stand. Thank you.

CONDOLENCE RESOLUTION

Messrs. MIHM and POWERS offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice considered and adopted:

In the House of Representatives, March 17, 1941.

James Murtha, prominent political figure in the Pittsburgh District, and during the legislatures of 1935 and 1937, assistant chief clerk of the House of Representatives, died at the Allegheny General Hospital, early in this year.

His death marked the passing of one of the strongest characters, both in business and politics, his community has ever known. In his early life, he was a newspaper reporter, covering, among other large assignments, the Johnstown Flood in 1889. He later became a real estate broker and promoter.

During the World War, Mr. Martin served as overseas secretary for the Knights of Columbus, which carried him to every battle front in France; therefore be it

Resolved, That the House of Representatives hereby express its sorrow over the passing of a good and able man, and express its appreciation of his services rendered to it in the past; and be it

Resolved, That copies of this resolution be forwarded by the Chief Clerk of the House, under whom Mr. Murtha served, to the son and daughter of the deceased, Mr. T. R. Murtha of Dallas, Texas, and Mrs. Fred B. Latham of Tuscon, Arizona.

CONDOLENCE RESOLUTION

Mr. BAKER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 18, 1941.

Whereas, We have learned with a profound sense of sorrow of the passing of Mary Holland, sister of the Honorable Elmer J. Holland, member of this House from Allegheny County; and

Whereas, We who knew Mary Holland realize the great loss the City of Pittsburgh has suffered in her passing; and

Whereas, Mary Holland for forty years was a teacher in the South High School in the City of Pittsburgh, where she was revered by all her pupils, many of whom today are among the distinguished citizens of the Commonwealth of Pennsylvania; and

Whereas, During her lifetime she devoted herself to the civic betterment of her community and was active in all movements designed to make Pittsburgh a greater city; and

Whereas, We as friends of the Honorable Elmer J. Holland sympathize with him in so great a bereavement; therefore be it

Resolved, That the members of the House by this resolution express their profound respect for the memory of Mary Holland; and be it further

Resolved, That a copy of this resolution be sent to the surviving brothers and sister of the deceased by the Chief Clerk of the House as an expression of the sincere sympathy of the members of the House to them in their bereavement.

RESOLUTION

CONGRATULATIONS

Messrs. SHEPARD, ALLMAND, BROWN, EDWIN F. THOMPSON, YOUNG and JEFFERSON offered the following resolution and asked and obtained unanimous concent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 18, 1941.

Whereas, Marian Anderson last night was the recipient of the Edward W. Bok award as Philadelphia's outstanding citizen for the year 1940; and

Whereas, Marian Anderson is preeminent as the greatest living contralto and equally outstanding for her contribution to the cultural development of her race; and

Whereas, She is a Philadelphian, born and reared in this great metropolis and a citizen of which this city is extremely proud; and

Whereas, She again exhibited her greatness in stating she would contribute the ten thousand dollars she was awarded to enable poor but talented individuals to receive the training which would give them their opportunity in life; and

Whereas, The House of Representatives desires to salute her and join with Philadelphia in honoring so great a personality and so magnificent an artist; therefore be it

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to Marian Anderson conveying the congratulations of the House of Representatives to her on her receipt of this award, and the wishes of the House of Representatives that she may long continue her work which reflects such great credit on her and her people.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I overlooked the fact that today is the natal day of my Republican colleagues who has been a member of this House for some time. I deeply regret that we did not prepare a resolution which could have been read from the desk of the House.

The gentleman from Tioga, Mr. Snyder, is today celebrating one of his birthdays. He is one of the real youths; he is one of the dependable and solid men of this House and you men who have not had a chance to know him as some of us on this side do, have not had any opportunity to realize what an asset he is to this Legislature of Pennsylvania and what a fine associate and colleague he can be.

The SPEAKER. The chair wishes Mr. Snyder many returns of the day.

Mr. SNYDER. I wonder if the Members on the other side of the House realize that yesterday was Grover Cleveland's birthday, one of your great Democratic presidents and also the birthday of St. Patrick. I am just wondering if I had been born one day sooner whether I might have been a Democrat and an Irishman.

REPORTS FROM COMMITTEES

Mr. LEVY, from the Committee on Military Affairs, reported as committed, House Bill No. 639, entitled

Requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine", at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

Mr. KOLANKIEWICZ, from the Committee on Military Affairs, reported as committed, House Bill No. 444, entitled

An Act authorizing the Department of Military Affairs, upon request, to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization, in the Commonwealth; and making an appropriation.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Counties, Wednesday, March 19 at 11:30 a. m. in Room 521.

Dairy Industries, Wednesday, March 19 at 10 a. m. in Room 329.

Education, Wednesday, March 19 at 11 a. m. in Room 329.

Highways, Tuesday, March 18 immediately after the session in Room 324.

Townships, Wednesday, March 19 at 10 a. m. in Room 324.

Workmen's Compensation, Wednesday, March 19 at 11:30 a. m.

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 227 on Tuesday, March 25, 1941 at 10 a. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Liquor Control on House Bills Nos. 259 and 550 on Tuesday, March 25, 1941 at 11 a. m. in the Old House Caucus Room.

There will be a Public Hearing before the Committee on Agriculture on House Bill No. 481, Senate Bill No. 294 on Wednesday, March 26, 1941 at 1 p. m. in the Senate Chamber.

Members of the Sub-Committee on Education on House Bill No. 460 will meet in Room 326, Old Caucus Room on Wednesday, March 19 at 10:30 a. m.

ANNOUNCEMENT

Bi-annual Dinner of the Legislative Sons of Saint Patrick—Last Call:

Purchase all tickets for the Dinner this evening before the end of today's Session.

All persons holding tickets please be seated in the Ballroom before 8 p. m. as serving will start promptly at 8 o'clock.

Committee Members who have not made complete returns on the sale of the tickets please do so at once at the office of the Chief Clerk of the House of Representatives.

ADJOURNMENT

Mr. ECKLES. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 19, 1941, at 12 m.

The motion was agreed to, and (at 3:50 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, MARCH 19, 1941. No. 24.

SENATE

WEDNESDAY, March 19, 1941

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. FRANK W. RUTH, offered the following prayer:

Almighty God, our heavenly Father, as we come to Thy presence this morning we pray that Thy spirit will guide us today in all that we do and say, that we may in a humble way do Thy will. Especially do we bring to Thee this morning our brother, Senator Watkins, and we pray that Thou through Thy fatherly hand will give him courage and faith in his ordeal, and speedily restore him again to health and strength and to his useful place in his community and in the State.

We ask Thy blessing today upon all institutions of healing, doctors, nurses, those who have dedicated their lives to helping humanity, that Thou will guide them, that our nation may realize that all our health and strength comes from Thee. We ask with the forgiveness of our sins, Thy continued guidance in our work. In the Master's Holy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. THOMAS and Mr. WADE, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Edmonds asked and obtained leave of absence for the Senator from Philadelphia, Mr. WOODWARD.

Mr. Carr asked and obtained leave of absence for the Senator from Schuylkill, Mr. WATKINS.

PETITION

The PRESIDENT. The Chair lays before the Senate communication from the United Electrical Radio and Machine Workers of America, Local 606, Greensburg, Pa., dated March 15, 1941, urging passage of a deficiency appropriation act, covering workmen's compensation claims which will be noted in the Journal.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 19, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Clara M. Becker, Pittsburgh, 1439 Woods Run Avenue, North Side.

William L. Dean, Pittsburgh, Standard Life Bldg., 345 Fourth Ave.

Mrs. Harriet I. Schwartz, Millvale.

CAMBRIA COUNTY

Joseph M. Baretincic, Johnstown.

DAUPHIN COUNTY

George W. Hetrick, Jr., Derry Twp., 16 East Derry Road, Hershey.

DELAWARE COUNTY

Mrs. Sarah C. Clark, Radnor Twp., Box 271, Wayne.

FAYETTE COUNTY

Virgil V. Trotter, Brownsville.

LACKAWANNA COUNTY

Miss Dorothy E. Judge, Carbondale.

William E. White, Scranton.

MONTGOMERY COUNTY

Arthur W. Marshall, Jenkintown.

NORTHUMBERLAND COUNTY

John F. Gillespie, Shamokin.

PHILADELPHIA COUNTY

Miss Violet M. Fagerstrom, Phila., 260 South Broad St.
Mrs. Helen S. Forster, Phila., 917 Market Street Nat. Bank Bldg., Juniper and Market Sts.
Mrs. Pauline Fuiman, Phila., 1209 Spruce Street.
Edward O. Kellner, Phila., 1120 East Columbia Avenue.
Jack Tecklin, Phila., Fleischer Bldg., 26th and Reed Sts.

SCHUYLKILL COUNTY

Michael Minor, Kline Twp., Kelayres.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

FAYETTE COUNTY

Miss Bertha Cunningham, Connellsville, March 22, 1941.

SUSQUEHANNA COUNTY

E. J. Tierney, Susquehanna, March 24, 1941.

INDIANA COUNTY

W. C. Chapman, Indiana, March 25, 1941.

ALLEGHENY COUNTY

Wm. McConaghy, Pittsburgh, 3800 Brighton Road, March 29, 1941.

LUZERNE COUNTY

Miss Regina M. Kemmey, Pittston, March 30, 1941.

PHILADELPHIA COUNTY

Miss Mary B. Kosher, Phila., 932 Bankers Securities Bldg., April 2, 1941.

CAMBRIA COUNTY

John M. Carlisle, Nanty Glo, April 5, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. JAMES

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Edmonds,	Mallery,	Stevenson,
Bartlett,	Farrell,	McCreesh,	Stiefel,
Becker,	Frey,	McGinnis,	Tallman,
Carr,	Geltz,	McQuiddy,	Taylor,
Cavalcante,	Haluska,	Miller,	Thomas,
Chapman,	Heyburn,	Mundy,	Tyler,
Coleman,	Homsher,	Reed,	Wade,
Crider,	James,	Ruth,	Walker,
Crowe,	Kephart,	Shapiro,	Wilson, H. I.,
Dent,	Lanius,	Snowden,	Wilson, T. B.,
Ealy,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. SNOWDEN, from the Committee on Municipal Government, reported as committed, Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

BILL RE-REFERRED

Mr. HOMSHER, from the Committee on Education, reported as committed, Senate Bill No. 367, entitled:

An Act authorizing the Department of Public Instruction, with the approval of the Board of Trustees of the Millersville State Teachers' College, to contract with the Borough of Millersville for the erection of a sewage disposal plant and the connection therewith and use thereof by the Millersville State Teachers' College, and the payment of part of the cost of maintenance thereafter; and making an appropriation.

with the request that it be re-referred to the Committee on Appropriations.

BILL INTRODUCED

Mr. COLEMAN read in his place and presented to the Chair Senate Bill No. 380, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such com-

pensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before the board.

Which was committed to the Committee on Labor and Industry.

RESOLUTION OF CONDOLENCE

Mr. STIEFEL. Mr. President, one of the outstanding citizens of the fifth Senatorial district of Pennsylvania died on Sunday, March 16, 1941, a man who formerly as Senator represented the fifth senatorial district in Philadelphia, the honorable Richard V. Farley.

Mr. STIEFEL offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 19, 1941.

The Honorable Richard V. Farley, former member of this Senate, representing the Fifth Senatorial District, Philadelphia, died at his home, 2423 N. Tenth Street, in Philadelphia, on Sunday, March 16, 1941.

Born in the city from which he came to the Senate, he was educated in the public schools of Philadelphia and, at an early age, apprenticed to a printer, following that business during his lifetime. He completed his education after starting to work by attending the evening classes of the Central High School. He was an active member of Typographical Union No. 2, serving two terms as vice-president of that organization, and also serving as delegate to the Cleveland Convention of the International Typographical Union in 1912.

At one time, he served as a member of the Democratic City Committee of Philadelphia. He was elected to the Senate in 1912 and served during the sessions of 1913 and 1915.

Resolved, That the Senate hereby expresses its deep regret at his death and extends its sincere sympathy to the members of his family who survive him.

Resolved, That the Secretary of the Senate transmit a copy of this Resolution to the family of the deceased.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I offer the following amendments:

Amend title page 1, line two of the title by inserting after the word "citizen" the following: and certain residents; amend title page 1, line 3 of the title by inserting at the end thereof the following: on a yearly salary basis; amend page 1, between lines 5 and 6, after the word "States" and before the word "Section," by inserting the following: or who has not been a resident of the United States for the past ten years or who has not taken out first citizenship papers to become a citizen of the United States. Provided, however, That citizenship may be waived in the case of exchange teachers not permanetly employed for the purpeose of teaching foreign languages.

Mr. REED. I object to the amendment.

Mr. McCREESH. I second the motion.

The PRESIDENT. There is no motion before the Senate, other than the request for immediate consideration. A motion is now in order, if the Senator desires action taken. Otherwise the bill will go over in its order.

MOTION TO ADOPT AMENDMENT

Mr. KEPHART. Mr. President, I move the immediate adoption of the amendments.

Mr. THOMAS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EDMONDS. Mr. President, I am in favor of the adoption of these amendments, which have been prepared with great care. After consulation I am wondering if the gentleman from Washington would tell us just what his objections are to the amendment.

The PRESIDENT. Will the gentleman from Washington permit himself to be interrogated?

Mr. REED. I will, Mr. President.

Mr. EDMONDS. Mr. President, I was wondering whether the gentleman from Washington would be good enough to tell us just what is the basis of his objection.

Mr. REED. Mr. President, I listened to the reading of the amendments very carefully and the part that relates to teachers is satisfactory, but the other part is not satisfactory. It takes, as I understood the reading of the amendments, the very heart out of the bill.

Now, Mr. President, last week we had up for consideration the birth certificate bill, and arguments in favor of those amendments were chiefly based on the ground that we wanted to make the obtaining of a birth certificate hard in order to keep out of our industries during this war those who might have subversive thoughts and would engage in subversive activities.

Here is a bill which provides for not employing people in our governmental deparments or agencies who are not citizens. I see no objection to that bill. I cannot understand why certain members of this body who argued last week for the amending of the birth certificate bill to head off those who might be aliens from employment in our industries should object to this bill.

Mr. President, here is a bill, I repeat, which wants to keep out of our governmental agencies people who are not citizens and this amendment will tear out the very purposes of the bill. That is why I object to this amendment and that is why I want it to go over, so that we may have more time to study it.

Mr. SHAPIRO. Mr. President, in the last six or seven years we have witnessed the migration of a great many scholars, men whose information and experience has been most valuable to the development of the culture of Europe, coming from Europe, driven out to this country. A great many of these men have already been employed in New York and Pennsylvania in positions which were valuable to the Communities, places which will become vacant, diseminating information and experience which is of the most valuable nature to this country.

The bill in its original form, to which I objected, provided that no aliens could be employed, not only by any state department but by any political sub-divisions of

the state. At the same time we were listening to arguments that certain persons who were citizens but could not prove their citizenship or who wanted to become citizens and could not become citizens because their birth records were deficient, were being protected by Senate Bill No. 9, we were met with Senate Bill No. 50, which prohibited those very persons from engaging in employment or continuing in employment in the state, and it seemed to me a rather inconsistent situation to say on the one hand that persons who wanted to become citizens but could not prove their birth in this country, should be given relief and then at the same time, since they were aliens, within the next breath pass a law preventing them from holding positions, that is obviously inconsistent.

Mr. President, I was therefore opposed to the bill; I was opposed to the bill because it kept out of work people who were very anxious and desirous of becoming citizens of the type I have discussed, doctors, physicists, engineers, who have come to this country, looking to it as the haven many of our ancestors found in this country, people who were willing to become citizens, who are essential in many walks of life for the benefit of this country, who have made application to become citizens, but because of our laws a certain period of time must expire before they become citizens.

The amendments as I understood them, when read, provide that this bill shall not apply to a person who has been a resident of this country for ten years. It does not apply to persons who have declared their intention to become citizens; it does not apply to exchange students, scholarships which have heretofore been exchanged between various countries, and it seems to me therefore to meet all of my objections to the bill, because I am opposed to anyone occupying a position in the Commonwealth who is not willing to declare his intention to be a citizen or who is unwilling to become a citizen if he has the opportunity and the ability to become a citizen of this country, and for that reason I shall vote for these amendments.

I understand that when we vote for these amendments, the bill does not pass finally, and when they are voted for and adopted they will appear in the bill so that the gentleman from Washington can then read them, in the only intelligible way we can read and understand the amendments.

Mr. KEPHART. Mr. President, the purpose of the amendment with regard to the ten years and first citizenship papers was to prevent this bill from being too drastic. At the present time there are approximately, I understand, four hundred thousand aliens in this state. A lot of those people have been residents of Pennsylvania for many, many years and a lot of them thought they were citizens of Pennsylvania, I imagine; a lot of them have at one time or another been employed by the state or municipality, and maybe some are now.

They are good honest citizens, and why we should cut them off at a moment's notice from their employment is more than I can understand, without giving them a fair chance to save their employment. This amendment merely does that. This amendment merely does that; it makes this bill operate more fairly for this great body of our citizens.

Mr. REED. Mr. President, there is one further fact I should like to offer in connection with these amendments and that is this: last week when we were discussing the birth certificate bill it developed there were many people in this state that were held out of industry because of the procedure now in vogue in Pennsylvania to get a proper certificate, and then the argument was advanced in the face of that situation that we should make the obtaining of these birth certificates more stringent in order to protect our industries.

Today, Mr. President, we have coming to this country a lot of other people who are not in the class, perhaps, that the Senator from Philadelphia meant, a whole group of people fleeing from other shores in order to get into the haven of this great democracy, and I say to you many of that class we do not want in our governmental agencies, because of their subversive activities and their subversive thinking. We have too many of them here now and I say to you there is nothing wrong with the bill presented by the gentleman from Monroe, in its present form, particularly for those who want to stand for a high and strong democracy.

As I stated before, I favor that clause which refers to the exchange of teachers and relates to scholarships, but as to the rest of those amendments I still maintain that they will take the very purpose from this bill which the sponsors and those back of him intended.

Mr. McGINNIS. Mr. President, no matter what has been said we have in this country party government. I am not worried about any man who could not vote getting a position in public life, unless he is very much needed, and occasionally we need some special service and some special training in some particular work, and I feel that this bill would stop it. I am not worried but I feel to clutter our books with legislation of this kind, to prevent people from working when they should be called—I am glad this did not happen in the past because many of us would not be here today. These men or women would be idle here and why make it more difficult to secure work here when they are here, and have a right to secure work when they are here and they have a right to be here. I hope we will not clutter our books with laws that will prevent people from working, especially when we need them.

Mr. CAVALCANTE. Mr. President, I spoke at length on the birth certificate bill last week when it came up before this body for action, and I pleaded for a bill that would not penalize those who were born in this Commonwealth, and who because of no fault of their own, their births were not registered according to law.

The argument advanced by the majority at that time was that we should not make it too lenient for people to effect their birth registration, and in line with that argument the original Chapman bill was so amended that it is almost impossible for anyone to have his birth registered honestly and fairly without court litigation.

Mr. President, now we have this bill before us that is intended to prevent the employment of non-citizens by the Commonwealth of Pennsylvania and its political subdivisions. That was the original purpose of the bill as stated in its title, but now these amendments are offered which greatly divert this bill from the purpose stated in the title. The amendments do not provide that only citizens may be employed now, but the amendment will permit non-citizens to be employed. The title is not so amended so as to provide for that but the title merely provides that the Commonwealth of Pennsylvania and its political sub-divisions employ only citizens of the

United States. These amendments will now take away from that title, and the amendments provide that non-citizens may be employed and if the bill is passed and the Commonwealth and its political sub-divisions may employ a non-citizen then you have this anomalous situation that in Pennsylvania a man must prove his citizenship and his birth before he is employed in the defense program, but in the Commonwealth, departments of the Commonwealth and its political sub-divisions, they do not have to be citizens, they do not have to be born here, they may be employed.

Mr. President, that is hardly fair to the honest American who was actually born here and who, through no fault of his own, his birth was not registered. The gentlemen who sponsored the amendments says that he did not want this bill to be too drastic, yet last week he was not so concerned about how drastic the birth certificate bill was made, a bill that was intended to give relief, not to aliens and refugees from these foreign countries, but it was a bill to give some degree of relief to American citizens, Americans who were born here in this United States of America.

I agree fully with the gentleman from Washington in the position that he has taken, that if any bill ought to be made drastic, this is one of the bills that we ought to make pretty drastic for the non-citizen, a person born in a foreign country, to obtain employment, and especially in the agencies of government.

Mr. President, we had a very extended hearing on Senate Bill No. 172, aimed at excluding from our political structure individuals that may be inimical to our form of government, but this bill will make it perfectly legitimate for the Commonwealth, its departments and its municipal sub-divisions to employ non-citizens.

We can hardly justify our actions of the past week with the action that we are being called upon to take at this time. These amendments should not be put in this bill, and in fairness to many of us who are interested in this subject, at least the courtesy ought to be extended that the amendments be printed in the bill and the bill be placed on our desks so that we can carefully examine it and see just what import these amendments may have to the bill in its original state. Why try to force this thing through here now with these amendments, force us to vote upon it without our having before us the amended bill and without being given some opportunity to give it some mature consideration as to just how far-reaching these amendments are and what effect they really have on the title of this bill and the provisions as originally introduced.

Mr. EDMONDS. As I understand the question, Mr. President, this is a motion to amend on second reading. If the amendment is carried, the bill will then be printed and we will have it in our files. I think if it is once printed and we have it in our files, a great deal of the objection that has come about this morning will disappear because we will see what the amendments do.

Mr. President, as the gentleman from Philadelphia said, first, it exempts exchange teachers and those who teach foreign languages; secondly, it exempts those who have applied for first citizenship papers: in the third place, it exempts those who have been in this country for ten years; and in the fourth place it exempts those who are employed on a per diem basis. It applies only to those who are on a yearly salary basis.

Mr. President, I would be inclined to think the proper course of action might be to adopt the amendments and put them in the bill, and then let us have the debate next Monday or Tuesday when the bill will be before us for third reading and we can see what we are actually discussing.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise to a question of Parliamentary inquiry.

The PRESIDENT. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BARR. Mr. President, may I ask whether or not the amendments could be adopted and the bill not be given second reading?

The PRESIDENT. That would be out of order.

Mr. COLEMAN. Mr. President, I submit the point of order raised by the gentleman from Allegheny is correct.

The PRESIDENT. The gentleman from Allegheny asked whether or not the amendments could be adopted and the bill not be given second reading.

Mr. SHAPIRO. Mr. President, until these amendments are adopted the bill is still on first reading, and after the amendments have been adopted, the bill does not have to be read the second time, and therefore a motion that it should not be read is not necessary.

The PRESIDENT. That is correct. The Chair understands the question now is on the adoption of the motion of the Senator from Philadelphia to amend section one.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS 34

Barr,	Edmonds,	Mallery,	Stevenson,
Bartlett,	Farrell,	McGinnis,	Stiefel,
Carr,	Frey,	McQuiddy,	Tallman,
Chapman,	Geltz,	Miller,	Taylor,
Coleman,	Heyburn,	Mundy,	Thomas,
Crider,	James,	Ruth,	Tyler,
Crowe,	Kephart,	Shapiro,	Walker,
Dent,	Lanius,	Snowden,	Wilson, H. I.,
Ealy,	Letzler,		

NAYS 8

Becker,	Cox,	Haluska,	McCreesh,
Cavalcante,	Deitrick,	Homsher,	Reed,

So the question was determined in the affirmative.

Mr. REED. Mr. President, may I inquire how the gentleman from Luzerne voted, Mr. Miller?

Mr. MILLER. Mr. President, I voted "aye".

The first section of the bill was read as follows:

Section 1 No department bureau commission or office of the Commonwealth of Pennsylvania or of any city borough township school district or of any other political subdivision shall employ any person who is not a citizen of the United States.

On the question,

Will the Senate agree to the section?

Mr. KEPHART. Mr. President, I move to amend Section 1, page 1, line 5, by inserting after the word "person" the following: on a yearly salary basis; amend page 1, between lines 5 and 6, after the word "States" and before the word "Section", by inserting the following: or who has not been a resident of the United States for the past ten years or

who has not taken out first citizenship papers to become a citizen of the United States. Provided, however, That citizenship may be waived in the case of exchange teachers not permanetly employed, and teachers employed for the purpose of teachnig foreign languages.

Mr. THOMAS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Cavalcante and were as follows, viz:

YEAS—35

Barr,	Edmonds,	Mallery,	Stiefel,
Bartlett,	Farrell,	McGinnis,	Tallman,
Carr,	Frey,	McQuiddy,	Taylor,
Chapman,	Geltz,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Tyler,
Crider,	James,	Ruth,	Wade,
Crowe,	Kephart,	Shapiro,	Walker,
Dent,	Lanius,	Snowden,	Wilson, H. I.,
Ealy,	Letzler,	Stevenson,	

NAYS—7

Becker,	Cox,	Haluska,	Reed,
Cavalcante,	Deitrick,	McCreesh,	

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any officer of the State or of any city borough township school district or any other political subdivision or any other person responsible who knowingly employs or retains any employe contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or to undergo imprisonment not more than thirty days or both.

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—36

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Stevenson,
Becker,	Farrell,	McGinnis,	Tallman,
Carr,	Frey,	McQuiddy,	Taylor,
Chapman,	Geltz,	Miller,	Thomas,
Coleman,	Heyburn,	Mundy,	Tyler,
Crider,	James,	Ruth,	Wade,
Crowe,	Kephart,	Shapiro,	Walker,
Dent,	Lanius,	Snowden,	Wilson, H. I.,

NAYS—5

Cavalcante,	Haluska,	McCreesh,	Reed,
Cox,			

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

Providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

On the question,

Will the Senate agree to the title?

Mr. KEPHART. Mr. President, I move to amend title page 1, line two of the title by inserting after the word "citizens" the following: and certain residents.

Mr. MILLER. I second the motion.

On the question,

Will the Senate agree to the title as amended?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—35

Barr,	Farrell,	McGinnis,	Tallman.
Bartlett,	Frey,	McQuiddy,	Taylor,
Carr,	Geltz,	Miller,	Thomas,
Chapman,	Heyburn,	Mundy,	Tyler,
Coleman,	James,	Ruth,	Wade,
Crider,	Kephart,	Shapiro,	Walker,
Crowe,	Lanius,	Snowden,	Wilson, H. I.,
Ealy,	Letzler,	Stiefel,	Wilson, T. B.,
Edmonds.	Mallery,	Stevenson,	

NAYS—5

Becker,	Cox,	McCreesh,	Reed,
Cavalcante,			

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

The title of the bill as amended was read.

Mr. KEPHART. Mr. President, I offer the following amendment: amend title page 1, line 3 of the title by inserting at the end thereof the following: on a yearly salary basis.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—36

Barr,	Farrell,	Mallery,	Stevenson,
Bartlett,	Frey,	McGinnis,	Tallman,
Carr,	Geltz,	McQuiddy,	Taylor,
Chapman,	Heyburn,	Miller,	Thomas,
Coleman,	Homsher,	Mundy,	Tyler,
Crider,	James,	Ruth,	Wade,
Crowe,	Kephart,	Shapiro,	Walker,
Ealy,	Lanius,	Snowden,	Wilson, H. I.,
Edmonds.	Letzler.	Stiefel,	Wilson, T. B.,

NAYS—5

Becker,	Cox,	McCreesh,	Reed,
Cavalcante,			

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—34

Barr,	Farrell,	McGinnis,	Tallman,
Bartlett,	Frey,	McQuiddy,	Taylor,
Carr,	Geltz,	Miller,	Thomas,
Chapman,	Heyburn,	Ruth,	Tyler,
Coleman,	James,	Shapiro,	Wade,
Crider,	Kephart,	Snowden,	Walker,
Crowe,	Lanius,	Stiefel,	Wilson, H. I.,
Ealy.	Letzler,	Stevenson,	Wilson, T. B.,
Edmonds,	Mallery,		

NAYS—5

Becker,	Cox,	McCreesh,	Reed,
Cavalcante,			

And said bill as amended having been read at length the second time.

On the question,

Will the Senate agree to the bill as amended on second reading?

BILLS OVER IN ORDER

Mr. MILLER. Mr. President, I ask unanimous consent that Senate Bill No. 50, on second reading, go over in its order.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I do not know whether I am in order. I did not hear the Chair submit to the Senate the bill as amended.

The PRESIDENT. That was a vote on the title as amended. The question now would be, will the Senate agree to the bill on second reading as amended, but the motion is made to have it go over in its order.

Mr. COLEMAN. In other words, Mr. President, do I understand that the bill has been approved as amended and somebody has made a motion that it go over before second reading?

The PRESIDENT. That is correct.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 343, on second reading, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (Pamphlet Laws four hundred seventeen) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations", by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

go over in its order.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, before this motion is voted on, I should like the gentleman from Delaware to give us some information for the benefit of the Senators, so that we will be able to think about the matter over the weekend. I do not understand the necessity of this bill as to one point.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Mr. President, do I understand the first purpose of this bill is to correct the condition created by the decision of the Supreme Court to include in the jurisdiction of the Milk Control Board cases where milk is sold on consignment?

Mr. HEYBURN. That is right, Mr. President.

Mr. SHAPIRO. And the second provision, Mr. President, is to make the dealers responsible for the acts of their agents?

Mr. HEYBURN. That is true, Mr. President.

Mr. SHAPIRO. And the third one deals with certain areas in which prices may be fixed by the Milk Control Board, and when I say areas, I refer to areas where milk mix is sold.

Mr. HEYBURN. Ice cream mix, Mr. President.

Mr. SHAPIRO. Will the gentleman tell us whether the effect of that is that the Milk Control Board will have the right or will have the obligation to fix the prices to manufacturers who use milk in manufacturing ice cream?

Mr. HEYBURN. Mr. President, under the present act, the Board may fix the prices of milk used for manufacturing purposes. This provides that they shall fix the prices of milk used for manufacturing purposes. The reason for it is that section is under attack before the courts and it is to do away with the possibility some dealers who may move their milk into the manufacturing bracket where there is no price fixing operation, thereby cheating the farmers out of money, in plain language.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Delaware further.

The PRESIDENT. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Mr. President, the gentleman suggested this is a bill to fix the prices of ice cream mix. Will the gentleman state whether or not it is not true that the section to which this amendment is added is not a price fixing section but is an area section and affects

merely the areas in which the board has the right to fix prices.

Mr. HEYBURN. Mr. President, I am afraid the gentleman from Philadelphia, Mr. Shapiro, has not read Section 804 very carefully. I think it is a section where the power to fix prices is given. The suggestion is that the bill go over in its order until Monday, when after having had time to read it, we can discuss it with intelligence.

Mr. SHAPIRO. Mr. President, I should like to say for the information of the Senate, that I know very little about the milk business, and I therefore made it my business this morning to inquire with respect to this bill and I find—I am told by as able an authority as John Fertig in his opinion that is not a price fixing section, but merely an area fixing section, and that therefore this does not change the existing law at all except to specify that in this area the board may fix prices for milk mix. Now, the only price fixing authority for manufacturers of milk, milk manufacturers, as I gather it from the act, is a discretionary authority and they do not have to use it. Now, if they do not have to use it and they have the authority, I see no reason for singling out a particular group and inserting that as a price fixing area if they have the right under the act to do it and I suggest that that matter be very carefully gone into, because this is one of the things that I have been objecting to for some time. A bill goes into committee on one day and comes out the next day; it is an important piece of legislation and nobody is able to tell us the exact effect of the bill. I think the people who are affected by the bill are entitled to have the legislation acted upon with an understanding of the effect of the legislation on those persons.

Mr. HEYBURN. Mr. President, this is to correct an evil outlined in the Governor's joint address back in January and we have been working on it ever since.

I am not a big corporation lawyer, like my friend from Philadelphia; in fact I am not a lawyer at all, but this has been checked on by a Deputy Attorney General assigned to the Milk Control Board. He is of the opinion that this does exactly what we desire it to do.

However, Mr. President, it is desired that this bill go over in its order until Monday and it does not make much difference what we put on the record. There is a war on now and nobody is reading anything, so I think on Monday we will get down to business.

And the question recurring,

Will the Senate agree to the Senate Bill No. 50, going over in its order?

It was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will state his question of personal privilege.

Mr. DENT. Mr. President and members of the Senate, as a member of this General Assembly, I deem it my public duty to place before this Senate, from time to time, certain pertinent facts involving the stand of Labor in the defense program and the position of Labor in case of War as I see them.

First, I sincerely believe that the vast majority of Labor is opposed to war, I believe that Labor bears the brunt of physical suffering because the vast majority of the fighting forces is made up of workers, and second, because the worker and his family are the first to feel the effects of higher food costs, higher rent, and higher personal taxes and third, because the worker is the first to lose his personal rights and in many instances he loses, through legislative action, many social and labor gains because of war hysteria. Therefore, it is only natural for Labor to be opposed to War from an economic standpoint, along with the natural desire for peace and good will towards man of all nations.

This, I say, is Labor's natural position and yet it is unfair to assume that because of a natural dislike for war, that Labor is not patriotic and that Labor will in any way shirk its duties in a National Emergency.

One cannot help but pause and consider for a moment the man charges made because labor is involved in so many labor disputes at this time. Many so called Defense Strikes are, as much or more, the fault of the employer than they are of the employee.

When you find an employer like the Mayor of Norfolk, whose position on Labor is inbred and who tries to hide behind the Defense Program then, naturally, you will find strikes, lockouts and in many cases unreasonableness and hopelessness.

I quote from a National magazine the following story, "SOME NEW ALIBIS! All the old alibis, and a couple of new ones, were used by the Mayor of Norfolk—who owns and operates the Wood Towing Co.—during negotiations with a committee representing the Natl. Maritime Union. The mayor told the group wage increases were out of the question, since his first duty was to stockholders and his second to the consumers, who would allegedly be affected by price rises if the firm lifted its wage rate. The closed shop, the union committee was informed, was opposed by the mayor because it was against his principles—and because, since his firm had received some national defense orders, any American should have a right to work for him. After the first conference, the mayor began to weaken. He said he'd be willing to sacrifice his principles about the closed shop if the union would give up its wage increase demands. The answer was no."

This employer of course feels that public sentiment will be on his side because of the Defense Program, but I ask in all fairness, Is labor to blame in this case?

Again, lets look at the record of a strike that has been prominently featured in the news for the past few months. I refer to the Vultree Aircraft Strike. The ordinary citizen was led to believe that Labor was sitting down on the Defense Program. As a matter of fact, this employer was trying to get increased production without considering the rights of his workers or the relationship between increased Industrical activity, increased living costs and payroll earnings. However, Labor was falsely accused of halting work and interfering with airplane production. The record speaks for itself and again I am quoting from authentic sources, quote, "Vultree Aircraft Ahead of schedule Despite '40 Strike. Remember the propaganda at the time of the Vultree Aircraft strike last fall that the CIO was causing fatal delay in the national defense program? Well, officals of the United Automobile Workers wrote "finis" to that story today. They pointed to the fact that Asst. Sec. of War Robert Patterson has announced that Vultee finished its first contract for 300 basic U. S. Army training planes 40 days ahead of schedule. Work on the second batch of trainers is already under way. Declaring

that the record delivery is proof that well-paid, union workers "are the most competent in America," Lew Michelner, UAW regional director added: "This should end for once and for all the lie that the CIO is not interested in national defense or that CIO workers are guilty of holding up the defense program. "Work at Vultee is going ahead full blast and chief credit should be given to stabilized labor relations as guaranteed by the CIO contract."

Another bubble that needs puncturing is the false impression caused by the amount of publicity given to any and all Labor disputes large or small. Many Senators will be surprised to hear what the Bureau of Labor Statistics has to say in this connection, quote, "STRIKES TRAIL ACCIDENTS AS CAUSE OF TIME LOSS. Industrial accidents caused more than four times as much loss of working hours as strikes during 1940, Sidney Hillman, associate director-general of the Office of Production Management, said this week in announcing the results of a special study of the status of industrial relations. Less than two hours per worker were lost because of strikes, he said, and only a few of some 300 threatened disputes actually resulted in appreciable stoppages, all of short duration. The study, made by the U. S. Bureau of Labor Statistics at Hillman's request, also shows that the number of man days lost by strikes during the first six months of the defense program is only half that lost during the corresponding period for 1939, and 47 per cent less than the time lost by strikes when the U. S. was at war 24 years ago, although total non-agricultural employment is 22 per cent greater today than 1917. "Chief credit for this remarkable record," Hillman said, "should go to the patriotism of organized labor and to that vast majority of responsible industrialists who have accepted the orderly processes of collective bargaining."

I may add that the impression is generally accepted that Labor has no responsibility in Union Contracts. May I point out that in the United Mines Workers Contract any person participating in an illegal strike is fined $1.00 per day, said fines, becoming the property of the Coal Control Commission. Many other Labor Contracts assume full responsibility for the conduct of the Union Membership in respect to the contract provisions.

In the face of increased earnings by Coporations, it is only natural that there should be consideration for increased wages for the employees. The financial pages of the papers are full of reports of soaring profits. The U. S. Steel reported profits of more than $100,000,000 in 1940 or 148% higher than in 1939. Republic Steel doubled its profits to more than $21,000,000. The Du Ponts reported net profits of $87,000,000 and before deductions of Federal taxes their profits amounted to more than $144,000,000. And yet the total payroll of the Du Ponts for 63,800 employes in 1940 including all high salaried executives amounted to $129,600,000 which was nearly $15,000,000 less than the total profits. In other words, the company reaped a profit of $2,250 from each worker and yet the wage earners averaged considerably less than $1,500 per year.

In the face of these conditions is it unreasonable for labor to ask higher wages with the employer hiding behind the defense issue and cry that increased wages mean increased consumer price. Labor calls for the raising of wages not only because the workers are entitled to higher wages and industry can afford to pay them—not only to offset rising living costs—but also because the failure of labor to get its fair share results in serious trouble to our whole economy. While national income has been rising since 1932. Labor points out, a decreasing percentage of this income has been going to wages and salaries. Labor's share, in fact, has declined from 77.2% in 1932 to about 61% in 1940.

The declining percentage of national income going to labor is "one of the serious causes of depressions." It means that the American people become less and less able to buy what they can produce. A sound economy depends upon an expanding domestic market. But the present trend to huge and huger profits, while wage costs per unit of production decline, means a lopsided economy. To right this situation, more purchasing power must be given to the people with the greatest consuming power. That means higher wages, payable from present profit surpluses—and Labor is performing a socially beneficial duty when it negotiates such increases.

In summing up this statement I want to say that American Labor is patriotic and that if all Americans will serve as faithfully and unselfishly as the members of Organized Labor as a whole, there is no danger of our future and no question of our American solidarity and unity of purpose. Labor enjoys great privileges in our American form of Government and Labor stands ready to make any sacrifice necessary to maintain for ourselves and to preserve for our children the American Democratic Way of Life.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Westmoreland, Mr. Dent, on his remarks.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated.

Mr. DENT. I will be glad to, Mr. President.

Mr. CAVALCANTE. Mr. President, does the gentleman from Westmoreland have any data concerning who are the controlling stockholders of the Vultee Aircraft Corporation?

Mr. DENT. I do not, Mr. President.

Mr. CAVALCANTE. I thank the gentleman from Westmoreland.

BILLS INTRODUCED

Mr. MILLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER read in his place and presented to the Chair, Senate Bill No. 381, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto" by authorizing the acquisition and operation of aviation landing fields and airdromes.

Which was committed to the Committee on County Government.

Mr. MUNDY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MUNDY read in place and presented to the Chair Senate Bill No. 382, entitled:

An Act validating certain deeds and conveyances made by trustees without setting forth their authority to conevy.

Which was committed to the Committee on Judiciary General.

He also read in place and presented to the Chair Senate Bill no. 383, entitled:

An Act safeguarding public health by prohibiting cross connections by mains of pipes between any source of public water supply, and any foreign source; and imposing penalties.

Which was committed to the Committee on Public Health.

QUESTION OF PERSONAL PRIVILEGE

Mr. LETZLER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Clearfield will state his question of personal privilege.

Mr. LETZLER. Mr. President and Members of the Senate, I rise in defense of a citizen of Centre County who has always proven himself to have the best interests of his home community, his county and his State at heart. The defense is prompted by a statement contained in the Philadelphia Record of Thursday, March 12, as follows:

"The superintendent of the 121 bed Connellsville Hospital, whose appointment is the latest fantastic development in the State hospital situation, is Miss Anna Lauman.

"A board consisting of seven James appointees and two Pinchot Republican holdovers elected Miss Lauman last June to succeed Miss Emily Holmes, West Chester, who resigned.

"As the facts came to light through a Philadelphia Record investigation, there was a growing belief in political circles here that 'someone in Harrisburg pulled a fast one' on the local board.

"For Board Chairman Harry G. Brown said at Connellsville that Miss Lauman was recommended through 'official channels at Harrisburg' and that she had been superintendent at Phillipsburg—but that he and other board members knew nothing of her work there."

Phillipsburg is about 105 miles northeast of Connellsville.

"'She came highly recommended and things have been going 100 percent since she arrived', said Brown, a retired coal company official. Asked if the recommendation was made through the Department of Welfare, the supervisory agency for State hospitals, he said 'No.'"

In 1936, records show, the Department of Welfare dismissed Miss Lauman as Superintendent at Philipsburg after disclosures that she permitted former State Senator Harry B. Scott, long an influential Republican at Harrisburg, virtually to run the Philipsburg institution.

Scott, Centre county G.O.P. boss who was defeated for the Lieutenant Governorship in 1934, opened mail, obtained free service for political constituents and otherwise ruled the hospital in his home county, according to Commander John D. Pennington, then Secretary of Welfare.

The Philipsburg Board was unanimous in its protest against the dismissal of Miss Lauman and contended that the affairs of the hospital had been conducted in an efficient manner, and to the entire satisfaction of the staff as well as those who were served by the institution. This was a political dismissal by the Earle Administration and was the first experience of its kind in our district. It was loudly protested as being unfair but to no avail.

I have known Honorable Harry B. Scott of Philipsburg for a great many years—and I have yet the first time to ever hear him say or know of him to do a thing that would indicate anything but a sincere concern to be helpful and a desire to lend constructive assistance to any undertaking that would be helpful to the people of this state and to the people in his home town. It was in this spirit that he devoted so much of his time to the Philipsburg State Hospital. He was an active member of the Board until he became State Senator and served as secretary-treasurer. Senator Scott was the moving spirit in all that tended to benefit and improve this Hospital It was his child, his dream, and he was privileged to see much of what he had visioned become reality. His untiring effort saw old wooden ramshackle buildings replaced by new structures. He gave unstintingly of his time and seemed to live solely to see completed what he had so thoughtfully conceived as a boon to the sick and the maimed in that area of our State. He was unanimously supported by the Board of Trustees in all of his efforts. I say the Philipsburg State Hospital is an enduring monument to the untiring efforts of Harry B. Scott and the Board of Trustees. To put him in the light of an intruder, a trespasser, a violater of the rules which he helped to administrate, should be treated with contempt. He gave of his substance to maintain services that otherwise could not have been maintained. There are items of record amounting to between fifteen and sixteen thousand dollars that were paid for by Senator Scott personally. It was a generally accepted supposition that when something was needed it would be supplied by Senator Scott. He took great pride in the beautification of the grounds. He assigned a man who was on his payroll to give his time to this work. His benefactions were continuous—regular. He was a sponsor of the crippled childrens society, and many a child is the beneficiary of his benevolence because of this activity. Clinics for crippled children were a part of the effective program of the hospital and a part of the cost was borne by the crippled children's society. His leadership in this phase alone has been much missed. His deep interest in this work made him State President of Crippled Childrens organizations in Pennsylvania, and a director of the International Soicety for crippled children. What I have said records but a pitifully small part of the generosity practiced by this valuable citizen, and even those who are his opponents politically, admit that he was ever concerned about the welfare of the hospital staff, the classes in nursing and the employees generally. If criticism is the reward for such service, then we are to be pitied more than censured for a perverse appraisal of service to humanity.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Clearfield.

The PRESIDENT. Will the gentleman from Clearfield permit himself to be interrogated.

Mr. LETZLER. I will, Mr. President.

Mr. MUNDY. Mr. President, I am glad to hear of the many virtues of Senator Scott. I was wondering if the Senator, after having extolled all those virtues and all of those accomplishments of the former Senator, if it would be possible for the gentleman from Clearfield to list the Senator's record in inducing the Republican majority, the Secretary of Welfare, the Secretary of

Health and the Governor of Pennsylvania to open the Butler Sanatorium.

Mr. LETZLER. Mr. President, I think that is entirely beyond his ability, because of the distance between the two.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 463, (Senate Bill No. 384), entitled:

Making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indianatown Gap; and imposing certain duties upon the Department of Property and Supplies.

Which was committed to the Committee on Appropriations.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 1:30 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 561, (Senate Bill No. 385), entitled:

To amend section six hundred and eight of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," by making further provision, concerning the voting of shares held by incorporated institutions.

Which was committed to the Committee on Banking.

House Bill No. 604, (Senate Bill No. 386), entitled:

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "The Support Law," by defining further the duty of support of indigent persons by children or grandchildren.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

CONGRESS MEMORIALIZED TO EXTEND THE EFFECTIVE PERIOD OF THE BITUMINOUS ACT OF 1937

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Mines and Mining.

In the House of Representatives, February 17, 1941.

Whereas, the stabilization of the bituminous coal industry through price fixing and the elimination of unfair competition is of greatest importance throughout many portions of the United State and particularly in the bituminous region of the Commonwealth of Pennsylvania; and

Whereas, the Act of Congress known as the "Bituminous Coal Act of 1937" (April 26, 1937 c. 127; 50 Stat. 72), has operated effectively to eliminate detrimental overproduction and savage competition in the bituminous coal industry; and

Whereas, the constitutionality of this Act of Congress has been finally sustained by the Supreme Court of the United States in the case of Sunshine Anthracite Coal Co. v. Adhins 310 U. S. 381 84 L. ed 1263 (1940); and

Whereas, the operation of this Act of Congress ceases by its own terms on April 26, 1941; and

Whereas, if the provisions of this Act of Congress are not extended for an additional period, free competition in the bituminous coal industry may again degrade into anarchy, now therefore be it

Resolved (if the Senate concur), that the General Assembly memorialize the Congress of the United States to further extend the effective period of the "Bituminous Coal Act of 1937", and be it further

Resolved, that one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt

The Vice-President, Henry A. Wallace, President of the United States Senate

Speaker Rayburn, House of Representatives

Senator Joseph Guffey

Senator James P. Davis and

All members of the House delegation from Pennsylvania

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 225, entitled:

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

Whereupon,

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Clair hears none.

Mr. STIEFEL from the Committee on Appropriations reported as committed, Senate Bill No. 384, (House Bill No. 463), entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials, and equipment to enlarge and improve the Military Reservation at Indiantown Gap, and imposing certain duties upon the Department of Property and Supplies.

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Clair hears none.

Mr. KEPHART from the Committee on Corporations

re-reported as amended, Senate Bill No. 291, (House Bill No. 381), entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive and providing for notice of said section to shareholders.

BILLS INTRODUCED

Mr. EDMONDS. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EDMONDS (By request) read in place and presented to the Chair Senate Bill No. 387, entitled:

An Act to further amend clause (8) of subsection A of section one thousand two hundred eight and section one thousand two hundred nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations; of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further changing provisions relating to authorized investments of savings banks not under special charter and special charter savings banks.

Which was committed to the Committee on Banking.

He also, by request, read in his place and presented to the Chair Senate Bill No. 388, entitled:

An Act to further amend clauses (e) and (f) of section five hundred seventeen of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurances carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by changing provisions relating to the investment of the capital of stock fire and stock marine insurance companies.

Which was committed to the Committee on Insurance.

He also, by request, read in his place and presented to the Chair Senate Bill No. 389, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds, associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's insurance Fund; providing penalties; and repealing existing laws," by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 390, entitled:

An Act to amend paragraph eight of subsection (j) of section fifty-nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decendents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the filing of guardian's accounts in the office of the clerk of the orphans' court.

Which was committed to the Committee on Judiciary General.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 384, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials, and equipment to enlarge and improve the Military Reservation at Indiantown Gap, and imposing certain duties upon the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 24, 1941, at 4:30 o'clock, p. m.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:58 o'clock, p. m. until Monday, March 24, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 19, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Hear our prayers O Lord in behalf of those who are ill in body. Comfort those this day whose lives have been overshadowed with sorrow. Breathe upon us thy blessing that we may continue to do Thy will. Bless we pray Thee this assemblage of men. May each give careful consideration to all problems relating to our great State, so that when final action is taken there may be no regrets in the line of duty. May it be said of each of us as was said of the Christ, "He met the needs of all men." In His Name we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. BRETHERICK, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. NUNEMACHER and RUSSELL E. REESE.

HOUSE BILL No. 877.

To amend section eight hundred and twenty-five of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by changing the time of election and term of office of high constables.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.

HOUSE BILL No. 878.

To amend the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 83), entitled "An act to authorize the election of constables for three years in cities of the second and third class," increasing the terms of office of constables to six years.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.

HOUSE BILL No. 879.

To amend the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 727), entitled "An act authorizing the election in first class townships of an additional constable, and fixing his term," by increasing the term of office of constables to six years.

Referred to the Committee on Elections.

By Messrs. NUNEMACHER and RUSSELL E. REESE.

HOUSE BILL No. 880.

To further amend section one of the act, approved the fourteenth day of February, one thousand eight hundred and eighty-nine (P. L. 6), entitled "An act to authorize the election of constables for three years," increasing the term of office of constables to six years.

Referred to the Committee on Elections.

By Mr. HIRSCH. HOUSE BILL No. 881.

Making an appropriation to the Pennsylvania Soldiers Orphans' School, Scotland, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. HIRSCH. HOUSE BILL No. 882.

An Act making an appropriation to the Department of Welfare for the maintenance and equipment of an isolation ward in the Coaldale State Hospital, Coaldale, Pennsylvania.

Referred to the Committee on Appropriations

By Mr. LLOYD H. WOOD. HOUSE BILL No. 883.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" by making further provisions for the return and payment of the tax by certain agents and attorneys-in-fact.

Referred to the Committee on Ways and Means.

By Mr. BRADLEY. HOUSE BILL No. 884.

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirteen (P. L. 114), entitled "An act regulating the time of payment of wages and earnings, and providing a penalty for violation hereof," by requiring employers to furnish statements to employes of all deductions made from their wages.

Referred to the Committee on Labor.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 885.

An Act to further amend section five hundred and thirty of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for filling vacancies in the office of township commissioner.

Referred to the Committee on Townships.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 886.

An Act to further amend section one thousand eight hundred and two of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for advertising of certain contracts.

Referred to the Committee on Townships.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 887.

An Act to amend section one thousand eight hundred and three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for contracts and purchases not requiring advertising and bids.

Referred to the Committee on Townships.

By Mr. FALKENSTEIN. HOUSE BILL No. 888.

A Joint Resolution proposing an amendment to section fifteen, article five of the Constitution of the Commonwealth of Pennsylvania, by reducing the term of office of judges from ten to six years.

Referred to the Committee on Constitutional Amendments.

By Mr. MORAN (By Request). HOUSE BILL No. 889.

An Act requiring warrants for extradition of fugitives from justice to be executed by the sheriff of the proper county or his deputy; and providing for the fees, mileage and expenses of such service.

Referred to the Committee on Judiciary General.

By Mr. MOUL. HOUSE BILL No. 890.

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding proceeds of life insurance policies and annuities from the provisions thereof.

Referred to the Committee on Ways and Means.

By Mr. BRETH. HOUSE BILL No. 891.

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by revising the provisions of said act relating to the issuance of licenses; and repealing certain sections.

Referred to the Committee on Game.

By Mr. SCANLON. HOUSE BILL No. 892.

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation

Referred to the Committee on Cities—First Class.

By Mr. BALTHASER. HOUSE BILL No. 893.

An Act to amend section one thousand three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the penalty for failing to obey railroad warning signals.

Referred to the Committee on Motor Vehicles.

By Mr. WEISS. HOUSE BILL No. 894.

An Act requiring the Commonwealth and the political subdivisions thereof to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of appeal in claims against the Commonwealth, and a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

Referred to the Committee on Ways and Means.

By Mr. WEISS. HOUSE BILL No. 895.

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON and NAGEL. HOUSE BILL No. 896.

An Act authorizing and requiring county commissioners to sell seated and unseated lands purchased at tax sales, upon which the period of redemption has expired; and validating certain sales heretofore made.

Referred to the Committee on Counties.

By Messrs. BONEY and GRYSKEWICZ. HOUSE BILL No. 897.

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns, and townships of the first class maintaining a police force; creating a civil service commission in each borough, incorporated town, and townships of the first class, defining the duties of such civil service commission; imposing certain duties and expense on boroughs; incorporated towns, and townships of the first class; imposing penalties; and repealing inconsistent laws.

Referred to the Committee on Municipal Corporations.

By Messrs. HAMILTON and McLANHAN. HOUSE BILL No. 898.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" providing for the return and payment of said county (and, in certain cases, city and county) tax to the county treasurer.

Referred to the Committee on Ways and Means.

By Mr. BOORSE. HOUSE BILL No. 899.

An Act relating to landlord and tenant; and amending revising, changing and consolidating the law relating thereto.

Referred to the Committee on Judiciary Special.

By Messrs. TURNER and HERING. HOUSE BILL No. 900.

An Act to promote interstate cooperation for the conservation and protection of water resources in the Delaware River Basin.

Referred to the Committee on State Government.

By Mr. HARKINS. HOUSE BILL No. 901.

An Act to amend article two of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising amending and consolidating the law relating to boroughs," providing for the creation of boroughs from townships of the first class having a population of eight thousand or more, upon petition to the court of quarter sessions and a referendum, and prescribing the procedure therefor.

Referred to the Committee on Boroughs.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 254. (HOUSE BILL No. 902.)

An Act authorizing municipalities to file liens against real estate beyond the municipal limits for certain municipal rates validating liens heretofore filed and providing for the procedure thereon.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 266. (HOUSE BILL No. 903.)

An Act to further amend clause (i) of section four hundred ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the computation of extended term insurance in the uniform policy provisions of life insurance policies.

Referred to the Committee on Insurance.

SENATE BILL No. 144. (HOUSE BILL No. 904.)

An Act making a deficiency appropriation out of the Motor License Fund to the Department of Highways.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. SARRAF. (Concurrent) RESOLUTION No. 56.

In the House of Representatives, March 19, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind:

Whereas, that treasured pearl of our language, the word domocracy, meaning the rule of the people, is derived from the ancient Greek, Democracy was founded in ancient Athens. When Greece of the early Christian

era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our own glorious nation at its foundation.

Whereas, on March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of indominable courage of the Lacedamonians at Thermopylae has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, the Greeks have been associated with the United States since the early days of the Republic. In 1794 the first challenge to our infant nation embroiled us in war with the Barbary States of Nothern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge.

Wars are not won by naval victories alone; our infant republic could not send a military expedition across the seas. However, a military force was organized under the command of General William Eaton, U. S. A., and Colonel Tobias Lear who had been military secretary to George Washington; this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton, in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Derne, led by Patrick N. O'Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, people of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades i the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, a campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate, or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved, (if the Senate concur), That the legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the celebration of Greek Independence Day on March 25 as Hellenic Day, and be it further

Resolved, (if the Senate concur), that his Excellency, the Governor of Pennsylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. McMillen for Mr. HEWIT for today's session.

REPORTS FROM COMMITTEES

Mr. LESKO, from the Committee on Counties, reported as committed House Bill No. 112, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties of the third, fourth, fifth and sixth classes to acquire by lease, purchase or condemnation, land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields; authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions; and authorizing appropriations for such purposes.

Mr. McFALL, from the Committee on Counties, reported as committed, House Bill No. 314, entitled:

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

Mr. HEATHERINGTON, from the Committee on Highways, reported as committed, House Bill No. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There appears to be a misapprehension as to the rights of members in becoming co-sponsors of bills.

Rule 18 of the House provides

> "All bills shall be presented in triplicate, and signed by the members introducing the same, and date of filing entered thereon. The original copy is for the use of the committee, the second copy is for the use of the printer and the third copy is for the use of the members of the press. No House bill shall have more than two sponsors."

No member may become a co-sponsor of a bill after its introduction and reference. Immediately following introduction and reference, the original copy of the bill is sent to committee, the second copy has gone to the printer and third copy is already in the hands of the press, in addition the history has been compiled and the official Journal

entries made therefore, it must be obvious to the members that it is impossible to recall the original copies of the bills to permit adding a sponsor.

It is very important that both sponsors and co-sponsors endorse all three copies of the bills when presented—this is the only time they can be signed.

PARLIAMENTARY INQUIRY

Mr. CORDIER. I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Lackawanna will state his question of parliamentary inquiry.

Mr. CORDIER. Mr. Speaker, is it possible to have a co-sponsor on a resolution after it has been referred to committee?

The SPEAKER. The same procedure applies to resolutions that applies to bills.

Mr. CORDIER. Mr. Speaker, is it possible to have a co-sponsor of a bill after it has reached committee?

The SPEAKER. Not after it has been referred to committee.

Mr. CORDIER. Mr. Speaker, then the House established a precedent two weeks ago, when a co-sponsor was added to Resolution 43, providing for the adjourning of tax sales in the Commonwealth.

The SPEAKER. The Chair is giving this information to the House for future guidance. What has happened in the past is beyond control of the Chair.

SPECIAL ORDER—HOUSE BILL 463

Mr. ACHTERMAN. Mr. Speaker, I move that House Bill No. 63, Printer's No. 82, on page 9 of today's calendar, bills on third reading, be made a special order of business at this time.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 463, as follows:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the Department of Property and Supplies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-seven thousand dollars ($57,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap and for the payment of labor and the purchase of supplies material and equipment deemed necessary for the improvement of the said military reservation and for enlarging and making the same suitable and proper for military reservation purposes. No lands shall be purchased or condemned for such purpose except by the Department of Property and Supplies in the manner provided by the Administration Code of 1929

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the prvisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boney,	Greenwood,	McIntosh,	Shaw,
Boorse,	Gross,	McKinney,	Shepard,
Bower,	Gryskewicz,	McLanahan,	Simons,
Bradley,	Gyger,	McLane,	Skale,
Breth,	Habbyshaw,	McMillen,	Snyder,
Bretherick,	Haberlen,	McSurdy,	Sollenberger,
Brown,	Haines,	Melchiorre,	Sorg,
Brunner, C. H.,	Hall,	Mihm,	Stambaugh,
Brunner, P. A.,	Hamilton,	Modell,	Stank,
Burns,	Hare,	Monks,	Stine,
Burris,	Harkins,	Mooney,	Stockham,
Cadwalader,	Harmuth,	Moran,	Tarr,
Chervenak,	Harris,	Moul,	Tate,
Chudoff,	Heatherington,	Muir,	Taylor,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Herman,	Nunemacher,	Trout,
Cook,	Hersch,	O'Brien,	Turner,
Cooper,	Hirsch,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Weiss,
D'Ortona,	Knoble,	Prosen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Rank,	Welsh, M. J.,
Early,	Komorofski,	Rausch,	Wilkinson,
Eckels,	Krise,	Readinger,	Williams,
Elder,	Lee, E. A.,	Reagan,	Winner,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wolf,
Ely,	Leisey,	Reese, R. E.,	Wood, L. H.,
Falkenstein,	Leonard,	Regan,	Wood, N.,
Finestone,	Lesko,	Reynolds,	Woodring,
Fisher,	Levy,	Rhea,	Woodside,
Fiss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett,	Rose, W. E.,	Young,
	Lyons,	Rosenfeld,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 259, entitled:

An Act to further amend sections four hundred eleven, and six hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws fifteen—three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts. and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold; and imposing further penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 487, entitled:

An Act to repeal clause (o) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by eliminating requirement that the names of general assistance recipients be made public.

On the question,

Will the House agree to the bill on first reading?

Mr. WOODSIDE. On the reading of this bill I would like to make a remark or two, on the form of the bill. In section 1 of this proposed bill states it seems that clause 0 in section 7—

The SPEAKER. Will the gentleman ask unanimous consent to discuss this bill? The rules do not permit debate on bills on first reading.

Mr. WOODSIDE. Mr. Speaker, I ask unanimous consent to discuss this bill.

The SPEAKER. Will the House give unanimous consent to discuss this bill? The Chair hears no objection and the gentleman will proceed.

Mr. WOODSIDE. Mr. Speaker, House Bill 487, section 1 reads, "Clause 0 of section 7 of an act approved the twenty-fourth day of June 1937, P. L. 2051, entitled an act," and then quotes the act, "and the amendments thereto are hereby repealed."

In my opinion that is not only bad form but is illegal and improper. Whether it is illegal or improper or not it certainly is a practice which should not be adopted by this House, because the situation as it develops is this: you want to know what has been amended, and you refer to the act of 1937, if you happen to have the Pamphlet Laws in front of you. You will find if you refer to that act that there is no clause 0 in the act at all. Then you look at the acts passed in subsequent sessions of the Legislature to determine in which session this section of the act was amended and 0 clause added. Under those circumstances, if you do not happen to have the act of 1790, you must either refer to a Digest, which may or may not be correct, or you must review the Pamphlet Laws of every session of the Legislature from 1790 to date.

I make this statement on the floor of the House rather than calling it to the attention of the sponsor for the reason that I think it should be called to the attention of all the Members of the House, as well as the Legislative Reference Bureau, so that hereafter in drafting this type of legislation reference will be made to the amendments and parts to be repealed. It is my opinion in a situation of this kind, where the part to be amended is only one clause, the clause itself should be in the bill so that it will not be necessary for the Members of the Legislature when they are studying the bill to go to their Pamphlet Laws to see what the amendment is they are repealing.

PERMISSION TO ADDRESS THE HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, in answer to the gentleman from Dauphin, I will say that Bill No. 487, Printers No. 91 repeals a section of the Act of 1937. The question in my mind is: how the Legislative Reference Bureau could possibly call to the attention of the Members of the House in drafting the act the section repealed other than to refer in the title to the Act of 1937 and the number of the act in the Pamphlet Laws.

I would also say, in answer to the gentleman from Dauphin, that that has been the practice as I understand it, and it certainly could not be written in any other way and convey to the Members the fact that we are attempting to repeal an act that was repealed by a subsequent session of Legislature.

In further answer to the gentleman from Dauphin, I would say that I, as sponsor of the bill, was in accord with the Legislative Reference Bureau in drafting this bill, and to date I am not convinced that the bill is in any manner faulty or erroneous.

Mr. WOODSIDE. Mr. Speaker, this is a matter of procedure and I believe it is important enough to the House to take time to discuss it. I ask unanimous consent to discuss the matter further and to interrogate the sponsor of the bill, the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. The Chair hears no objection and the gentleman will proceed.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I again apologize to the sponsor for not having discussed this matter with him privately before this interrogation, but since he has answered as he has, I would like to ask him whether he realizes that clause "0" is not in the 1937 act, clause "0" of section 7 is not in the 1937 act?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Dauphin, he is perfectly right in his statement, clause "0" is not in the 1937 act as passed by this Assembly.

Mr. WOODSIDE. Mr. Speaker, should not reference be made to the 1939 act which amends the 1937 act and puts clause "0" into the 1937 act, which is the only place in the Pamphlet Laws of Pennsylvania where you can find this clause "0" which is being repealed, and should not reference to the 1939 act be placed in the body of bill 487?

Mr. LEVY. Mr. Speaker, in answer to the gentleman, I would say that in my estimation he is correct in one way, however, he is incorrect in another. The fact remains that in the 1937 relief act, clause "0" is not in the act itself. But the gentleman from Dauphin knows full well that in 1939, in amending the 1937 act, the sponsor of the bill at that time added another section to his amendment, and clause "0" was then inserted. Therefore, I say to the gentleman from Dauphin that he is correct in his assertion that clause "0" was not in the original act of 1937. However, in the amendments offered in 1939, which were enacted into law, clause "0" was inserted in the 1939 amendments, but how could we intelligently debate an amendment offered in 1941 if we do not make reference to a section which was added in 1939 as an amendment to the original act of 1937?

Mr. WOODSIDE. That is exactly the point, Mr. Speaker. How can we intelligently discuss this subject unless you make reference to the Act of 1939, which shows this section, and which is the only place in the Pamphlet Laws of Pennsylvania where you can find this section.

The gentleman is right, in that the bill should refer to the Act of 1937 because, of course, that is the act which was amended by the Act of 1939, but the bill is in bad form unless it also refers to the Act of 1939, because in no other way can any of the members of this House find clause "0" except by referring to the act of 1939.

Let us take an example. I am talking about form generally, not this particular bill, but generally in relation to all bills. Suppose it happened to be, instead of an Act of 1937, an act of 1837. It would then have been impossible to find where it had been amended unless you happened to konw, went through all the Pamphlet Laws of Pennsylvania or were a lawyer and had digests or access to them such as "Purdons" or "West." Then you would refer to the Digest and find the amendment.

For that reason it seems perfectly evident to me that any bill which amends a section or repeals a section ought to make reference, not only to the original act, but to the amendment, and that is doubly true in any case where the section to be repealed or amended is not contained in the original act. It is a matter of form which ought to be perfectly evident. I consulted with the Attorney General's office briefly and obtained a curb-stone opinion. I was advised that although they feel it is proper to amend an act by reference, as is done here, there certainly should always be a reference made to any section which is to be repealed or amended by a bill before the House or Senate.

Mr. LEVY. Mr. Speaker, again in answer to the gentleman from Dauphin, as he I do not wish to take up too much of the time of the House in discussing this matter but I think it is of such importance that it warrants further discussion, inasmuch as it might have an important bearing in the future. I would say, in all fairness, that the title of the bill should have included reference to the 1939 amendment, but apparently the Legislative Reference Bureau in framing the title, being such competent lawyers as they are, thought the Members in the well of the House were of the same timber.

I would say to the gentleman from Dauphin it might be difficult and cumbersome for new Members in glancing over the bill to refer to the 1939 act without a great deal of research, and I can assure the gentleman that on second reading of the bill I will include a reference to the 1939 act.

On the question recurring,

Will the House agree to the bill on first reading?

It was agreed to.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 692, entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." authorizing the leasing of Indiantown Gap Military Reservation to the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March. one thousand nine hundred one (P. L. 20), en-

titled "An act for the government of cities of the second class," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 401, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to muncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 393, entitled:

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trademark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," by extending the provisions thereof to vending equipment used in distributing such articles and further defining parties having a right of action for unfair competition.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 237, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians, and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," increasing the maximum cost of burial.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 158, entitled:

An Act to further amend sections two hundred two and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, in-

cluding the board of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employes' Retirement Board from the Department of State to the Treasury Department.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 159, entitled:

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employes' Retirement Board from the Department of State to Treasury Department; and transferring certain appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 444, entitled:

An Act authorizing the Department of Military Affairs, upon request, to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization, in the Commonwealth; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 616, entitled:

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427) entitled "An act to Consolidate, Revise, and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 376, entitled:

An Act to amend paragraph (a) of section eight hundred sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys and participation in the sport of bowling on Sunday.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for a third reading.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 225.

An Act relating to the national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 225.

An Act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor.

SENATE BILL No. 198.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 561, as follows:

An Act to amend section six hundred and eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by making further provision concerning the voting of shares held by incorporated institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred and eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" is hereby amended to read as follows

Section 608 Voting Shares Held by an Incorporated Institution An incorporated institution or any other corporation owning shares in a bank a bank and trust company or a trust company or an incorporated institution owning shares in any other corporation may vote them by its president or by any vice-president or by proxy appointed by [him] its president or by any vice-president unless some other person by resolution of its board of directors or board of trustees shall be [appointed] designated to vote or to appoint proxies to vote such shares in which case such person or the proxy appointed by him shall be entitled to vote [the] any such shares upon the production of a certified copy of such resolution Shares of its own capital belonging to a bank a bank and trust company or a trust company shall not be voted directly or indirectly at any meeting and shall not be counted in determining the total number of outstanding shares for voting purposes at any given time but where a bank and trust company or a trust company holds its own shares in a fiduciary capacity such shares may be voted and shall be counted in determining the total number of outstanding shares at any given time

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	French,	Marks,	Rush,
Allmond,	Gallagher,	Maxwell,	Sarge,
Auker,	Gates,	McClanaghan,	Sarraf,
Baker,	Gerard,	McClester,	Scanlon,
Balthaser,	Gillan,	McDermott,	Schwab,
Baugher,	Gillette,	McDowell,	Serrill,
Bentley,	Goodwin,	McFall,	Shaffer,
Bentzel,	Greenwood,	McIntosh,	Shaw,
Boney,	Gross,	McKinney,	Shepard,
Boorse,	Gryskewicz,	McLanahan,	Simons,
Bower,	Gyger,	McLane,	Skale,
Bradley,	Habbyshaw,	McMillen,	Snyder,
Breth,	Haberlen,	McSurdy,	Sollenberger,
Bretherick,	Haines,	Melchiorre,	Sorg,
Brown,	Hall,	Mihm,	Stambaugh,
Brunner, C. H.,	Hamilton,	Modell,	Stank,
Brunner, P. A.,	Hare,	Monks,	Stine,
Burns,	Harkins,	Mooney,	Stockham,
Burris,	Harmuth,	Moran,	Tarr,
Cadwalader,	Harris,	Moul,	Tate,
Chervenak,	Heatherington,	Muir,	Taylor,
Chudoff,	Helm,	Munley,	Thompson, E. F.,
Cochran,	Hering,	Nagel,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Nunemacher,	Trout,
Cohen, R. E.,	Hersch,	O'Brien,	Turner,
Cook,	Hirsch,	O'Connor,	Van Allsburg,
Cooper,	Huntley,	O'Dare,	Verona,
Cordier,	Imbrie,	O'Mullen,	Vincent,
Corrigan,	James,	O'Neill,	Vogt,
Croop,	Jefferson,	Owens,	Voldow,
Cullen,	Jones, G. E.,	Petrosky,	Voorhees,
Dalrymple,	Jones, P. N.,	Pettit,	Wagner,
Dennison,	Keenan,	Polaski,	Watkins,
DiGenova,	Kenehan,	Polen,	Weingartner,
Dix,	Kline,	Powers,	Weiss,
Dolon,	Knoble,	Prosen,	Welsh, E. B.,
D'Ortona,	Kolankiewicz,	Rank,	Welsh, M. J.,
Duffy,	Komorofski,	Rausch,	Wilkinson,
Early,	Krise,	Readinger,	Williams,
Eckels,	Lee, E. A.,	Reagan,	Winner,
Elder,	Lee, T. H.,	Reese, D. P.,	Wolf,
Elliott,	Leisey,	Reese, R. E.,	Wood, L. H.,
Ely,	Leonard,	Regan,	Wood, N.,
Falkenstein,	Lesko,	Reynolds,	Woodring,
Finestone,	Levy,	Rhea,	Woodside,
Fisher,	Leydic,	Riley,	Wright,
Fiss,	Lichtenwalter,	Rooney,	Yeakel,
Fleming,	Longo,	Rose, S.,	Yester,
Fletcher,	Lovett,	Rose, W. E.,	Young,
Flynn,	Lyons,	Rosenfeld,	Kilroy,
Foor,	Malloy,	Royer,	Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 604, as follows:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such

persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by defining further the duty of support of indigent persons by children or grandchildren

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby amended to read as follows

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father mother grandparent and grandchild of every indigent person shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

(b) The courts shall have power to hear determine and make orders and decrees in such cases upon the petition of such indigent person or of any other person or any public body or public agency having any interest in the care maintenance or assistance of such indigent person except no support order or decree shall be made in favor of an indigent parent or grandparent when the children or grandchildren established by satisfactory evidence that such parent or grandparent wilfully refused to support such children or grandchildren when under a legal duty to do so under the laws of the Commonwealth

(c) In all cases where an order has been made by the court for the care and maintenance or assistance of a husband wife father mother child grandfather grandmother or grandchild whether or not confined in any public institution and the said order has not been complied with the court or any judge thereof upon affidavit or petition filed setting forth that the person on whom the said order has been made has not complied with the said order shall issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to comply with said order be brought before the court at such time as the court may direct If it shall appear to the court after hearing that the person on whom the said order was made has wilfully neglected or refused to comply with said order the court may adjudge said person in contempt of court and in its discretion may commit said person to the county jail for a period not exceeding six months

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 203

Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boney,	Greenwood,	McIntosh,	Shaw,
Boorse,	Gross,	McKinney,	Shepard,
Bower,	Gryskewicz,	McLanahan,	Simons,
Bradley,	Gyger,	McLane,	Skale,
Breth,	Habbyshaw,	McMillen,	Snyder,
Bretherick,	Haberlen,	McSurdy,	Sollenberger,
Brown,	Haines,	Melchiorre,	Sorg,
Brunner, C. H.,	Hall,	Mihm,	Stambaugh,
Brunner, P. A.,	Hamilton,	Modell,	Stank,
Burns,	Hare,	Monks,	Stine,
Burris,	Harkins,	Mooney,	Stockham,
Cadwalader,	Harmuth,	Moran,	Tarr,
Chervenak,	Harris,	Moul,	Tate,
Chudoff,	Heatherington,	Muir,	Taylor,
Cochran,	Helm,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hering,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Herman,	Nunemacher,	Trout,
Cook,	Hersch,	O'Brien,	Turner,
Cooper,	Hirsch,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Weiss,
D'Ortona,	Knoble,	Prosen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Rank,	Welsh, M. J.,
Early,	Komorofski,	Rausch,	Wilkinson,
Eckels,	Krise,	Readinger,	Williams,
Elder,	Lee, E. A.,	Reagan,	Winner,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wolf,
Ely,	Leisey,	Reese, R. E.,	Wood, L. H.,
Falkenstein,	Leonard,	Regan,	Wood, N.,
Finestone,	Lesko,	Reynolds,	Woodring,
Fisher,	Levy,	Rhea,	Woodside,
Fiss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett,	Rose, W. E.,	Young,
Foor,	Lyons,	Rosenfeld,	Kilroy,
	Malloy,	Royer,	Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. BAKER, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

Mr. LEONARD, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation there-

under; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as tc persons entitled to such payments.

Mr. NAGEL, from the Committee on Education, reported as committed, House Bill No. 50, entitled:

An Act to repeal section four hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. GOODWIN, from the Committee on Townships, reported as amended, House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

RESOLUTIONS

THANKS EXTENDED

Mr. JAMES offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 19, 1941.

When we are privileged to listen to an inspiring flow of oratory such as that delivered at the St. Patrick party last evening by the Honorable Clare Gerald Fenerty, Judge of Common Pleas Court No. 5 of Philadelphia, it is indeed fitting that we take formal action in expressing our appreciation and our gratitude.

Judge Fenerty's exposition of the ancient culture, science and art of Ireland was such as to stir the heart of every son of Erin, and of every other listener as well, whose good fortune it was to celebrate the Day of St. Patrick with the General Assembly of Pennsylvania; therefore be it

Resolved, That the House of Representatives hereby thanks Judge Fenerty for coming to Harrisburg and for his magnificient oration at the dinner in honor of the Patron Saint of Ireland; and be it

Resolved, That a certified copy of this resolution be forwarded by the Chief Clerk to the Honorable Clare G. Fenerty at Philadelphia.

THANKS EXTENDED

Mr. GERARD offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, March 19, 1941.

An occasion that will linger for years in the happy memories of its participants in the St. Patrick's Day dinner of the General Assembly of 1941, held at the Penn-Harris Hotel on the evening of March 18th.

The unprecedented success of the party was due in the first instance to the tireless efforts of the committee on arrangements, who overlooked no detail to make the function the best in every respect of all similar affairs heretofore attempted, and Thomas J. Griffen, Secretary of Darby Borough in Delaware County, Walter L. Miller, of the Chief Clerk's Office and Thomas J. Callahan, Chief Clerk of the House are to be especially commended for their work in providing an evening's entertainment which inter alia included a debate between a Senator from Philadelphia and the Governor, an apoplectic head-waiter, a most gifted story teller and more dignitaries than you could shake a stick at.

Particularly fortunate was the committee's selection of Jack Cummings, Honorary Chairman of the Sons of St. Patrick, as toastmaster for the dinner. His humor, personality and choice of language contributed so largely to its splendid success.

Most commendable also was the committee's choice of speakers and the entertainment, both spontaneous and which planned, added much to the mirth and gaiety everywhere prevalent; be it therefore

Resolved, That the House of Representatives give a rousing vote of thanks to its committee, both individually and collectively, for its and their outstanding service in giving us a celebration worthy of the great and good personage, whose birthday it commemorated, and worthy of the great and stalwart people, whose Patron Saint he is, and of the State and Nation adopted by many of its most loyal sons as their own; and be it further

Resolved, That copies of this resolution be presented by the Secretary of the House of Representatives (the Chief Clerk being a most industrious member of the committee) to each of the members of the committee to arrange a celebration of the Birthday of St. Patrick, and to Jack Cummings, in appreciation of his splendid services as toastmaster.

CONDOLENCE RESOLUTION

Mr. GILLAN offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 19, 1941.

Within a few months of the end of his allotted span of three score years and ten, John A. Finafrock, a well known educator of this Commonwealth, died at his home in Mercersburg in Franklin County, on Saturday, March 15th, after an illness of four months, leaving to survive him his wife, Mary Fallon Finafrock.

Mr. Finafrock was born December 16, 1871, in St. Thomas Township in Franklin County. At the age of seventeen, he began teaching in Hamilton township, and later taught in St. Thomas township, and for nineteen years was principal of the Mercersburg schools. Mr. Finafrock was a thorough student and supplemented his preparation for teaching by summer courses at Cornell University and the University of Pennsylvania.

During the summer of 1915, Mr. Finafrock was nominated by Superintendent L. E. Smith to be the first assistant county superintendent of Franklin County. His nomination was confirmed by the Executive Committee of the School Directors' Association of Franklin County. He served in this capacity until 1922 when he was elected to the superintendency. He served most efficiently as county superintendent of schools for twelve years (3 terms) until his voluntary retirement in 1934.

Mr. Finafrock was a local historian of wide reputation, was in demand as a speaker and was the author of numerous historical papers. At the time of his death, he was president of the Kittochtinny Historical Society, and the Enoch Brown Memorial Association. He was also a member of the board of trustees of State Teachers' College, Shippensburg, the Board of Regents of Mercersburg Academy, past president of the Southern Convention District of the Pennsylvania State Education Association, a member of the Board of Directors of the Children's Aid Society of Franklin County, an elder in the Trinity Evangelical and Reformed Church, Mercersburg, and a teacher of a Women's Bible Class; therefore be it

Resolved, That as a mark of respect to the memory of one who unselfishly devoted the years of his life to the furtherance of the interests of the community in which he lived, this House hereby directs that this resolution be

spread upon the records of the House and that a copy thereof be transmitted by the Chief Clerk to the widow of this outstanding Pennsylvanian as an evidence of the esteem and high regard in which he was held by those acquainted with his work in the Commonwealth.

HOUSE RESOLUTION No. 28

Mr. WILLIAMS. Mr. Speaker, I desire to call up House Resolution No. 28, Printer's No. 102.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 12, 1941.

Whereas The stablization of the bituminous coal industry through price fixing and the elimination of unfair competition is of greatest importance throughout many portions of the United States and particularly in the bituminous regions of the Commonwealth of Pennsylvania and

Whereas The Act of Congress known as the "Bituminous Coal Act of 1937" (April 26 1937 c 127 50 Stat 72) has operated effectively to eliminate detrimental overproduction and savage competition in the bituminous coal industry and

Whereas The constitutionality of this Act of Congress has been finally sustained by the Supreme Court of the United States in the case of Sunshine Anthracite Coal Co v Adhins 310 U S 381 84 L ed 1263 (1940) and

Whereas The operation of this Act of Congress ceases by its own terms on April 26 1941 and

Whereas If the provisions of this Act of Congress are not extended for an additional period free competition in the bituminous coal industry may again degrade into anarchy now therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to further extend the effective period of the Bituminous Coal Act of 1937" and be it further

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt

The Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James J Davis

All members of the House delegation from Pennsylvania

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BIRTHDAY CONGRATULATIONS

Messrs. DENNISON and HELM offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, March 19, 1941.

Whereas, The Almighty Creator in his Infinite Wisdom hath created and permitted many things to exist, to the consternation and bewilderment of us mortals, and

Whereas, There exists today one of these creatures who is a member of this august House, and

Whereas, It is well known that in many instances "mighty oaks from little acorns grow," and

Whereas, No public recognition has ever been given to the "little acorns" that do not grow, and

Whereas, Today is the natal day of the "little acorn" that did not grow, therefore be it

Resolved, That the House extend to the Honorable William R. McMillen its congratulations on this anniversary date, and wish him many happy returns of the day.

Mr. McMILLEN. Mr. Speaker, inasmuch as these fellows have gone to all the trouble of mentioning acorns that grew and acorns that didn't grow, I would like to have Mr. Jefferson get up and let us see whether there are other acorns that didn't grow.

The SPEAKER. Will the gentleman from Jefferson please stand up.

Mr. McMILLEN. Mr. Speaker, I would also suggest that this House recommend to the gentleman that he take the curl out of his hair before he stands up to get into this sort of argument.

Mr. DENNISON. Mr. Speaker, the reason for using the word "acorn" in the resolution was because an acorn is one kind of nut.

COMMITTEE MEETINGS

The following Committee meetings were announced:

There will be a Public Hearing before the Committee on Professional Licensure on House Bill No. 227 on Tuesday, March 25, 1941 at 10 a. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Liquor Control on House Bills Nos. 259 and 550 on Tuesday, March 25, 1941 at 11 a. m. in the Old House Caucus Room.

There will be a Public Hearing before the Committee on Agriculture on House Bill No. 481, Senate Bill No. 294, on Wednesday, March 26, 1941 at 1 p. m. in the Senate Chamber.

ADJOURNMENT

Mr. WRIGHT. Mr. Speaker, I move that this House do now adjourn until Monday, March 24, 1941, at 9 p. m.

The motion was agreed to, and (at 1:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, MARCH 24, 1941. No. 25.

SENATE

MONDAY, March 24, 1941.

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

O God of purity and light, God of wisdom and peace, God of comfort and joy we thank Thee for our country, the land of the free and the home of the brave. We thank Thee for the heritage which is ours that we may ever guard it with jealous care.

We thank Thee for our Commonwealth, long since settled and maintained by sincere and earnest people and that truly it has become the keystone of our nation. Grant us who have caught the flaming torch slipping from faltering hands, the power and vision to carry on their trust in us undaunted and unsullied.

Numbered among the legislators of this Commonwealth we would recognize the grave responsibilities which are ours in securing the blessings of liberty to ourselves and our posterity through our legislation from day to day. So much depends upon our decisions in the General Assembly that we would be honest in all we do. "To thine own self be true and it must follow as the night the day, thou canst not then be false to any man," says the poet. Such would be our earnest and honest desires this day. Grant us Thy peace. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WATKINS and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. WOODWARD. Mr. President and members of the Senate, on the question of leave of absence I feel I would like to talk about five minutes to explain my absence and perhaps to apologize to the Senators. In order to make my record perfectly clear and have no criticism, I am returning my salary received up to date; I have written a check in the amount of eighteen hundred dollars to the order of Charles H. Ealy, President Pro Tempore. Being a trustworthy Republican I do not like to give this to a Democratic treasurer but I will hand it over to Mr. Ealy for safekeeping for the time I was away.

Mr. President, I was sent away by my physician, and therefore had a good excuse. Any of you who have gone to a modern hospital for observation will know that the diagnosis is almost worse than the disease and I think perhaps it would be a pretty robust person who go through with all the pictures; and also the family is not very much interested in moving pictures of your insides, including the liver and the spleen and so forth; it is not exactly what you you would call a family group.

The doctor ordered me to go south and I went to Jamaica, which is a very beautiful place and I recommend it highly. If I had the time I could tell you a lot about the island of Jamaica and also the fact that before you vote in Jamaica you have to pay taxes. There are only about five thousand white people in Jamaica and about a million and a quarter blacks.

There is a very good newspaper in Jamaica, which has been in existence since about 1806, called the Daily Gleaner and I used to read that paper, thinking perhaps I would find news about the Pennsylvania Legislature. There was very little.

Mr. President, there was nothing printed at all about any eloquence on the part of the gentleman from Cambria, Senator Haluska, or the gentleman from Fayette, Senator Cavalcante, or the gentleman from Westmoreland, Senator Dent. I understand that they have at times during the Session been quite eloquent, but there was nothing in the Daily Gleaner about that.

There was one reference to Senator James being turned down by Governor James secretary, but there was also a reference to the gentleman from Cambria, Senator Haluska, the Honorable John J. Haluska, a member of the Pennsylvania Senate, taking exception to a prizefight —that something was wrong with this prizefight and that Senator Haluska said he knew all about it, being a prizefighter himself. The Gleaner very unkindly said it was understood the real truth was Senator Haluska had not received enough complimentary tickets; that was the reason he had objected. I do not know. I came back here, of course, naturally, while I was away I did not hear a great deal, but I was wondering if the Commonwealth of Pennsylvania would still go on and of course it was something of a stock for me to come back and find the Commonwealth of Pennsylvania had gone on very well without me.

In that connection, Mr. President, I could not help comparing Pennsylvania with Washington—if it were reported Mr. Roosevelt fell off a boat into the Gulf of Mexico it is quite true everything would come to an end, but that is not the case in my own case.

I first tried honestly to get an honorable discharge from the Senate, knowing I was in very delicate condition. I thought I would like to get an honorable discharge and by so doing avoid such a terrible ceremony as we have heard when anyone then in office, left, of having an eulogy pronounced, and I thought I would go and die outside.

However, I did not want to make a farewell speech here because I saw the awful example of the gentleman from Philadelphia, Senator Shapiro, whom I have heard give a farewell address on two occassions here in the Senate. I am not making, therefore, a farewell address. In fact, Mr. President, the first person I saw when I entered the Senate was Senator Shapiro right here in the Senate—after making all those farewell addresses.

I promised to take only five minutes so I would like to say that in this long life of mine I have never before at any time met a group of men I liked so much as the members of the Pennsylvania Senate and I am very happy to be back. I think it would be a very nice form of welcome if you would all vote "aye" on all these amendments of mine. I have a bill here, the first one.

Thank you very much.

Mr. EALY. Mr. President, I certainly appreciate the confidence which the gentleman from Philadelphia, Dr. Woodward, has reposed in me. He has handed me a check made payable to me, not as President Pro Tempore of the Senate but in my own name, in the amount of eighteen hundred dollars. I am sure the check is good, as it is on a reliable bank in Philadelphia.

However, Mr. President, in order that there might not be any misunderstanding about this I think I will return the check to the gentleman from Philadelphia, Mr. Woodward, and suggest that he issue a check payable to the State Treasurer.

Mr. WOODWARD. Oh, no, Mr. President. I know Mr. Ross is a Democrat but I will trust him. I have endorsed the check to Mr. Ross.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 24, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennslyvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Robert M. Smith, Gettysburg.

ALLEGHENY COUNTY

David B. Fawcett, Pittsburgh, 802 Frick Bldg.
Miss Mary Jane Laboon, Pittsburgh, 2103 Farmers Bank Building.
J. Denver Watson, Versailles Twp., 1640 Vermont St., McKeesport.

ARMSTRONG COUNTY

Harry T. Wolfe, Kittanning.

BEAVER COUNTY

J. R. Daugherty, Midland.
Joseph A. Tokar, Aliquippa.

CLINTON COUNTY

Norval J. Remick, Lock Haven.

DELAWARE COUNTY

Miss Vera H. Lewicki, Chester.
J. Elmer Watts, Haverford Twp., 1200 Darby Road, Brookline, Upper Darby.
Leonard H. Wilson, Upper Darby Twp., 396 Avon Rd., Upper Darby.

ELK COUNTY

Miss Katrine Smith, St. Marys.

MONTGOMERY COUNTY

Miss Louise A. Reichert, Lower Merion Twp., 66 East Lancaster Ave., Ardmore.
Thomas Rorer, Ambler.

PHILADELPHIA COUNTY

Miss M. Edith Cheatley, Phila., 2300 Carpenter St.
Edwin F. Coward, Phila., 1418 Packard Bldg.
Miss Barbara E. Stahl, Phila., 1737 Chestnut St.

WESTMORELAND COUNTY

J. S. Brinker, Jeannette.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennslyvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Albert E. Beckman, Mt. Oliver.
Hiram R. Davis, Pittsburgh, Motor Square Garden, 5900 Baum Boulevard.
Miss Katherine M. Ferrick, Pittsburgh, c|o Wright and Rundle, 625 Frick Bldg.

BERKS COUNTY

Paul J. D. Himmelreich, Reading.

CAMBRIA COUNTY

Mrs. Helen O. Polentes, South Fork.
Mrs. Margaret H. Reed, Johnstown.

FRANKLIN COUNTY

Harry G. Franklin. Chambersburg.

LACKAWANNA COUNTY

Miss Helen M. Lavelle, Scranton.

LANCASTER COUNTY

Lloyd C. Moore, Lititz.

LEHIGH COUNTY

Miss Orpha G. Ockenhouse, Allentown.

PHILADELPHIA COUNTY

Frank J. Dolge, Phila., 2334 Orthodox St.
Henry L. Grossman, Phila., 6018 North 19th St.
Miss Lillian A. Hines, Phila., 309 North 34th St.

SOMERSET COUNTY

Leroy L. Ingraham, Windber.

WASHINGTON COUNTY

Fred A. Sesler, Washington.

WESTMORELAND COUNTY

Mrs. Anna F. Serro, Sewickley Twp., Herminie.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

SCHUYLKILL COUNTY

John W. Dreher, Pottsville, March 25, 1041.

BEAVER COUNTY

Howard D. Durr, Aliquippa, March 26, 1941.

BLAIR COUNTY

Homer F. Hanson, Altoona, March 28, 1941.

PHILADELPHIA COUNTY

B. H. Wachs, Phila., 616 North American Building, April 1, 1941.

BLAIR COUNTY

Frank L. Stonebraker, Tyrone, April 5, 1941.

PHILADELPHIA COUNTY

Howard A. Weaver, Phila., 2025 Fairmount Ave., April 5, 1941.
Herbert C. Russell, Phila., 315 North 12th St. April 7, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Aonthony C. Stangert, Nanticoke, March 25, 1941.

BEAVER COUNTY

Carl R. Douds, Rochester, March 29, 1941.

CAMBRIA COUNTY

B. E. Thompson, Portage, April 4, 1841.

ALLEGHENY COUNTY

John M. Kane, Jr., Pittsburgh, 5101 Penn Avenue, April 7, 1941.

LUZERNE COUNTY

Miss Esther Kaplan, Hazleton, April 7, 1941.

MONTGOMERY COUNTY

Miss Elizabeth B. Hoffman, Lansdale, April 7, 1941.

PHILADELPHIA COUNTY

J. Horace Adams, Phila., 932 W. Lehigh Avenue, April 7, 1941.

ALLEGHENY COUNTY

James H. Love, Turtle Creek, April 8, 1941.

DELAWARE COUNTY

Miss Martha H. Melick, Chester, April 8, 1941.

MONROE COUNTY

G. B. Metzgar, East Stroudsburg, April 8, 1941.

NORTHAMPTON COUNTY

Calvin J. Boehm, Hellertown, April 8, 1941.

PHILADELPHIA COUNTY

Leonard Brecher, Phila., 712 Market Street, April 8, 1941.
Claude E. French, Phila., 511 Chestnut Street, April 8, 1941.
Gustav Hemm, Phila., S. W. Cor. 9th and Luzerne Streets, April 8, 1941.
R. Lee Kass, Phila., 4100 Chester Avenue, April 8, 1941.
Mrs. B. M. Snover, Phila., 3400 Chestnut Street, April 8, 1941.

ARMSTRONG COUNTY

Raymond A. eigler, Kittanning, April 9, 1941.

CAMBRIA COUNTY

Vincent A. Huber, Patton, April 10, 1941.

LAWRENCE COUNTY

J. E. VanGorder, Ellwood City, April 10, 1941.

PHILADELPHIA COUNTY

Mrs. R. E. Wallack, Phila., 5239 Germantown Avenue, April 10, 1941.

ALLEGHENY COUNTY

Jos. J. King, Pittsburgh, 242 Fifth Avenue, April 10, 1941.
William George Over, Pittsburgh, 7631 Hamilton Avenue, April 11, 1941.
Mrs. Elsie T. Paige, Pittsburgh, 806 Wylie Avenue, April 11, 1941.
David H. Thompson, Pittsburgh, 605 Standard Life Building, April 11, 1941.

ERIE COUNTY

Mrs. Angelene Eagan, Erie, April 11, 1941.

PHILADELPHIA COUNTY

Miss S. Emilie MacMichael, Phila., 1518 Walnut Street, April 11, 1941.
Kermit O. Miller, Phila., 529 Chestnut Street, April 11, 1941.

WAYNE COUNTY

William B. Beach, Canaan Twp., Box 128, Waymart, April 11, 1941.

LEBANON COUNTY

John R. Lentz, Jonestown, April 12, 1941.

PHILADELPHIA COUNTY

Miss Caroline Earnshaw, Phila., 4370 Main St., April 12, 1941.

ALLEGHENY COUNTY

Henry S. Carr, Pittsburgh, Union Bank Building, April 13, 1941.
Harold H. Day, Pittsburgh, 312 Fourth Avenue, April 13, 1941.
Phillip Jacobson, Pittsburgh, 2147 East Carson Street, April 13, 1941.
N. M. Robinson, McKeesport, April 13, 1941.
Edgar C. Schodde, Pittsburgh, 5215 Powhattan Street, April 13, 1941.

CAMBRIA COUNTY

Miss Dorothy Hoyt, Edensburg, April 13, 1941.

CHESTER COUNTY

Miss Edna B. Howett, Oxford, April 13, 1941.

CLARION COUNTY

Chester C. Hulings, Clarion, April 13, 1941.

CLINTON COUNTY

Miss Mary Blake, Lock Haven, April 13, 1941.

DELAWARE COUNTY

Mrs. Margaret M. Hurley, Upper Darby Twp., 202 Long Lane, Upper Darby, April 13, 1941.
Edmund B. Lynch, Upper Darby Twp., 4203 Ferne Blvd., Drexel Hill, April 13, 1941.

FAYETTE COUNTY

M. F. Smeach, Brownsville, April 13, 1941.

FRANKLIN COUNTY

Miss Charlotte M. Leidig, Chambersburg, April 13, 1941.
Miss Elinor B. Porterfield, Chambersburg, April 13, 1941.

INDIANA COUNTY

Miss Julia H. Stuckey, Indiana, April 13, 1941.

JEFFERSON COUNTY

Mrs. Alice E. Carrier, Summerville, April 13, 1941.

LACKAWANNA COUNTY

F. M. Clemens, Dunmore, April 13, 1941.
Zigmunt Strznewsky, Throop, April 13, 1941.

McKEAN COUNTY

Mrs. Hazel H. Thomas, Smethport, April 13, 1941.

MERCER COUNTY

John J. Donaldson, Greenville, April 13, 1941.

MONTGOMERY COUNTY

Mrs. Sarah M. Keinard, Norristown, April 13, 1941.
Mrs. Carrie L. Norton, Pottstown, April 13, 1941.

NORTHUMBERLAND COUNTY

Miss Evelyn M. Deibler, Sunbury, April 13, 1941.

PHILADELPHIA COUNTY

Miss Catherine Graham, Phila., Suite 2305, 12 South 12th St., April 13, 1941.
John W. Jackson, Phila., 5933 Race St., April 13, 1941.
Isaac K. Johnson, Phila., Industrial Trust Co., Kensington Ave. and Huntingdon St., April 13, 1941.
Harry Weissman, Phila., 504 Vandam Bldg., 1005 Market Street, April 13, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. MALLERY.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	Ealy,	Mallery,	Tallman,
Bartlett,	Edmonds,	McCreesh,	Taylor,
Becker,	Farrell,	McGinnis,	Thomas,
Carr,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,	Letzler,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS MEMBERS OF THE STATE ATHLETIC COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Athletic Commission, for terms of two years and until their successors are appointed and qualified:

PHILADELPHIA COUNTY

Leon L. Rains, Rittenhouse Plaza, Philadelphia.

ALLEGHENY COUNTY

Havey J. Boyle, 3 Wynoka Street, Pittsburgh.

LYCOMING COONTY

George J. Jones, Williamsport.

ARTHUR H. JAMES.

APPOINTMENT AS CORONER OF LEBANON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter H. Brubaker, 7th and Chestnut Streets, Lebanon, Lebanon County, for appointment as Coroner in and for the County of Lebanon, until the first Monday of January, 1942, and until his successor shall be duly qualified vice John D. Boger, resigned.

ARTHUR H. JAMES.

APPOINTMENT OF JUSTICE OF PEACE IN CAMBRIA COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Hanford J. Barnicle, Main Street, Carrolltown, Cambria County, for appointment as Justice of the Peace in and for the Borough of Carrolltown, Cambria County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL NO. 79

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 79, Printer's No. 38, entitled, An Act to amend subsection (a) of section twelve of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by authorizing the orphans' court to allow and set aside the widow's or children's exemption without notice or appraisement where the property claimed is of apparent or readily ascertainable value.

ARTHUR H. JAMES.

PETITION

The PRESIDENT. The Chair lays before the Senate a communication from the Association of Highway Officials of the North Atlantic States, dated March 18, 1941, urging,

First: Immediate action by the United States government to carry out through the various state highway departments the early construction of the vitally needed super-highway between Washington, D. C., and Boston, Massachusetts:

Second: Requesting that the allotment of federal funds by Congress for highway purposes in the federal states be increased, and opposing the diversion of funds raised for taxation on highway users to any other than road purposes;

Third: Recommending that the practice of diverting motor vehicle revenues to other than highway purposes be discontinued.

The communication will be noted in the Journal.

The resolution is referred to the Committee on Highways.

REPORTS FROM COMMITTEE

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 301, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, reenter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Mr. FARRELL, from the Committee on Education, reported as committed, Senate Bill No. 242, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

Mr. SNOWDEN, from the Committee on Appropriations, reported as committed, Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

MEMBERS OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the

following nominations, made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

William S. Rial, Greensburg, from June 1, 1940 until November 29, 1945, and until his successor shall have been appointed and qualified.

Frederick T. Gelder, Forest City, from December 9, 1940, until November 29, 1943, and until his successor shall have been appointed and qualified.

ARTHUR H. JAMES

RULE 38 SUSPENDED

By unanimous consent, a motion was made by Mr. JAMES and Mr. GELTZ.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. GELTZ.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Mallery,	Tallman,
Bartlett,	Edmonds,	McCreesh,	Taylor,
Becker,	Farrell,	McGinnis,	Thomas,
Carr,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,	Letzler,	Stiefel,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHAPIRO. Mr. President, I should like to just say a word in connection with these two nominations, in fairness to the two gentlemen who are involved. I have not had the pleasure of acquaintance with Senator Rial but I have had with Senator Gelder and I want to say that during all the discussions in the Caucus on nominations and confirmations. there was never a single voice raised against the confirmation of either of these two gentlemen, whatever delay there was in confirmation of these nominations was due to myself in part, and was due in part to procedural difficulties between myself and the gentleman from Bucks, Senator James; he has our consent to some other nominations which I understand it is not convenient for him to bring out today. I want to say of record, so that it may be made a matter of record, there was never a single person in the Democratic Caucus, as far as I know, who was opposed to the confirmation of these two gentlemen, nor was there at any time in my presence in any Caucus meeting a word said against their confirmation.

BILLS INTRODUCED

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 391, entitled:

An Act prescribing the nature and kind of investments which may be made by fiduciaries and repealing acts and parts of acts inconsistent herewith.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 392, entitled:

An Act to amend section 1202 by adding thereto clause LX, of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519) entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs;" authorizing boroughs to appropriate moneys for the support of hospitals.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 393, entitled:

An Act to add section 435 to the act approved June second, one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing that hospitals, institutions, physicians, surgeons and others furnishing medical, dental or nursing services, hospital treatment, artificial appliances, medicines and supplies for which the employer is liable, shall be deemed parties in interest to present claims and to enforce awards in Workmen's Compensation proceedings.

Which was committed to the Committee on Workmen's Compensation.

He also read in his place and presented to the Chair Senate Bill No. 394, entitled:

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

Which was committed to the Committee on County Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 395, entitled:

An Act to amend section 699.4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," increasing the penalties for performing worldly employment, games or diversion on Sunday.

Which was committed to the Committee on Law and Order.

Mr. CARR read in his place and presented to the Chair Senate Bill No. 396, entitled:

An Act to further amend section thirty-one as renumbered section thirty-two of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State and election officers; providing penalties; and repealing existing acts," changing the date for the exercise of local option.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 397, entitled:

An Act to further amend sections five hundred one and five hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," providing for local option in counties.

Which was committed to the Committee on Law and Order.

He also read in his place and presented to the Chair Senate Bill No. 398, entitled:

An Act to further amend section thirty-one as renumbered section thirty two of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," providing for local option in counties.

Which was committed to the Committee on Law and Order.

Mr. COLEMAN read in his place and presented to the Chair Senate Bill No. 399, entitled:

An Act making an appropriation to the Treasury Department for the use of the Board of Finance and Revenue in granting refunds of "store and theatre" tax.

Which was committed to the Committee on Appropriations.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 400, entitled:

An Act to further amend article twenty of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," by designating the type of contract which shall be used for certain employes in the Teachers Colleges, the Cheyney Training School for Teachers, the State Oral School, the Home for Training in Speech, the Soldiers' Orphan School and the Thaddeus Stevens Industrial School in this Commonwealth, and specifying the means whereby they may be dismissed.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 401, entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

Which was committed to the Committee on Highways.

TIME OF NEXT MEETING

Mr. BECKER offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 24, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 31, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 31, 1941, at 9:00 o'clock p. m.

Ordered, that the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION OPPOSING CONSTRUCTION OF THE St. LAWRENCE SEAWAY

Mr. COLEMAN offered the following resolution which was twice read:

In the Senate, March 24, 1941.

Whereas, It appears that the present Congress of the United States will be called upon to pass upon the construction of the St. Lawrence Seaway; and

Whereas, The project, if completed, would be detrimental to the interest of the anthracite region in two particulars: First, it would permit the shipment of foreign coal, particularly from Great Britain into the Great Lakes district. Secondly, development of water power would mean further curtailment of the demand for anthracite in a territory in which we have a big market for anthracite coal; and

Whereas, Whatever value the project may have for national defense from the long range point of view, it can

hardly be contended that it is important immediately from the fact that its completion would require four to seven years; and

Whereas, The project would be paid for in public funds by this country although the coal and railroad industries of America as well as American labor will be damaged by it; now therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby memorialize congress to oppose the construction of the proposed St. Lawrence Seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of the United States Senate, the Speaker of the House of Representatives, and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

MOTION TO SUSPEND RULE 39

Mr. COLEMAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. GELTZ. Mr. President, I object.

On the question,

Will the Senate agree to the motion?

Mr. GELTZ. Mr. President, I object to immediate consideration of this resolution. I might state a resolution similar to this one was introduced some time ago by our colleague from Schuylkill, Senator Watkins, and was referred to a committee.

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr COLEMAN. Mr. President, will the gentleman from Allegheny repeat his remarks, as I could not hear them.

Mr. GELTZ. Mr. President, I said a similar resolution to the resolution just introduced by the gentleman from Lackawanna was introduced in the Senate sometime ago by the gentleman from Schuylkill, Mr. Watkins, which resolution was referred to a committee. Therefore, Mr. President, I object to immediate consideration of this resolution.

Mr. COLEMAN. Mr. President, I think the gentleman from Allegheny has furnished me with a very sound argument in favor of immediate consideration of this resolution; if a similar resolution was introduced, as I understand it was, by the gentleman from Schuylkill, Mr. Watkins, it certainly has been very carefully examined by the members of the Senate and it ought to be passed on today.

I am assuming, Mr. President, the reason for the failure of the committee to act is the fact the learned and distinguished Chairman of the Committee on Federal Affairs was absent and I am hoping that his presence here today—I do not want to put him to work immediately after his siege of illness—but I am hoping his presence here today is an indication that some time before we adjourn this week there will be action on either this resolution or the resolution introduced previously by the gentleman from Schuylkill, Mr. Watkins.

Mr. GELTZ. Mr. President, for the information of the gentleman from Lackawanna I understand a meeting has been scheduled by the Committee of Federal Relations for some time tomorrow.

The PRESIDENT. The resolution will be referred to the Committee on Federal Relations.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 291, (House Bill No. 381), as follows:

An Act to amend section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation making the rights and remedies herein provided for exclusive and providing for notice of said section to shareholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 908 Rights of Dissenting Shareholders A If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such shareholder within twenty days after the merger or consolidation was effected shall also make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing

his shares The demand of the shareholders shall state the number and class of the shares owned by him Unless a shareholder files such written objection and also makes such demand within the twenty-day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting shareholder and the surviving or new corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the share certificate or certificates representing his shares Upon payment of the agreed value the dissenting shareholder shall cease to have any interest in such shares or in the corporation

B If within such period of thirty days the shareholder and the surviving or new corporation do not so agree then the dissenting shareholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive The costs of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new corporation unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court The award shall be payable only upon and simultaneously with the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder If the award shall not be paid by the surviving or new corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new corporation as the case may be and may be collected as other judgments in such court are by law collectible Upon the payment of the award or judgment the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation Such shares may be held and disposed of by the surviving or new corporation as it may see fit Unless the dissenting shareholder shall file a petition within the time herein limited such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

C The rights and remedies at law or in equity of any shareholder who desires to object to or to dissent from any merger or consolidation shall be limited to those prescribed under this section and such rights and remedies under this section shall be exclusive

D A Copy of this section 908 shall be enclosed witn the written notice mentioned in clause B of Section 902 of this act and said written notice shall state that said Section 908 sets forth the exclusive rights and remedies of shareholders who object to the plan of merger or plan of consolidation

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Ealy,	Mallery,	Tallman,
Bartlett,	Edmonds,	McCreesh,	Taylor,
Becker,	Farrell,	McGinnis,	Thomas,
Carr,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,	Letzler,	Stiefel,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING POSTPONED

Mr. DEITRICK. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 246, on third reading postponed, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employees and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons with the said classifications

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Northumberland.

The PRESIDENT. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. DEITRICK. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman state the purpose of calling up this bill at this time?

Mr. DEITRICK. For the purpose of having it recommitted to the Committee on Municipal Government, Mr. President.

Mr. SHAPIRO. Mr. President, has the gentleman from Northumberland obtained the consent of the sponsor of this bill, before making that request?

Mr. DEITRICK. I have not, Mr. President.

Mr. SHAPIRO. He has not, Mr. President?

Mr. DEITRICK. I have not.

Mr. SHAPIRO. Mr. President, I think it is rather an unusual procedure to call up a bill for the purpose of recommitting it, without first obtaining the consent of the sponsor, and I should like to interrogate the sponsor of the bill.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Farrell, permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Philadelphia state whether or not he has consented to this motion to recommit Senate Bill No. 246?

Mr. FARRELL. I have not, Mr. President.

Mr. SHAPIRO. Mr. President, is the gentleman from Philadelphia prepared to act on the bill today?

Mr. FARRELL. Mr. President, I should prefer that Senate Bill No. 246 go over in its order for another week.

Mr. SHAPIRO. Mr. President, will the gentleman from Philadelphia state why?

Mr. FARRELL. Well, Mr. President, I have no good reason excepting that the police and firemen and the park guards have asked me to have this bill go over for another week; I can see no reason for being in a great hurry and I myself am in favor of postponing action on this bill for another week.

Mr. SHAPIRO. Mr. President, did the gentleman from Philadelphia receive a letter from Mayor Lamberton this morning?

Mr. FARRELL. I received a letter from the Mayor, Mr. President.

Mr. SHAPIRO. Mr. President, in view of what the gentleman from Philadelphia has said with respect to the request of park guards and firemen and policemen, I should like to read a part of the letter from the Mayor of Philadelphia and ask whether the gentleman recalls that and whether it is not inconsistent with the statement he has just made.

The Mayor in his letter says "A conference was held in my office today at which representatives of these employes were present, (that is the policemen, firemen and park guards) but unfortunately we could come to no agreement. (That means park guards, police and firemen.) They will ask Senator Farrell to call the bills for final passage next Monday."

Am I to understand, Mr. President, that this letter which is dated March 21, 1941, when it refers to that date, means this Monday or next Monday?

Mr. FARRELL. Mr. President, it was my intention to call up for action Senate Bills No. 246 and 247 this afternoon but at the request of the park guards, policemen and firemen I promised that I would continue them for one week, if I could.

Mr. SHAPIRO. Mr. President, the gentleman from Philadelphia has answered my question.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. I understand, Mr. President, the motion now before the Senate is to merely call up Senate Bill No. 246.

The PRESIDENT. The Chair so understands.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

MOTION TO RECOMMIT BILL

Mr. DEITRICK. Mr. President, I move that Senate Bill No. 246, the bill just read, be recommitted to the Committee on Municipal Government.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FARRELL. Mr. President, I most strenuously object to Senate Bill No. 246 being put back into the Committee on Municipal Government; if this bill is put back in committee we all know what will happen to it—it will be pickled and it will never come out; and if this bill goes back to committee every member here can be assured that that bill is finished.

Now, Mr. President, I should like to call attention to this fact: we have eight Senators from Philadelphia and this bill affects Philadelphia and Philadelphia only. Seven of those Senators from Philadelphia will vote in favor of this bill—or at least I have every reason to believe they will.

Mr. President, I am only fighting for what I think is a fair bill for these men to get more pay.

In that connection, Mr. President, I would like to read something here. I would like to inform this body that various other cities pay their police and firemen and so on as follows:

New York, N. Y.	$3,000
Yonkers, N. Y.	$3,000
Mt. Vernon, N. Y.	$3,000
Harrison, N. J.	$3,000
New Rochelle, N. Y.	$2,900
Montclair, N. J.	$2,750
Poughkeepsie, N. Y.	$2,750
White Plains, N. Y.	$2,750
Detroit, Mich.	$2,640
Panama Canal, C.Z.	$2,628
Atlantic City, N. J.	$2,550
Chicago, Ill.	$2,500
Hamtrack, Mich.	$2,500
Newark, N. J.	$2,500
Plainfield, N. J.	$2,500
Bayonne, N. J.	$2,500
East Orange, N. J.	$2,500
Dearborn, Mich.	$2,500
Ervington, N. J.	$2,500
Highland Park, Mich.	$2,500
Clifton, N. J.	$2,500
Kearney, N. J.	$2,500
Belleville, N. J.	$2,500
Hackensack, N. J.	$2,500
Long Beach, L. I., N. Y.	$2,500
Cleveland Heights, Ohio	$2,436
Camden, N. J. (Just across the river)	$2,400
Los Angeles, Cal.	$2,400
San Francisco, Cal.	$2,400
Washington, D. C.	$2,400
Oakland, Cal.	$2,400
Trenton, N. J.	$2,400
Sacramento, Cal.	$2,400
East Cleveland, Ohio	$2,400
Elizabeth, N. J.	$2,325
Pittsburgh, Pa.	$2,310
Bridgeport, Conn.	$2,300
Woodbridge, N. J.	$2,300
Euclid, Ohio	$2,300
Rahway, N. J.	$2,300
Patterson, N. J.	$2,300
Pasadena, Cal.	$2,300
Jacksonville, Fla.	$2,268
Medford, Mass.	$2,252
Portland, Ore.	$2,232
Berkley, Cal.	$2,220
Dayton, Ohio	$2,220
San Diego, Cal.	$2,220

Almeda, Cal.	$2,220
Richmond, Va.	$2,220
Buffalo, N. Y.	$2,200
Hartford, Conn.	$2,200
Everett, Mass.	$2,200
Perth Amboy, N. J.	$2,200
Philadelphia, Penna.	$2,190

Now, Mr. President, I admit my bill is not the right way usually to get an advance in pay for men that are underpaid, but this seems to me the only way it can be done, and, Mr. President, I most strenuously object to this bill being taken off the Postponed Calendar.

The PRESIDENT. For the information of the gentleman from Philadelphia, Mr. Farrell, Senate Bill No. 246 has been already taken off the Postponed Calendar.

The question is now on the motion of the gentleman from Northumberland that Senate Bill No. 246 be committed to the Committee on Municipal Government.

Mr. FARRELL. Mr. President, I strenuously object to this bill being placed back in the Committee on Municipal Government.

Mr. SHAPIRO. Mr. President, I want to pay my respects to the gentleman from Philadelphia, Mr. Farrell, for being frank enough to state his objections. I think that clarifies the situation as it should be.

Usually around election time bills like this crop up, either as party measures or as individual measures, for the purpose of vote getting; sometimes they crop up because certain people feel there is an evil or injustice which should be corrected.

Mr President, which of those two motives prompted the introduction of this bill is unknown to me, and is not important for the purpose of this discussion, but I sat here last week and without going into all the details of the matter of what I said, I repeat again that basically this kind of procedure is not the way in which an increase in salary should be obtained for local officials.

We know that in contagious diseases there are basic treatments at times, but at other times certain other methods and remedies must be resorted to because there is a critical condition which can not be remedied otherwise.

It is because I have felt that way and have voted that way on legislation of this kind that it was generally stated in Philadelphia that I was going to be opposed to this bill and that as a result of my opposition this bill did not have a chance to pass. Mr. President, because I believe those people are entitled to the increase for which they are asking I hurriedly tried to correct that information so that there would be no misunderstanding.

I asked the gentleman in caucus what position they would take on this bill and I explained my position on it and I was able to say to the gentleman from Philadelphia, Mr. Farrell, that at least sixteen members of the Democratic party would vote in favor of this bill; so there was no misunderstanding of our position on the matter and no doubt that if the Republican organization supported this bill it would receive sufficient votes to pass.

Mr. President, I also made the statement, and I repeat it now, that in my opinion this bill was allowed to go as far as it did in the belief, first, that we would not vote for it on this side of the House or if we did the other side of the Legislative body would not vote for it, or if they did the Governor would veto it. I took the trouble to explain this in my conference with the gentlemen on the other side of the House, representing the Democractic party, that I had no doubt if this bill came over to the House it would pass quicker than it took to get it out of this committee here in the Senate. So, Mr. President, there is no misunderstanding as to our position, either personally or politically.

Now, Mr. President, it is quite obvious this bill is not intended to be passed by the Republican party and they assume the responsibility for its defeat here. I think we could do a better job in a legislative way if, when public officials hold conferences which involve legislation, they call both sides of the Senate or House to the conferences. I had the pleasure of suggesting to the Governor of the Commonwealth of Pennsylvania early in his term this: that for him to sit down to lunch with the Democratic members of the Senate was in my opinion an unnecessary setting up of a line of demarcation; that while it was true I was elected on the Democratic ticket and some others were elected on the Republican ticket, when we came into the Senate we were Senators for all the people in our district, Republicans and Democrats, and therefore obviously it was not a tactful move to divide the Senate by having lunch with half of them at one time, or the majority of them at one time, and having lunch with a little less than half at another time.

Mr. President, when the Mayor of Philadelphia wrote his first letter to me and to the other Senators, the facts set forth in that letter were well known to me. When he had his conference with the gentleman from Philadelphia, Mr. Farrell, and the policemen and firemen and parkguards, he did not invite the other seven senators from Philadelphia. It seems to me we were just as much interested in hearing his objections and in telling him our position as were the Republican members of the Senate from Philadelphia, and while it is true, as has been said by the gentleman from Philadelphia, Mr. Farrell, this bill only concerns the City of Philadelphia, I think it concerns all of the Senators and I think we all have a right to vote, but certainly those gentlemen of the Senate other than those from Philadelphia should listen and give full faith and credit to the opinion of all the Senators from Philadelphia. If those gentlemen advance the argument to me that they advanced to me, that this bill should not be passed, it vitiates the theory of home rule, I would be in a position to take the records of the Senate and show how many of them and how frequently many of them have voted in favor of legislation in violation of home rule.

In fact, Mr. President, every tax abatement bill that was passed for Philadelphia or any other locality violates the principle of home rule. On the same basis, Mr. President, what right have we to tell the City of Philadelphia they should defeat the obligation, to which they looked forward in their budget, so that it should be paid over a period of years? That is just as much a violation of home rule as is the bill that is on the Calendar we are discussing now. I would have said to those gentlemen if they had raised that question, basically you may be right but you have violated that rule and there is no reason why you should not continue in that violation now.

As a matter of fact, Mr. President, that is the very reason why we should vote for this bill, notwithstanding the home rule theory, because I could say very honestly in my opinion that home rule statement is just a con-

venient thing for voting for or against a particular measure; you can twist the home rule proposition by voting for or against a measure, as it suits your personal or political purpose, but in this case I say frankly I can read between the lines and see the pressure of the Republican party to help the Mayor of Philadelphia out of the position in which he finds himself—which I admit is quite unfortunate—but certainly is not of the making of the Senate or the House but of the people who have governed and controlled Philadelphia for many years past.

Mr. President, it will take two and one half million dollars, or close to that, to pay this money under this bill. There is an important thing back of this, there is back of this the safety and protection of the citizens and the property of Philadelphia, and you only get as much for your money as your money is worth.

I have seen time and again for years how the policemen and the firemen and the parkguards have been underpaid, have been underprivileged and have been compelled to come to the Legislature as a last resort to get relief. If you do not believe that look at the records and see how they got the two weeks' vacation, that they had to come here to get, look at the twenty-four hours rest period that they had to come here to get. You did not refrain from voting on those bills on the ground that was a violation of the home rule principle; you voted for that then either because you thought it was a good bill or it was good politics to do so, depending upon the occasion when the bill came before the Senate or House for action.

Now, Mr. President, at the same time this bill was introduced in the Senate there was a bill introduced in the House, and probably before, a bill containing similar provisions and it was the intention of the Democratic party leaders in the House to pass that bill, but as soon as Senate Bill No. 246 here in the Senate began its passage through the Senate—and we had every reason to believe it was going to be passed—I urged that there be no confusion in the matter and that there be no chance, no excuse rather for delaying this bill and raising a political issue on it, I suggested that there would be plenty of credit for both sides, that the Democrats in the Senate could not claim credit for having passed the bill alone because the majority was on the other side, and when the bill came to the House it could not be passed without the consent and vote of a majority of the Democrats, and therefore I thought there was plenty of glory in the bill and I asked that the bill over in the House be allowed to sleep, to await action here in the Senate, because I suspected something of this kind would come up.

Why? Because, Mr. President, when it comes to raising the two and one half million dollars necessary for this bill I felt sure the City of Philadelphia would not do that which is necessary to raise it, because I contend it can be raised; I contend that Philadelphia has the money to pay the bill and I contend further that these men are entitled to their increase and I say for years they have been promised this increase and I say it is a sad commentary on the proceedings of this Legislature when you take the hopes of men who are risking their lives day and night and bring them up to the top and drop them suddenly, without any hope for them again, because even the mayor says if you do not pass this bill I will give you a million dollars back pay, but I will give it to you in 1944.

Now, Mr. President, in 1944 the responsibility will not be Mayor Lamberton's because unfortunately for the city, I suppose, we have a rule which does not permit a mayor to run in successive terms, so it will be up to someone else to "Let George do it," but if the City government in Philadelphia were run as it should be, then we would not have this bill here today because all that is necessary for the city to recognize, acknowledge and carry out its obligations to these men, is for the council, which is completely Republican except for two men, to sit down and pass a resolution to increase the pay and relieve us of the obligation or burden of doing it and take some of the gentlemen who might feel they are what we call on the spot by this bill off of that spot.

However, Mr. President, in order to do that they would have to do something else; they would have to clear house, they would have to get rid of the unnecessary gentlemen who occupy positions in city hall at salaries far in excess of what they could earn in any private industry; they would have to sit down and put their city on a good business-like basis. They would have to put in economies, which could be done without destroying or affecting a single necessary governmental function, and if they did that they could raise the two and one half million dollars; but to do so they would have to oust some political favorites; they might have to standardize salaries; they might have to classify positions and make a certain position be worth a certain amount of money and no more, irrespective of the political influence of the person who held it; they would have to eliminate some jobs.

For instance, Mr. President, they would have to cut out forty assessors who get two hundred thousand dollars and reduce them to twenty—they assessed for two years all of our properties with twenty assessors, as a result of a bill which was passed during the Democratic regime, but as soon as the Republicans came into control they increased them again and now they are doing exactly the same amount or less work than they should do in 1940 as they did in 1937.

Mr. President, I want to take time once and for all to place on the record my views on this bill and do it probably to the extent of being boring to some of the members of the Senate, because sooner or later we will meet this issue again, and because I want to send my protest to Philadelphia, including the mayor, for whom I have a great deal of respect as a man, because I think he is trying to do a good job and I have no personal complaint to make, except that I say he, like all other candidates of the Republican Party in Philadelphia, can make all the pre-election promises they want as to what they will do in Philadelphia when they become Mayor, but they are on the same footing as everyone of their predecessors, they are not going to be permitted to do that which is right and which is good business in Philadelphia because the people who control the political party in Philadelphia are in power and would not permit one friend or one member of a family to leave the payroll, and that is going to be continued and the men who suffer are the parkguards and when they suffer we suffer.

I say I am going to ask for a record vote rather a roll call on this bill because I want it known publicly who is going to vote to kill this bill, because just as the gentleman from Philadelphia said, a motion to put this bill back into committee means a motion to kill it, because under no other circumstances would members of the Senate who do not live in Philadelphia vote to recommit this bill ex-

cept for that purpose and because of political pressure brought.

Mr. President, I say this calmly and plainly, I say it without rancor, I say it with all emphasis because I point out nobody has given a single excuse as to why the bill should go back; nobody has said this bill ought to be amended; nobody has said and nobody can say the minimum is too high for the City of Philadelphia, and nobody has told the real reason.

I should like to give you my opinion, Mr. President, of the real reason: the real reason back of it is the mayor has found out he cannot get Mr. Farrell, the gentleman from Philadelphia, or the firemen, policemen and park guards to recede from their position, so he is using what influence he can, which probably extends to Harrisburg, and when it extends to Harrisburg it has become a Caucus matter.

Now, Mr. President, I suppose all the gentlemen from Philadelphia, with the exception of one or two—I mean all the Democratic and Republican Senators with the exception of one or two gentlemen who probably feel they cannot go along to vote to put this bill back into committee, and that goes for Mr. Farrell and men of his type, will vote to send it back.

I ask every member of the Democratic Party here, whether he comes from Philadelphia or not, to vote "no" to send this bill back to committee, because I think the policemen and the firemen of any city are entitled to more decent and more considerate treatment than they have been shown in the passage of this bill. If it does go back to committee I suggest to this Senate here that they take notice of what will happen in the House and before you get through killing this bill it will be revived in the House and you will meet the issue squarely again.

Mr. GELTZ. Mr. President, it is apparent to me now that this bill has become a political football. We are told by the sponsor of the bill fundamentally it is not the proper kind of legislation and we are also told by our colleague from Philadelphia, Senator Shapiro, that while this type of legislation is fundamentally wrong, he and his colleagues from Philadelphia are going to vote for it, and he might just as well have added the reason, even though they know it is fundamentally wrong, they intend to vote for it because they think it might mean some votes for them when they come up for re-election.

There was one part of the argument advanced by the gentleman from Philadelphia, Mr. Shapiro, that I thought was particularly effective and that was the part where he said this legislation is basically wrong. I am swayed by his eloquence and therefore I ask my colleagues to vote to recommit this bill to the Committee on Municipal Government because Senator Shapiro said it is basically wrong.

Mr. SHAPIRO. Mr. President, let there be no misunderstanding. I am talking about this bill for two purposes and I do say I am going to vote for it because I want the people to vote for the Democratic Party. There is no secret about that and the reason I want them to vote is because it is pretty nearly time they knew in Philadelphia the only people who give them decent treatment, the only people who can give the City of Philadelphia decent government will be the Democrats and that if they want that kind of government and want to get rid of the kind of government they have had they had better vote for the Democratic Party, because without the Democratic Party they will not get this bill; without the Democratic Party, aside from their rights in this bill, they will not get the other rights to which they are entitled. Certainly, Mr. President, I am making political capital out of this and I am not making any secret about that; I am making political capital out of it because it is important to tell the people at home in Philadelphia if they want to be politically wise they had better see what has happened to them. Look at the history of the Republican Party for ten years back, for twenty years back, and see what you got—and you cannot get much worse from the Democratic Party in Philadelphia—and if that be politics then make the most of it.

Mr. President, the second thing I want to answer is that I am not so naive as to believe any argument I made on this floor today would have the effect of having the gentleman from Allegheny vote for or against a bill; the gentleman's mind was made up for him before he came to this Session today, along with the rest of the gentlemen who in Caucus had decided to vote for this bill. I have not been blinded to the fact the motion to recommit this bill was made by the gentleman from Northumberland, Dr. Deitrick, who has no interest in this bill and probably if he had his own way about it, and was to use his own judgment about the bill, irrespective of the Caucus, he would probably vote for it. Why, you would suspect if the gentleman from Philadelphia, Mr. Farrell, wanted to move for this bill he would move to have it placed on the postponed calendar but, oh, no, it was taken out of his hands—well, I did not take it out of his hands and the gentleman from Allegheny did not take it out of his hands and the gentleman from Allegheny does not hope to have me or anybody else here believe it was because I made a remark or a very intelligent argument on the bill, that he is voting in favor of the motion. I am not that naive yet; the gentleman from Allegheny is going to vote against this bill because the Republican Party is committed to send it back.

Mr. GELTZ. Mr. President, so that we may have this record straight I am interested in knowing, when the gentleman from Philadelphia talks about people knowing that the Democrats would be the only party to give them decent government in Philadelphia, if he refers to the "gag law" type of government which the Democrats gave to the Commonwealth of Pennsylvania.

Mr. SHAPIRO. Is that a question, Mr. President?

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I only wanted to know whether that is a question directed to me by the gentleman from Allegheny and whether the gentleman from Allegheny wants an answer.

Mr. GELTZ. Mr. President, I merely want the record to be kept straight.

Mr. SHAPIRO. That is a job I will not undertake, Mr. President.

Mr. WOODWARD. Mr. President, I do not claim to be as subtle as the gentleman from Philadelphia, Mr. Shapiro, and I am just a little bit dizzy in following his logic, but I would like to make a statement. As far as I am concerned I do not mind how many times I am required to vote against this bill, whether it goes sidewise or backwards so long as it does not go forward. I learned in Miami on Thursday, where I took a plane, of the Farrell bill—I spent the night there—so I went out, and got a newspaper, a Philadelphia Record, which I found on a

stand and I read right away about this trouble between the mayor and the policemen and the firemen on the gentleman from Philadelphia, Mr. Farrell's bill.

Mr. President, I sent a telegram to the mayor and said I was with him one hundred per cent and would do anything I could to help stop the Farrell bill and lick it, so I am glad I got here.

Of course, Mr. President, we have very few policemen in my district; it may be a selfish reason, for I live in a neighborhood where they do not have to have policemen.

I have always voted against anything that has any connection whatever with the Firemen's Relief Association. I came here in 1919 and ever since then I have been talking against the Firemen's Relief Association and I am not going to talk very long about it now but it is simply a raid on the treasury, as you all know. The premiums of fire insurance companies are two per cent. And why the policemen do not do it themselves I do not know; they could perfectly well do the same thing.

Mr. President, that is one reason that makes me vote in favor of the motion to commit this bill to the Committee on Municipal Government; but the main reason is the Mayor of Philadelphia is my boss and he says this would throw the budget out. The mayor does not want it and the mayor being my boss—without going around in circles like the gentleman from Philadelphia, Mr. Shapiro—the mayor is my boss and I am with him.

Mr. DENT. Mr. President, I do not come from Philadelphia and I suppose I do not know much about the financial situation of Philadelphia, but I want to say I think the gentleman from Philadelphia is absolutely right.

The PRESIDENT. Which gentleman from Philadelphia?

Mr. DENT. Both of them, Mr. President—all of them are right in some particular instances. I think it is so awfully nice the gentleman from Philadelphia found it convenient to get well and come back from Jamica to obey the orders of his boss.

I think it is perfectly right when the gentleman from Philadelphia, Mr. Shapiro, says the policemen, firemen and park guards and all the other citizens of Philadelphia ought to learn it is about time they changed their political affiliations, taking orders from the type of boss the gentleman from Philadelphia, Senator Woodward, listens to.

Aside from the "gag-rule," mentioned by the gentleman from Allegheny, the Democrats did pass a great deal of decent legislation and a great many evils were corrected under the Democratic administration. We even passed the so-called Earle special taxes which have been adopted by the Republican Party. The only thing they have not done is to change the name of them. When they talk about the obnoxious portion of the taxes they are Earle taxes but when they come to pass them they are James taxes.

Mr. President, I want to say if the Republican Party had gone along with the Democrats on the gag-laws, as they call them, they would have saved two hundred thousand dollars spent by Mr. Carl Shelley and the rest of his associates who went fishing—and not in a reservoir.

Mr. BARR. Mr. President, I would like to answer the statement made by my colleague from Allegheny, Mr. Geltz, and tell him the gag-laws were correct, as was proved by the Republican judges and Republican jurors.

Mr. DEITRICK. Mr. President, the gentleman from Philadelphia, Senator Shapiro, seems to think perhaps the reason I moved to commit Senate Bill No. 246 back to the Committee on Municipal Government was I was influenced by the thought of the Caucus. For his information let me state there was a lively discussion about this bill and a lot of things were discussed pro and con; we all have our reasons for deciding to do certain things. The gentleman from Philadelphia, Senator Shapiro, questioned my motive in making the motion to return Senate Bill No. 246 to the Committee on Municipal Government.

During the last three sessions of this Legislature, Mr. President, we have heard a great deal about Philadelphia and Philadelphia finances and it seems to me for two sessions at least we were trying to help Philadelphia solve its financial problems; but whether we succeeded or not is questionable. The gentleman from Philadelphia, Mr. Shapiro, seems to think we have and Philadelphia is on a firm footing and is able to meet added expenditures.

Mayor Lamberton evidently thinks otherwise. For the information of the Senate I would like to read into the record a sentence from Mayor Lamberton's letter, a copy of which we received this morning when we came into the Senate. It reads as follows: "We are anxious to increase the pay of all city employes as soon as our financial position will permit, but this compulsory increase for one group would be disastrous for the city at this time and unfair to other employes who would not participate."

Mr. President, I have known Mayor Lamberton for a great many years; I was associated with him under adverse and under favorable circumstances and he is a man who would not make a misstatement, to my mind. I admire him. I played football with him and I know he can be depended on; I know he is honest and reliable and I know his intentions are if possible to increase the pay of the firemen and policemen and park guards of Philadelphia. I believe he is sincere and I feel sure when this bill goes back into committee, overtures will not stop and this matter will be considered, and I hope the park guards and firemen and policemen of Philadelphia will receive an increase in pay as soon as Mayor Lamberton sees his way clear to do so.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Northumberland.

The PRESIDENT. Will the gentleman from Northumberland permit himself to be interrogated?

Mr. DEITRICK. Yes, Mr. President.

Mr. SHAPIRO. Mr. President, what is the purpose of sending this bill back to committee?

Mr. DEITRICK. The purpose of sending this bill back to committee, Mr. President, is to delay action on the bill and give the mayor and also the committee which visited with him the other day an opportunity to get together and settle the differences and try to ferret out means that will be acceptable to everybody.

Mr. SHAPIRO. Mr. President, would not the gentleman from Northumberland say the same result would be accomplished by continuing the bill on the Postponed Calendar.

Mr. DEITRICK. Mr. President, if the bill is continued on the Postponed Calendar it may be called up at a moment's notice and perhaps it might be controlled by certain people who might be interested in seeing that this bill went through, when other people were not present. I feel personally we should have majority rule and if the majority sees fit to say the bill should not go back to committee that will be satisfactory to me.

Mr. SHAPIRO. Would the gentleman from Northum-

berland say frankly the purpose of putting the bill back in committee was so that it shall not pass?

Mr. DEITRICK. As far as my purpose is concerned it is, yes.

Mr. MALLERY. Mr. President, it seems to me to be only fair to remind the Senate that when the Senate was controlled by our colleagues on the left that this or a similar bill was proposed, and as we all know it never became a law; I do not think we want to lose sight of that fact. I recall vividly that possibly no member of the Senate was ever subjected to more pressure than our colleague from Allegheny, Senator Kilgallen, for whom I have always had and still have the greatest respect. Senator Kilgallen was under possibly greater pressure than any man in this Senate ever had been subjected to, but he stood firm for the principles of home rule and I have always been glad that I had the stamina to take the floor in defense of my colleague on the left when I felt that he was taking a proper stand.

Mr. President, I think all my colleagues know my attitude toward the principle of home rule. I am willing at any time to vote for a bill that will give all of the cities more home rule or as much home rule as they feel they should have, providing that the advocates of home rule do not propose to tear down all the good that has been accomplished over a great many years.

Mr. DEITRICK. Mr. President, may I ask the reporter to read back to me the last question directed to me by the gentleman from Philadelphia, Senator Shapiro.

The PRESIDENT. The reporter will read the question.

(The reporter repeated the question as follows: "Mr. SHAPIRO. Would the gentleman from Northumberland say frankly the purpose of putting the bill back in committee was so that it shall not pass?")

The PRESIDENT. Has the question been repeated to the gentleman from Northumberland?

Mr. DEITRICK. Yes, Mr. President. I said, "yes" to that but I meant to say it should not be passed unless a majority of the Senate was in favor of it; that it should not be put through by a majority when a majority of the Senate was not present.

My thought in moving that this bill be recommitted to the Committee on Municipal Government was so that it could rest there, as I said previously, and the discussion could be carried on in Philadelphia between the parties concerned and perhaps an amicable adjustment could be arranged that would satisfy them all, because naturally the policemen and the firemen and the park guards are after the increase in salaries that this bill would permit, and the Mayor has said in the personal letter which he addressed to us that he is in favor of an increase in salary and I feel he will eventually meet with these gentlemen and take care of them in such a way they will be satisfied and it will be to the advantage of everybody concerned.

Mr. SHAPIRO. That makes it necessary for me to ask the gentleman from Northumberland another question.

The PRESIDENT. Will the gentleman from Northumberland permit himself to be further interrogated?

Mr. DEITRICK. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Northumberland state how this bill ever could be passed without a majority voting in favor of it? Even if there were only twenty-seven Senators present it would still require twenty-six votes. Isn't that correct, sir?

Mr. DEITRICK. That would be constitutional majority.

Mr. SHAPIRO. Yes.

Mr. DEITRICK. Yes.

Mr. SHAPIRO. Mr. President, will the gentleman from Northumberland state whether somebody has given him the impression this bill could be passed without a majority of the Senate being present?

Mr. DEITRICK. Mr. President, perhaps the gentleman from Philadelphia, Mr. Shapiro, knows how everybody is going to vote on this bill. I do not know how everybody is going to vote but I do know how some people are going to vote; whether the majority are going to vote it down I don't know; whether there will be a constitutional majority, I don't know; but I do know a better chance, on Monday afternoon, to discuss this matter, when we are all here than perhaps on Wednesday or Thursday when some of the members have gone home.

Mr. SHAPIRO. However, Mr. President, if all but twenty-six went home, it would still require twenty-six votes and the Democrats do not have that many votes.

Mr. DEITRICK. The gentleman from Philadelphia, Mr. Shapiro, might have enough Republican votes to make the twenty-six.

Mr. SHAPIRO. That condition will exist no matter when the matter is put to a vote.

Mr. DEITRICK. Perhaps some of them might change their minds.

Mr. SHAPIRO. Doesn't it follow, Mr. President, the purpose of sending it back to committee is so that it shall not pass?

Mr. DEITRICK. According to the point of view, yes, Mr. President.

And the question recurring,

Will the Senate agree to the motion to commit Senate Bill 246 to the Committee on Municipal Government.

The yeas and nays were required by Mr. SHAPIRO and were as follows, viz:

YEAS 29

Bartlett,	Edmonds,	Scarlett,	Wade,
Becker,	Geltz,	Snowden,	Walker,
Carr,	Heyburn,	Stevenson,	Watkins,
Chapman,	James,	Tallman,	Wilson, H. I.,
Crider,	Letzler,	Taylor,	Wilson, T. B.,
Crowe,	Mallery,	Thomas,	Woodward,
Deitrick,	Miller,	Tyler,	Ziesenheim,
Ealy.			

NAYS 18

Barr,	Farrell,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Shapiro,
Dent	Jaspan,	McQuiddy,	Stiefel,
DiSilvestro,	Kephart,		

So the question was determined in the affirmative.

BILL ON THIRD READING POSTPONED

Mr. DEITRICK. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 247, on third reading postponed, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. DEITRICK. Mr. President, I move that Senate Bill

No. 247, the bill just read, be recommitted to the Committee on Municipal Government.

Mr. WOODWARD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I do not think there is any need for a lengthy discussion about this bill except to say this is a companion bill to Senate Bill No. 246 and deals with the park guards and therefore the objections I have and have stated before on Senate Bill No. 246, apply also to this bill.

The PRESIDENT. The Chair wants to state a question of parliamentary procedure. On motion to commit a bill, the original subject matter is not debatable, and that was about the only matter that was debated. The Chair assumed the position this has all been done by unanimous consent.

This is to keep the record clear.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. FARRELL and were as follows, viz:

YEAS—29

Bartlett,	Edmonds,	Scarlett,	Wade,
Becker,	Geltz,	Snowden,	Walker,
Carr,	Heyburn,	Stevenson,	Watkins,
Chapman,	James,	Tallman,	Wilson, H. I.,
Crider,	Letzler,	Taylor,	Wilson, T. B.,
Crowe,	Mallery,	Thomas,	Woodward,
Deitrick,	Miller,	Tyler,	Ziesenheim,
Ealy,			

NAYS—18

Barr,	Farrell,	Lanius,	Reed,
Coleman,	Frey,	McCreesh,	Ruth,
Cox,	Haluska,	McGinnis,	Shapiro,
Dent,	Jaspan,	McQuiddy,	Stiefel,
DiSilvestro,	Kephart,		

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. CROWE. Mr. President, I ask unanimous consent that Senate Bill No. 50, on second reading, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 343, on second reading, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission: establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacture, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies, repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations," by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commisison to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 377, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts, or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 384 (House Bill No. 463), entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. BARTLETT. Mr. President, I ask unanimous consent to address the members of the Senate.

The PRESIDENT. The gentleman from Northampton will proceed.

Mr. BARTLETT. Mr. President, there is no more pressing or important problem before the people of the State of Pennsylvania and this Assembly than relief and assistance. Even my short acquaintance and close connection with the Department of Public Assistance has convinced me the people of this Commonwealth have not appreciated what handicaps the state has been under in past years nor at present nor do I believe the people of the Commonwealth appreciate what the state has been able to do in the part and what the department is doing at the present time. I say that, Mr. President, without any partisan implications because I feel and believe those comments apply not only to the present administration of the department but to prior administrations and I think therefore these remarks are fitting at this time.

Mr. President and Members of the Senate: It is fitting at this time, I feel, to bring to your attention the present situation with respect to Pennsylvania's relief program an a brief history of its background and its accomplishments.

It is commonly believed that the passage of the Talbot Act, appropriating $10,000,000 to poor boards for unemployment relief in 1931, signalized the first recognition of State responsibility for the needy.

That belief is in error by a full two and one-half centuries, as is shown by reference to the Great Law of William Penn, passed by the first Pennsylvania Assembly in 1682, from which I quote:

> "If any person or persons shall fall into decay or poverty, and are not able to maintain themselves and children with their honest endeavors, or shall die and leave poor orphans, that upon complaint to the next Justices of the Peace, the said Justices, finding the complaint to be true, shall make provision for them, in such way as they shall see convenient, till the next County Court, and that then care be taken for their future comfortable subsistence."

Other similar legislation followed at intervals, among which may be noted authority granted in 1836 to establish work relief, including road projects. Is it any wonder that we say, "There is nothing new under the sun."

In 1913, this Commonwealth, by the passage of its first Mothers' Assistance Act (Act of April 29, 1913—P. L. 118), recognized State responsibility for the welfare of needy mothers with young children. This Act was one of the most progressive pieces of legislation of its kind adopted by any State up to that time.

Since the effective date of that Act, aid to indigent mothers with dependent children has been continuous, and under that Act alone, hundreds of thousands of dollars were paid out by the State and County treasuries to the needy families qualifying for assistance. Thousands of young children who then looked to the State for their aid have since grown to manhood and womanhood and are providing for children of their own, children who have advantages not received by their parents, and children of whom the parents and the State, too, may well be proud.

There has been so much comment recently on the legal liability of property for repayment of assistance furnished that it is appropriate to remark that this provision of law dates back to the year 1819. For more than a hundred and twenty years, this principle of law has been recognized. And at that time, also, relatives of needy persons of the same degree of relationship as today, were required to furnish support according to their ability. In wisdom it has been said, "Remove not the old landmark."

As far back as 1883, legislation provided for the removal of children from almshouses as unsuitable to care for growing youth.

In 1923, the first Old Age Assistance Act in this country was passed by the Pennsylvania General Assembly and the bill was signed by the then Governor Pinchot. This Act was declared unconstitutional before any grants could be made under it.

These references to earlier law in this Commonwealth are emphasized to show the leadership of the Keystone State in humanitarian efforts in an age when Government is commonly said to have been in the interest of men's property rather than in their souls. No more unfair charge was ever made.

The more modern advancement of the relief program followed the Talbot Act of 1931, before referred to. Following a test of the constitutionality of that Act, which gave a legal basis for subsequent relief and assistance programs, much has been accomplished.

The State Emergency Relief Board was established in 1932 under an Act sponsored by our Colleague, Senator Woodward, of Philadelphia. This Board commenced operations at once and functioned through County Relief Boards until 1937.

In 1933, the electorate approved an amendment to the Constitution permitting pensions to the Blind, and the following year a Pension Act was adopted and payments to the Blind were begun.

The year 1934 also marked the commencement of our present Old Age Assistance program. This important provision for our older citizens without means of support was established by the Act of January 18, 1934.

Larger and more comprehensive changes in the relief programs became effective in 1937 when all existing agencies for public aid were consolidated in the new Department of Public Assistance. Poor Boards were abolished; institutional care was transferred to County Commissioners; and home relief to unemployables became the responsibility of the new County Boards of Assistance.

Minor changes only were made to existing public assistance law during 1939, but in one respect a change made was of supreme importance to recipients of relief funds. The homeowner was given a safeguard in the occupancy of his homestead during his lifetime and that of his surviving family. Prior to this amendment, such a homeowner was without surety that his home and meager belongings might not be taken from him at any time in repayment of grants received. This was a humanitarian step in line with the best thought of all authorities on the subject. Also, in 1939, the Pierson Work Relief bill was passed and received the signature of Governor James, thus enabling conscientious relief recipients to feel that any sums received were definitely earned, and at the same time the community benefited. It is fitting to note that all the dire predictions preceding the passage of the Pierson bill have failed utterly to materialize. It was predicted that the Act would be used to break strikes, to drive down the wage scale, to make the workers slaves

of the employers; and other similar disagreeable results were prophesied. On the contrary, the records show that less than one per cent of able-bodied relief recipients have objected to the work allotted them and a vast majority of applicants have continued to express their desire for some method of earning the grants which they need.

During the entire period since late 1932, there has been continuously some form of Federal aid to this State in its relief work. Commencing with loans from RFC and grants from FERA, continuing with CWA and PWA, the latter by far the most comprehensive of the Federal aids, the Federal Government has largely assisted the State in carrying on.

Late in 1938 the WPA was carrying on its Pennsylvania rolls over 275,000 workers, but this record high mark declined within ten months to less than 117,000 workers, thus forcing the State general assistance load to its top peak in September 1939—but the State shouldered the responsibility of meeting the need and carried on.

This, then, is the history of public relief in this Commonwealth. It is against this background that present accomplishments are recorded.

The present policies of relief administration, which have been constantly emphasized since the present Governor assumed office, are:

To keep relief out of politics;

To give assistance promptly to every eligible needy person, and to deny it in the same manner to those not entitled to it;

To make the administration decent, humane, efficient and economical;

To make every effort to move employables to private jobs.

That this latter effort has been accomplished to a high degree is illustrated by the fact that in the two years from February 1939 to February 1941 the total number of employable persons on WPA and on general assistance, excluding children and other dependents comprising their families, has declined from 520,000 to 255,000, a drop of more than 50 per cent.

To indicate that this drop is not simply the effect of the current defense program, it is only necessary to note that a drop of some 200,000 occurred prior to the summer of 1940 and certainly earlier than that the so-called war orders were few and far between.

As the defense program comes into full swing, it is sure that the present load will further decline and perhaps this year arrive at the irreducible minimum, consisting almost entirely of unemployables.

From a total expenditure of more than $2,000,000 per week in State funds for general assistance grants in August 1939 when the rolls were at a peak, the cost has declined to approximately $800,000 per week, a decline of sixty per cent.

All this, I believe, Mr. President, to be an outstanding record—one of which the citizens of this Commonwealth may well be proud. And I believe that the people of Pennsylvania should be informed of this that they may have this report of the stewardship of the funds which they have provided for these noble purposes.

Mr. REED. Mr. President, I desire to interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. REED. Mr. President, this is an important subject and I wonder if the gentleman from Northampton in his study has ascertained how much the operating expense has dropped?

Mr. BARTLETT. I have some memoranda on that subject, yes, Mr. President.

Mr. REED. Mr. President, the gentleman from Northampton failed to touch on that subject and I thought perhaps he might have some information.

Mr. BARTLETT. I do have some record, yes, Mr. President.

Mr. REED. Does the gentleman from Northampton know how much that is?

Mr. BARTLETT. Mr. President, approximately nine per cent. Does the gentleman from Washington mean the cost of administration to general clients?

Mr. REED. Yes, Mr. President.

Mr. BARTLETT. Approximately nine per cent.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Warren will state has question of personal privilege.

WHAT IS WRONG WITH THE UNITED STATES

Mr. CHAPMAN. America today stands committed to the greatest adventure in living that has ever faced the Nation. The passage of the Lease-Lend Bill was a revolutionary step in our history. The fact is plainly shown that the American people are solidly behind the measure. At least vocally so, at the present time, and I hope that they will become physically and spiritually behind the bill. Perhaps we cannot agree with the steps taken by the President in the administration of this bill; perhaps there will be mistakes made and perhaps millions of the money appropriated will be spent without due regard to values, but we are all Americans and duty bound by the acts of our representatives in Congress.

Hence we must lay aside everything that would in any way, shape or manner interfere with the success of the undertaking to which we are committed by our lawmakers. The spotlight of patriotism must be turned on from the hearts of all and it must blazon the doom of the dictators.

Our way of life must be mapped out in accord with the sacrifices that will more and more encompass us. We must realize that slogans of yester-year must go. Belts must be tightened and chins grow more determined. If ever there was a use for the radio, now is that time. There should be plenty of time for the injection of patriotic messages into the hearth groups; fireside chats, straight from the shoulder, talks that will set every face in the right direction. Press and pulpit have a task to bring the mass of thinking Americans to a realization that what confronts them is serious, and not something that is "over there."

As I see it, we are in the war right now. Our aid has been pledged to the embattled Democracies and we must not let them down. To fail in the task to which our Nation has enlisted would mean the failure of the light of freedom. Merchants, capitalists and labor would all find themselves in the same boat, pulling as galley slaves under the lash of the totalitarian taskmasters. Have you noted that every citizen of Norway must pay $120.00 per

year for the pleasure of having Hitler's gangsters invading their homes? Have you learned that each Netherlander must pay $95 per year to see Hitler's legions goosestepping through the tulips, and that France, land of Joan of Arc, must pay $105 per citizen yearly to watch the conquerers heel grind into the haunts of once gay Paris? Thyessen, once Hitler's firmest backer is now shorn of his millions, his vast manufactories and great real estate holdings and incarcerated in a concentration camp. And Von Gahlen, once proud labor and guild leader is chafing under a task master's lash in still another of Hitler's camps. Capital and labor both lose under the totalitarian plan. Oh, could some power be given me to show capital and labor the folly of interfering with the defense plan of the Nation!

Herr Hitler has termed the conquest of the United States "an easy inside job?" Did he know of what he spoke? Look around our land—vital plants tied up by labor disputes, fires in airplane factories, explosions in powder plants, nearly completed ships damaged by flames, wrecks on railroads, crashes in unexplained ways of airships undergoing tests, and deaths of test pilots. Is all of this a part of the "inside job?"

America must awaken! Every true nephew of Uncle Sam must gird himself to guard his homeland and his fireside. There must be no quarter given to saboteurs or to those who with malicious design, mislead workers and cause them to leave their workbench and slow down production of defense needs.

Those Germans are thorough. One has only to review in a calm, cool spirit the capture of Norway, the rape of Denmark, the tearing apart of France, the crunch of the oppressors tramp in Belgium and Holland, the falling apart of Rumania and the murder of Poland to see the blight caused by the "inside job."

These are the days when each and everyone "should button up his lip." The insider doing the job may be a neighbor or a friend. We are prone to talk too much and we dearly love to air our views. Most of us have relatives in the various services of the Nation and the number will soon be legion. From them we may learn certain things, and it is an American habit to repeat and to embellish. Such repeating may give information in quarters where a saboteur lurks to plant his bomb or swing his torch. Let discretion be the watchword.

The recent speech of President Roosevelt sounded the knell of the dictators only if we do our part. There must be a united effort and Unity must be shown on every hand. Here in this Senate we must show by example to the people of our State whose trust we hold, that we are united under the flag that boats so proudly above this chamber.

There must be no compromise with the forces of darkness that are laboring for the disintegration of our nation. If laws be needed, let them be presented and passed. If the guilty are to be punished let is be swift and sure. I tell you men of Pennsylvania, that as sure as the chimes of liberty rang out under the skies of this Keystone of the Nation, that our State must set an example.

Ours is an industrial State. Blazing skies betoken the belching of our furnaces fashioning ore into steel; our sun is darkened by the smoke of countless shops and factories where weapons of defense are being forged; our mines are spewing out black diamonds that will cause victory to sparkle for us and yet—we have relief rolls that are causing a drain on our treasury and are a mill stone around our necks.

Industry is doing its part in noble shape and more and more men will be given jobs. There are others that cannot be absorbed into the maw of industry. We must get our highway program under way as soon as possible; we must, with watchful eye, provide public works that will dovetail into the defense plan. More roads and better roads must be built. Flood control to keep rivers from the door of busy shops must be provided. I feel that every member of both Houses of this legislative body should scan the State to see what can be done.

The clang of the hammer on the anvil, the roar of grinding steel, the hum of shuttle and loom, all sing a merry song and it should rise until it becomes a crashing burst of victorious melody that will drown out the sirens song of the Communist, Fascist and Nazi sympathizer. Let them sing their hymn of hate, but a contented people will pay them no heed. Victory may well depend on the unity of purpose and oneness of aim of our people.

I can see in my mind's eye a people imbued with love of the United States marching forward under the Stars and Stripes, putting their shoulders to the wheels of industry and turning them fast and advantageously, so fast that Hitler and his man Friday Mussolini will literally be buried under the avalanche of aid given to the beleaguered countries on which the Twin Dictators have cast their evil eyes.

Speed the day! Hasten the hour when the whole people of America will awaken to the dire dangers that beset us and lay aside their greed for gold, their bickerings and dissentions and fight the good fight in the producing plants of our land. Winston Churchill, iron man of England, seemingly raised by God to guide a people in distress says: "Give us the tools and we'll finish the job." Let there be speed in the furnishing of the tools.

Let Pennsylvania point the way to united action.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, when the gentleman from Northampton spoke he was interrogated as to administrative costs, which he had not covered in his remarks and he was asked whether the administrative costs went up or down during the same period to which he referred, to which he replied that the expenditures had been reduced.

I should like, Mr. President, to give him those figures. In September of 1939 the administrative cost was 7.1 per cent; in December, 1939 the administrative cost was 9.2 per cent; and in December, 1940 the administrative cost was 8.8 per cent. So that the expenses have not gone down but have increased almost two per cent and during the period have increased to points where they were two per cent plus.

I gave those figures in the first remarks I made following the hearing which was attended by Mr. Russell and I should like to point out that in December of 1940 the funds handled were $9,240,000 and the administrative cost was 8.8 per cent. In 1939 the funds handled were $12,000,000 with an administrative cost of 7.3 per cent.

By the way, Mr. President, I want to say I am reading from a report prepared by the Department of Public Assistance through its Bureau of Research and Statistics, published in the last month or two.

Mr. BARTLETT. Mr. President, if we only had one family on relief the percentage of administration would be about six hundred per cent. It is impossible to keep the rate at a low basis when the basis goes down. I believe, also, Mr. President, the employes are under civil service and while there is only so many as they need they are still provided at a fixed rate.

Mr. REED. Mr. President, I desire to further interrogate the gentleman from Northampton.

The PRESIDENT. Will the gentleman from Northampton permit himself to be further interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. REED. Mr. President, does the gentleman from Northampton know whether during the two year period he has referred to in his very fine speech how many people employed in the department have been released during that same period?

Mr. BARTLETT. I do not have that figure, Mr. President.

Mr. EDMONDS. Mr. President, it seems to me it is conceivable both the gentleman from Philadelphia, Mr. Shapiro, and the gentleman from Northampton, Mr. Bartlett, may be in the right, if you take their basis.

As I understand it, suppose at the time of the maximum expenses in Pennsylvania the cost of administration was one million dollars and suppose at the present time the cost of administration is $900,000, then there is a reduction of 9 per cent, but if you take it on the percentage that is being spent for assistance then in that case the ratio may go up a bit although the absolute expense is less.

Now, Mr. President, I may be wrong but I am inclined to think the Senator from Philadelphia, Mr. Shapiro, has considered it in the ratio of the amount expended for relief and the gentleman from Northampton, Mr. Bartlett, has considered it on the absolute expense for administration during any one period, as compared with the present, and therefore if that be so both of those gentlemen are right in their statements.

Mr. SHAPIRO. Mr. President, you have the same conditions and you have the same figures. In September of 1937, with the same $8,585,000 total as in December of 1940 the figures for administration are 7.3 per cent; they are now 8.8 per cent.

Mr. EDMONDS. Mr. President, I did not quite understand what the gentleman from Philadelphia said. Was that the percentage of the amount given out for assistance?

Mr. SHAPIRO. Mr. President, you can take it either way. I will give you the figures as follows:

In December of 1940 the total figures for relief expenditures were $9,240,000, payable from federal funds $1,925,000, payable from state funds $7,314,000; the percentage is 8.8 per cent.

In September of 1939, two years plus a few months, the total was $8,500,000 instead of $9,000,000; the federal funds were $1,400,000—almost alike; the state funds were $6,700,000 instead of $7,300,000 and the percentage was 7.5 per cent—1.3 per cent less in administrative cost.

Mr. EDMONDS. Mr. President, that is the percentage on what?

Mr. SHAPIRO. Mr. President, that is the percentage on any one of those figures you want to take; it is the percentage of state and local; according to the report here, the administrative state and local percentage was 7.5 per cent in 1937, in September, at a time when the state spent $600,000 less than they spend today, and the percentage today is 8.8 per cent. You can take it any way you wish. Administrative expenses have increased and they only have increased because they have not reduced the pay roll to meet the lowered demands on the fund.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, March 25, 1941 at 11:00 o'clock, a. m.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:28 o'clock, p. m. until Tuesday, March 25, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 24, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The CHAPLAIN, Rev. DONALD McFALL offered the following prayer:

Gracious God, God of Mercy and of Truth, we would ask Thee to make the door of this House of Representatives so wide that there might pass through it all mankind in need of that which is marked by Love and Friendship; that which is prompted by Thy Spirit, O God.

Yet, at the same time, we desire it to be so narrow, in order that envy, pride, and hate may be shut out.

Make its threshold smooth enough to be no stumbling-block to those who are weak, especially the children and youth of our State; yet rugged and strong enough to turn back all those who would ask to destroy life marked by noble character.

Great God, make the door of this House of Representatives the gateway to a higher and nobler order of living within every home of our beloved State.

We ask it in the name of Christ, Thy Son. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 19, 1941.

The Clerk proceeded to read the Journal of Wednesday, March 19, 1941, when, on motion of Mr. MODELL, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. FALKENSTEIN. HOUSE BILL No. 905.

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor; and providing penalties.

Referred to the Committee on Law and Order.

By Mr. WEINGARTNER. HOUSE BILL No. 906.

An Act to amend sub-section (f) of Section 8 of the Act approved May 29, 1931, (P. L. 280), entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district

taxes to make a return to the county commissioners of such unpaid taxes, and providing for the liens thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereinafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," as amended by the Act of Assembly approved June 20, 1939, (P. L. 498), by increasing the commissions of the county treasurers which shall be deducted from the amount to be paid to the taxing district upon any settlement with the taxing district.

Referred to the Committee on Municipal Corporations.

By Mr. REGAN. HOUSE BILL No. 907.

An Act to amend sections nine hundred forty-two, nine hundred forty-three, and nine hundred forty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for payment into the State Treasury of fines and penalties in certain cases involving cruelty to animals.

Referred to the Committee on Judiciary Special.

By Mr. STINE. HOUSE BILL No. 908.

An Act to amend the next to the last paragraph of section four and to further amend section sixteen of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculutre, dairying, livestock raising, poultry raising, floriculture, mushroom growing; beekeeping, horticulture, and other allied occupations; and providing penalties," by defining the jurisdiction of the Pennsylvania Milk Control Commission over such associations, and regulating the sale and marketing of milk thereby.

Referred to the Committee on Dairy-Industries.

By Mr. LEONARD. HOUSE BILL No. 909.

To further amend section three hundred three of and to add section three hundred seven to the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the appointment of assistant managers in Pennsylvania Liquor Stores; and by establishing minimum salaries for certain employes of the Pennsylvania Liquor Control Board working in Pennsylvania Liquor Stores.

Referred to the Committee on Liquor Control.

By Mr. VAN ALLSBURG. HOUSE BILL No. 910.

Providing State-aid for certain agricultural associations and counties holding annual agricultural exhibitions; regulating the payment thereof; and conferring powers and imposing duties on the Department of Agriculture.

Referred to the Committee on Agriculture.

By Messrs. CHUDOFF and FINESTONE. HOUSE BILL No. 911.

Making hospital records admissible in evidence in civil and criminal proceedings without being proven by the persons who made the same.

Referred to the Committee on Judiciary General.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 912.

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the State of Pennsylvania.

Referred to the Committee on Insurance.

By Messrs. REUBEN E. COHEN and BRETH. HOUSE BILL No. 913.

An Act making an appropriation to the Sanitary Water Board.

Referred to the Committee on Appropriations.

By Mr. TARR. HOUSE BILL No. 914.

An Act permitting and regulating fishing in certain reservoirs used for public water supply purposes in accordance with rules and regulations adopted by the Board of Fish Commissioners; modifying the laws with respect to trespass, and imposing penalties.

Referred to the Committee on Fisheries.

By Mr. THOMAS H. LEE. HOUSE BILL No. 915.

An Act to further amend section two thousand four hundred nine of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further regulating the award of purchasing contracts by the Department of Property and Supplies.

Referred to the Committee on State Government.

By Messrs. PETROSKY and LOVETT. HOUSE BILL No. 916.

Making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg, and for the construction of the necessary approaches thereto.

Referred to the Committee on Highways.

By Messrs. PETROSKY and LOVETT. HOUSE BILL No. 917.

Establishing certain public roads and streets in the borough of West Leechburg, Westmoreland County, as a

state highway; providing for their construction and maintenance by the Department of Highways, and making an appropriation.

Referred to the Committee on Highways.

By Messrs. BRETH and TARR. HOUSE BILL No. 918.

To amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by establishing a Dog Control Commission and defining its powers and duties; and repealing inconsistent acts or parts of acts.

Referred to the Committee on State Government.

By Mr. TARR. HOUSE BILL No. 919.

To amend subsections two, five and six of section seven hundred and twenty-four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the killing of elk or bear destroying property.

Referred to the Committee on Game.

By Messrs. BRETH and HAINES. HOUSE BILL No. 920.

To amend clause (f) of section seven hundred and thirty-one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by reducing the fine for failure to tag or mark big game.

Referred to the Committee on Game.

By Messrs. BRETH and HAINES. HOUSE BILL No. 921.

To amend section four hundred and two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by changing permit fees for taxidermists.

Referred to the Committee on Game.

By Mr. BRETH. HOUSE BILL No. 922.

To amend clause (c) of section four hundred one and sections four hundred six and seven hundred sixteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for the purchase and sale of deer hides in certain cases.

Referred to the Committee on Game.

By Mr. BRETH. HOUSE BILL No. 923.

To amend clause (v) of section one thousand four hundred and one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by authorizing appropriations to provide adequate game food and cover; and prescribing methods relating thereto.

Referred to the Committee on Game.

By Mr. PROSEN. HOUSE BILL No. 924.

An Act to amend section four hundred two of the act,, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," further regulating the registration of motor vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. BRETH. HOUSE BILL No. 925.

An Act to amend section eight hundred and fifteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by further controlling shooting during big game season.

Referred to the Committee on Game.

By Mr. ELDER. HOUSE BILL No. 926.

An Act to further amend section one thousand two hundred one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates. aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and mis-

cellaneous receipts; making an appropriation and providing for refunds," further providing for the magistrate before whom informations in summary proceedings shall be brought.

Referred to the Committee on Motor Vehicles.

By Mr. MARKS. HOUSE BILL No. 927.

An Act to amend part of section one of the act, approved the thirtieth day of June, one thousand nine hundred and thirty-seven (P. L. 2443), entitled "An act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution," by further apportioning the legislative districts of Montgomery County.

Referred to the Committee on Legislative Apportionment.

By Mr. MAXWELL. HOUSE BILL No. 928.

An Act to amend section three hundred twenty of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by requiring additional information on game reports.

Referred to the Committee on Game.

By Messrs. MAXWELL and WEISS.
HOUSE BILL No. 929.

To amend subsection (g) of section nine hundred and forty-two of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing additional protective measures.

Referred to the Committee on Game.

By Messrs. MAXWELL and WEISS.
HOUSE BILL No. 930.

To amend section one thousand four hundred and one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for additional conservation activities.

Referred to the Committee on Game.

By Messrs. HARKINS and O'NEILL.
HOUSE BILL No. 931.

To further amend section six of the act, approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2603), entitled "An act relating to vocational education; creating vocational school districts for the purpose of conducting systems of vocational schools, departments or classes; providing for their government; prescribing their powers and duties; conferring powers and duties; conferring powers and imposing duties on school districts and on the State Board for Vocational Education; and providing for referendum in certain cases." fixing the rate of the annual tax levy; requiring county commissioners or boards for the assessment and revision of taxes to furnish, at the expense of the county, certified duplicates of last adjusted valuations of real estate; making the same taxable for vocational school purposes; and making further provision with reference to the bond of tax collectors.

Referred to the Committee on Education.

By Mr. READINGER. HOUSE BILL No. 932.

To further amend section four hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by removing the Secretary of the Commonwealth as a member of the Board of Finance and Revenue.

Referred to the Committee on State Government.

By Mr. KENEHAN. HOUSE BILL No. 933.

To further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

Referred to the Committee on Cities—Second Class.

By Mr. McCLANAGHAN. HOUSE BILL No. 934.

An Act for the preservation of eyesight and the prevention of blindness; declaring a policy in reference thereto; conferring powers and imposing duties on the Department of Health; and prescribing qualications for persons administering such work.

Referred to the Committee on Public Health and Sanitation

By Mr. McCLANAGHAN. HOUSE BILL No. 935.

An Act to add clause (m) to section four hundred ten, and to add clause (e) to section four hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," requiring

policies of life insurance to state rate of interest on loans and prohibiting provisions allowing the compounding of such interest.

Referred to the Committee on Insurance.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 297. (HOUSE BILL No. 936.)

An Act to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State Tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation;" by limiting the amount of the liquid fuels tax payable to counties and the uses for which such moneys may be expended.

Referred to the Committee on Highways.

SENATE BILL No. 298. (HOUSE BILL No. 937.)

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in cities, boroughs, towns and townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing, or improvement of municipal roads, highways and bridges, during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three, permitting the use of the funds for maintenance and repair of municipal roads, highways and bridges under certain conditions; and providing for the method of payment to such political subdivisions.

Referred to the Committee on Highways.

SENATE BILL No. 270. (HOUSE BILL No. 938.)

An Act to amend section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three), entitled "An act concerning townships of the second class; and amending, revising consolidating, and changing the law relating thereto," by authorizing such townships to regulate the use of certain parks and recreational grounds; providing penalties for violation of rules prescribed therefor; and authorizing police officers to arrest violators thereof on view.

Referred to the Committee on Townships.

SENATE BILL No. 268. (HOUSE BILL No. 939.)

An Act to further amend section three hundred one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the computation of the reserve liability of life insurance companies and the issuance of life insurance policies.

Referred to the Committee on Insurance.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. ACHTERMAN.

(Concurrent) RESOLUTION No. 57.

In the House of Representatives, March 24, 1941.

Whereas, Newspapers have carried reports concerning the operation of certain state hospitals within the Commonwealth of Pennsylvania, which, if true, show an extremely reprehensible situation existing in such state hospitals; and

Whereas, There have been charges made that certain trustees and supervisory officials have committed criminal acts; and

Whereas, Certain state hospitals have lost their official standing and rating with the American Medical Association; and

Whereas, The conduct of certain trustees of state hospitals has resulted in unfavorable criticism of the operation of said hospitals; and

Whereas, If these charges are true, the situation calls for immediate attention by the legislative branch of the government to remedy such a condition; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives appoint a committee of three members of the House, and the President pro tempore of the Senate appoint a committee of three members of the Senate to act as a legislative committee to investigate the maintenance, operation and conduct of all hospitals within this Commonwealth; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the said committee, because of the urgency of the situation, report to the House as speedily as possible, with appropriate recommendations.

Referred to the Committee on Rules.

By Mr. TARR. RESOLUTION No. 58.

In the House of Representatives, March 19, 1941.

It has long been a custom in the United States and in other countries throughout the world to observe the first day of May as May Day, and to mark such observances by various kinds of celebrations, which sometimes have taken the form of demonstrations against our established democratic form of government.

Almost a decade ago the American Legion organization in Fayette County inaugurated a new and more appropriate observance of the first day of May, by staging a parade and celebration in the name of Americanism.

The first day of May has since been annually observed and celebrated as Americanism Day by patriotic societies, veterans' organizations and other groups, both in Fayette County and throughout the Commonwealth, and it has been the custom of the Governor of the Commonwealth to issue his proclamation signifying the observance of Americanism Day.

The present world crisis constitutes a serious threat to those American principles of life and government, which

were established with such great sacrifice and which have since been maintained and protected so valiantly, thus making it particularly significant and appropriate the observance of May first as Americanism Day in the year of 1941, now therefore be it

Resolved, By the Members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania that a committee of five members be appointed by the Speaker to arrange appropriate ceremonies at the hour of 12 o'clock noon on August 30, 1941, in anticipation of the observance of May first as Americanism Day, and be it further

Resolved, That the Members of the Senate of the Commonwealth of Pennsylvania, the officers of the American Legion Post No. 51 and Veterans' of Foreign War Post No. 47 of Uniontown, Fayette County, and the state officers of the various other veterans' and patriotic organizations throughout the Commonwealth be invited to attend such ceremonies, and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation signifying May 1, 1941 as Americanism Day, and calling upon all patriotic, veteran, fraternal and civic organizations to hold celebrations of this day in such a manner as will bring to the people of the Commonwealth the full realization of the benefits, privileges and blessings that come to them through the continuance of our American form of government, and be it fourther

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania further urges all persons in the Commonwealth of Pennsylvania to join in a real American celebration of May 1, 1941 as Americanism Day.

Referred to the Committee on Rules.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 18, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind;

Whereas, that treasured pearl of our language, the word democracy, meaning the rule of the people, is derived from the ancient Greek, Democracy was founded in ancient Athens. When Greece of the early Christian era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our own glorious nation at its foundation.

Whereas, on March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed. Greece all too often has been the battle ground of nations, but the spirit of indominable courage of the Lacedaemonians at Thermopylae has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, the Greeks have been associated with the United States since the early days of the Republic. In 1804 the first challenge to our infant nation embroiled us in war with the Barbary States of Northern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge. Wars are not won by naval victories alone; our infant republic could not send a military expedition across the seas. However, a military force was organized under the command of General William Eaton, U.S.A., and Colonel Tobias Lear who had been military secretary to George Washington: this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek Companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Derne, led by Patrick N. O'Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, people of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades in the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, a campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate, or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved, (if the House concur), That the Legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the celebration of Greek Independence Day on March 25th as Hellenic Day, and be it further

Resolved, (if the House of Representatives concur), that his Excellency, the Governor of Pennsylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 18, 1941.

Whereas, On March 7 and 8, 1941, at California State Teachers' College, California, Pennsylvania, was held the second session of the Annual Student Congress of the Western Pennsylvania District of the National Forensic League, and

Whereas, Students representing high schools from Beaverdale, Bentleyville, Brownsville, California, Cumber-

land Township, Centerville, Charleroi, Derry Township. East Pike Run, Glassport, Monessen, Hurst of Mount Pleasant Township, Munhall, Point Marion, St. Vincent, Waynesburg, and West View participated in this Congress, and

Whereas, This Congress affords training for more than 150 high school students in the proper methods of legislative procedure, and

Whereas, It is necessary in these perilous times that the citizens of the United States do their utmost to insure the Democratic form of government for the future citizens of this nation. Therefore be it

Resolved (if the House concur), That the Sponsors of this Student Congress together with the students themselves be highly commended for their efforts to preserve democracy, and be it further

Resolved, That it is the sentiment of the Assembly of Pennsylvania that the Student Congress be continued and, if possible, broadened to include a larger number of students, and be it further

Resolved, That copies of this resolution be sent to all schools participating in the Student Congress and to every student who took part.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 225 and 402

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 19, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 225, Printer's No. 18, entitled, "An Act Relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor."

House Bill No. 402, Printer's No. 48, entitled, "An Act Providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States."

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 320

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 320, Printer's No. 27, entitled, "An act to amend section one of the act approved the sixth day of April one thousand eight hundred and fifty-nine (P. L. 387) entitled 'An act to authorize execution of process in certain cases in equity concerning property within the jurisdiction of the court and on defendants not resident or found therein' authorizing execution of process in certain cases for the perpetuation of testimony."

ARTHUR H. JAMES.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

RELIEF

A communication from Steel City Industrial Union Council, Pittsburgh, addressed to the Speaker, urging a relief appropriation of $200,000,000.

Referred to the Committee on Appropriation.

LIQUOR LICENSES

A resolution from the Council of the City of Duquesne, filed by Mr. Kenneth Harkins, requesting that the Commonwealth of Pennsylvania pay to cities of third class liquor license fees now held by the Commonwealth for the years 1940 and 1941.

Referred to the Committee on Appropriation.

POLICEMEN, FIREMEN, PARK GUARDS

A communication from LaSalle College Civic and Social Congress, Philadelphia, addressed to the Speaker, endorsing enactment of legislation increasing salaries of firemen, policemen and park guards.

Referred to the Committee on Cities First Class.

PHILADELPHIA-MERGER

An extract from the minutes of the Board of Commissioners, Township of Haverford, protesting merger with the City of Philadelphia.

Referred to the Committee on Cities First Class.

HOME RULE

Resolutions from the City Councils of Duquesne and Clairton opposing passage of House Bill No. 7, providing for home rule for cities of the third class.

Referred to the Committee on Cities Third Class.

SCHOOL BANDS

A communication from citizens in the Beaver Valley, particularly Beaver Falls, favoring passage of legislation providing for school bands.

Referred to the Committee on Education.

SABOTAGE

A resolution from Philadelphia Industrial Union Council protesting passage of House Bill No. 452, anti-sabotage bill.

Referred to the Committee on Judiciary Special.

LIQUOR LICENSES

A communication from Mr. E. P. Gager, representing a class in the Asbury M. E. Church, Scranton, addressed to the Speaker, protesting passage of legislation to extend hours for the sale of intoxicating beverages by liquor licensees.

Referred to the Committee on Liquor Control.

VETERANS

A communication from the Department Commander, Veterans of Foreign Wars, Uniontown, addressed to the Speaker, protesting the recommitting of House Bills, Nos. 6, 89, 90, 104, 180 and 182.

Referred to the Committee on Military Affairs.

DELINQUENT TAXES

A resolution by the Council of the City of Duquesne, filed by Mr. L. Kenneth Harkins, requesting repeal of Act 276, Approved the 29th day of June, 1929, relating to delinquent taxes on seated lands.

Referred to the Committee on Municipal Corporations.

PROFESSIONAL LICENSURE

A communication from Philadelphia Merchants' Association, addressed to the Speaker, favoring passage of House Bill No. 707, and protesting passage of House Bills Nos. 676, 684 and 685.

A petition from citizens of Philadelphia, transmitted by letter of G. D. Dragone, O. D. addressed to the Speaker, favoring passage of House Bills Nos. 684 and 685.

Referred to the Committee on Professional Licensure.

WATER SANITATION COMPACT

A communication from Ohio Valley Improvement Association, Cincinnati, Ohio, addressed to the Speaker, favoring passage of House Bill No. 121.

Referred to the Committee on State Government.

HOUSE BILLS NOS. 199, 364, 397

A communication from Eden Park Volunteer Fire Co. and Relief Association, McKeesport, addressed to the Speaker, favoring passage of House Bills Nos. 199, 364 and 397.

Referred to the Committee on Ways and Means.

RELIEF

A communication from Steel City Industrial Union Council, Pittsburgh, addressed to the Speaker, urging the rejection of the report of the Joint State Government Commission giving local relief boards autonomy.

Referred to the Committee on Welfare.

OCCUPATIONAL DISEASE

Resolutions from Locals 606, and 612, United Electrical, Radio and Machine Workers of America, endorsing a deficiency appropriation to meet claims and liabilities to workmen.

Referred to the Committee on Workmen's Compensation.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

UNITED STATES SENATE
Committee on Finance

March 14, 1941.

Mr. Thomas J. Callahan
Chief Clerk
House of Representatives
Harrisburg, Pennsylvania

Dear Mr. Callahan:

Attached herewith is a part of the Congressional Record of March 13th in which I arranged to have printed the resolution on the Bill of Rights passed by the Pennsylvania House of Representatives and concurred in by the Senate. I also introduced and had printed in the Record Senate Joint Resolution 51, and am enclosing a number of copies of the Resolution. I shall do whatever I can to have the measure become law.

With every kind wish, I am
Most cordially yours

JAMES J. DAVIS

77th CONGRESS
1st Session
S. J. RES. 51
IN THE SENATE OF THE UNITED STATES

March 13, 1941.

Mr. Davis introduced the following joint resolution; which was read twice and referred to the Committee on the Library

JOINT RESOLUTION

To provide for the celebration of the one-hundred-and-fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States.

Whereas, The 15th day of December 1941 is the day on which occurs the one-hundred-and-fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States; and

Whereas, Such day assumes unusual importance and significance during the present critical period in the history of our Nation and of the world when the fundamental rights of free people, as set forth in such amendments, are being threatened by totalitarian forces abroad and their sympathizers at home: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in order that the one-hundred-and-fiftieth anniversary of the adoption of the Bill of Rights as the first ten amendments to the Constitution of the United States may be duly commemorated, the 15th day of December 1941 is hereby declared to be a national public holiday throughout the United States.

Sec. 2. For the purpose of providing for appropriate ceremonies and celebrations on such day, there is hereby established a commission to be known as the Bill of Rights Sesquicentennial Commission (hereafter referred to as the "Commission"), to be composed of seven commissioners, as follows: Three persons to be appointed by the President of the United States, two Senators to be appointed by the President of the Senate, and two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The members of the Commission shall serve without compensation and shall select a chairman and vice chairman from among their number. If any vacancies occur in the membership of the Commission, such vacancies shall be filled in the manner provided for the original appointments.

Sec. 3. It shall be the duty of the Commission to sponsor appropriate ceremonies and celebrations to be held throughout the United States on December 15, 1941, in commemoration of such anniversary.

Sec. 4. The Commission is authorized to make such expenditures for the purpose of carrying out its functions under this joint resolution as it may deem advisable, but no expenditure shall be made except for the purposes authorized by a majority of the members thereof. Expenditures of the Commission shall be paid upon the presentation of vouchers approved by the chairman of the Commission.

Sec. 5. The authority of the Commission under this joint resolution shall cease and terminate on June 30, 1942, at which time the Commission shall make a report of its expenditures and activities under this joint resolution to the Congress.

Sec. 6. There is hereby authorized to be appropriated the sum of $10,000, to be expended by the Commission for the purpose of carrying out the provisions of this joint resolution.

Referred to the Committee on Rules.

REPORT OF SPECIAL COMMISSION TO INVESTIGATE REGULATION OF MILK IN PENNSYLVANIA

The SPEAKER laid before the House the Report of the Special Commission of the General Assembly to investigate regulation of milk in Pennsylvania which was read by the Clerk.

(For report see Appendix)

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Perry E. Wright
27 South Richhill Street,
Waynesburg, Pa.

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
Harrisburg

Waynesburg, Pennsylvania, February 27, 1941.

Mr. Speaker, Members of the House of Representatives:

In a brief, but my best way, I will try to pay you my respects. Personally I am very well, but the house I live in is getting a little dilapidated; it is tottering on its foundations, its walls are badly shattered, its roof is worn, and the whole structure trembles with every wind, and I think that I will have to move out of it before very long.

This life and the beyond puts something into a man which no words can tell, it may be, the truth about life and the brightness on the other side of its shadow.

Life at its basest, life at its best find the end. Death is the starkest tragedy in the story of man.

Sometimes even the bravest are tempted to give up, let down, and turn cynic. But that strange Man on His rough but rugged Cross outside The City Gate, rebukes us, shames our shoddy mood, and calls us back to courage. Facing the realities, man must endure his going hence as his coming hither.

Life is being and becoming and it does not yet appear what it shall be. We could not have imagined this life, nor can we see beyond it, and friends, most of our comforts come between troubles.

Our job is not to see what lies in the distant future, but to do what lies at hand; great things are done by inward urges, or outward necessity—they are drawn from us by struggle.

Lincoln said "Man is entitled to long life, but he should do something to comfort others.'

Nothing has happened to me in years that gave me more real comfort than the act of this body of law makers of one of the greatest states in the world's greatest nations, when they placed on record in the House Journal here, the resolution relative to the passing of my life's companion into the great beyond.

Please allow me with all the manhood and fervor that I possess to say, I thank you.

Very respectfully,

(Signed) PERRY E. WRIGHT

COMMUNICATIONS

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

RESIGNATION OF MEMBER OF THE LOCAL GOVERNMENT COMMISSION

The SPEAKER laid before the House the following communication which was read by the Clerk:

ROY E. FURMAN
General Contractor
Waynesburg, Pa.

March 21, 1941.

Hon. Elmer Kilroy, Speaker,
House of Representatives,
Harrisburg, Pa.

Dear Mr. Speaker:

Due to the fact that it has been impossible for me to attend the meetings of the Local Government Commission, I am herewith submitting to you my resignation as a member thereof.

Sincerely yours,

(Signed) ROY E. FURMAN.

LOCAL GOVERNMENT COMMISSION APPOINTMENT

The SPEAKER. The Chair appoints the gentleman from Beaver, Mr. Nagel to succeed the former Speaker of the House, Honorable Roy E. Furman, to the Local Government Commission.

COMMUNICATIONS

RESIGNATIONS OF HOUSE EMPLOYES

The SPEAKER laid before the House the following communications which were read by the Clerk:

Philadelphia, Pa.

Mr. T. J. Callahan, Chief Clerk,
House of Representatives,
Harrisburg, Pennsylvania.

I hereby tender my resignation as Transcribing Clerk House of Representatives, effective at the close of business February 28, 1941.

(Signed) ANTHONY J. SADOWSKI.

February 28, 1941.

To the Chief Clerk of the House:

I hereby tender my resignation as Clerk to Committee of the House of Representatives to become effective today.

(Signed) MARIE M. CASAZZA.

RESOLUTION

REPORT FROM SLATE COMMITTEE

Mr. LOVETT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, March 24, 1941.

Resolved, That Marie Casazza be elected Transcribing Clerk of the House of Representatives effective March 1, 1941.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 24, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, March 31, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, March 31, 1941, at 9:00 p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

WELCOME EXTENDED TO MEMBER

The SPEAKER, The Chair welcomes to the House this evening the gentleman from Philadelphia Mr, Finnerty who has been absent during a long and serious illness. The Chair is confident he is expressing the sentiment of all the members of this House.

PERMISSION TO ADDRESS THE HOUSE

Mr. FINNERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to take advantage of this opportun-

ity to thank the many Members of this House on both the Democrat and Republican sides for the many telephone calls, telegrams and letters which I received. The letters, numbering exactly one hundred five were messages of good wishes and "get well" cards from both the Republicans and Democratic members.

I want to thank the Republican members and the Democratic members who sent me many beatutiful flowers during my illness. I want particularly to thank our worthy chaplain for two consoling letters and a prayer book and for the prayer he offered up for my recovery.

I owe a lot to the Chief Clerk and his assistants in this House for the wonderful service they gave me in keeping me in touch with the doings of this House. I had but one disappointment when I was sick and that was that I was compelled to miss the Saint Patrick's Day dinner. I worked on that committee and was very active on it during the four terms I have been in this House. That was quite a disappointment, but I had one consolation. On the day of the dinner I read a poem in one of the newspapers, and part of that poem said that as long as there is one Irishman alive there will always be a Saint Patrick's Day celebration. I hope we will all be present for the next one.

I am glad to be back, I am glad to be as well as I am, and I hope to be with you to help out in the proceedings of this House and to help make Pennsylvania a better place in which to live.

USE OF HALL OF HOUSE GRANTED

Mr. O'BRIEN. Mr. Speaker, I request permission of the House to use the Hall of the House tomorrow at eleven o'clock A. M. for the purpose of a public hearing, before the Liquor Control Committee. The hearing has been scheduled for the old Caucus Room. Many of our members tell me they hope to have quite a number of people from their districts here for that public hearing. For that reason I thing it will be necessary to use the hall of the House for the public hearing.

The SPEAKER. Will the House grant permission for the use of the Hall of the House as requested? The Chair hears no objection and consent is granted.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINNERTY asked and obtained permission for the Committee on Cities First Class to meet during the session of the House.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Speaker for Mr. MARSHALL M. COHEN for tonight and tomorrow on account of illness.

Mr. Rosenfeld for Mr. SKALE on account of illness.

REPORTS FROM COMMITTEES

Mr. MODELL, from the Committee on Cities—First Class, reported as committed House Bill No. 596, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

Mr. MODELL, from the Committee on Cities—First Class, reported as committed, House Bill No. 597, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

Mr. READINGER, from the Committee on Rules, reported as amended House Resolution No. 57.

Mr. READINGER, from the Committee on Rules, reported as amended House Resolution No. 58.

Mr. READINGER, from the Committee on Rules, reported as committed Senate Concurrent Resolution Serial No. 117.

Mr. READINGER, from the Committee on Rules, reported as committed Senate Concurrent Resolution Serial No. 116.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 18, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind:

Whereas, that treasured pearl of our language, the word domocracy, meaning the rule of the people, is derived from the ancient Greek, Democracy was founded in ancient Athens. When Greece of the early Christian era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our own glorious nation at its foundation.

Whereas, on March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of indominable courage of the Lacedamonians at Thermopylae has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, the Greeks have been associated with the United States since the early days of the Republic. In 1804 the first challenge to our infant nation broiled us in war with the Barbary States of Nothern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge.

Wars are not won by naval victories alone; our infant republic could not send a military expedition across the seas. However, a military force was organized under the

command of General William Eaton, U. S. A., and Colonel Tobias Lear who had been military secretary to George Washington; this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton, in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Derne, led by Patrick N. O'Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, people of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades in the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, a campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate, or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved, (if the House of Representatives concur), That the legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the celebration of Greek Independence Day on March 25 as Hellenic Day, and be it further

Resolved, (if the House of Representatives concur), that his Excellency, the Governor of Pennsylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 18, 1941.

Whereas, on March 7 and 8, 1941, at California State Teachers' College, California, Pennsylvania, was held the second session of the Annual Student Congress of the Western Pennsylvania District of the National Forensic League, and

Whereas, Students representing high schools from Beaverdale, Bentleyville, Brownsville, California, Cumberland Township, Centerville, Charleroi, Derry Township, East Pike Run, Glassport, Monessen, Hurst of Mount Pleasant Township, Munhall, Point Marion, St. Vincent, Waynesburg, and West View participated in this Congress, and

Whereas, This Congress affords training for more than 150 high school students in the proper methods of legislative procedure, and

Whereas, It is necessary in these perilous times that the citizens of the United States do their utmost to insure the Democratic form of government for the future citizens of this nation. Therefore be it

Resolved: If the House concur, that the Sponsors of this Student Congress together with the students themselves be highly commended for their efforts to preserve democracy, and be it further

Resolved, That it is the sentiment of the Assembly of Pennsylvania that the Student Congress be continued and, if possible, broadened to include a larger number of students, and be it further

Resolved: That copies of this resolution be sent to all schools participating in the Student Congress and to every student who took part.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Mr. MODELL asked and obtained unanimous consent for House Bill No. 597 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 597 to be read for the first time.

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. MODELL asked and obtained unanimous consent for House Bill No. 596 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 112, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties of the third, fourth, fifth and

sixth classes to acquire by lease, purchase or condemnation, land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields; authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions; and authorizing appropriations for such purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 314, entitled:

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April 1927 (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer: and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 50, entitled:

An Act to repeal section four hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 136, entitled:

An Act to further amend section four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; and providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by extending the provisions thereof to certain additional cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 4), page 3, line 9, by striking out the light-face bracket before the word "Provided"

Amend Sec. 1 (Sec. 4), page 3, line 11, by inserting a light-face bracket before the letter "(a)"

Amend Sec. 1 (Sec. 4), page 5, line 10, by inserting a light-face bracket after the word "Where"

Amend Sec. 1 (Sec. 4), page 5, line 10, by inserting after the word "Where" the following: "where"

Amend Sec. 1 (Sec. 4), page 5, line 18, by striking out the light-face bracket after the word "bargaining"

On the question,

Will the House agree to the amendments?

Mr. BROWN. Mr. Speaker, these amendments are designed to delete from House Bill 136, Printer's No. 69, paragraph (d) on page 5. If the amendments prevail the bill will include what is now pargraph (d). My amendment has nothing to do with deleting paragraph (a) on page 3, paragraph (b) on page 4 and paragraph (c) on page 5. Under the amendments that I have submitted those paragraphs will still be in the bill. I simply, as I have said before, present these amendments so that

paragraph (d) will be in the bill as a proviso and would not be affected by the anti-injunction act. I perhaps will find myself in disagreement with my colleagues and with other Members of the House, but I believe they will realize that my disagreement is based on fundamental reason and sound judgment. If my opinion were the opinion I am giving I would say it might be in error, but I believe the amendments would place the bill in keeping with the substantive law of this land as announced by the Supreme Court of the United States.

May I say, Mr. Speaker, that I have voted for all labor legislation in this House since 1935. If I thought that my amendments would hurt labor I would not insert them, but I believe my amendments will not only help labor but will help all the people of this Commonwealth.

What are we doing in these amendments? We are simply saying that the Courts of this Commonwealth are not bound by the injunction procedure set up in paragraph nine of this bill, but on the question of "sit down" strikes and the question of destruction of property the courts have the power to grant what is known as an ex-parte injunction. I believe that these amendments are necessary at this particular time because the times demand, Mr. Speaker, that the courts be not hampered by things which the courts have said are illegal and are not proper labor disputes. The labor legislation passed by this Legislative body and that passed by the National Congress has been designed to protect labor in the exercise of its lawful duty. A "sit-down" strike is not a labor dispute; destruction of property is not a labor dispute, and therefore, it is my contention that these things should be excluded from this bill.

Let me briefly, Mr. Speaker, and I am not going to take up much of your time, giving you the reason why I have presented these amendments. On April 12, 1937, the Supreme Court of the United States in sustaining the Labor Relations Board in the case of Labor Relations Board v. Jones & Laughlin, 301 U. S., page one, the Chief Justice speaking for the court and speaking on the right of labor to organize, said:

> "That is a fundamental right. Employes have as clear a right to organize and select their representatives for lawful purposes as the respondent has to organize its business and select its own officers and agents. Discrimination and coercion to prevent the free exercise of the right of employes to self-organization and representation is a proper subject for condemnation by competent legislative authority. Long ago we stated the reason for labor organizations. We said that they were organized out of the necessities of the situation; that a single employe was helpless in dealing with an employer; that he was dependent ordinarily on his daily wage for the maintenance of himself and family; that if the employer refused to pay him the wages that he thought fair, he was nevertheless unable to leave the employ and resist arbitrary and unfair treatment; that union was essention to give laborers opportunity to deal on an equality with their employer."

I simply say that, Mr. Speaker, to let you know and to let the Members of the House know that we are in perfect accord with the opinion laid down by the Chief Justice of the United States in the case that I have just cited.

Listen to the same Chief Justice, speaking in another case, and I refer to the famous case of National Labor Relations Board vs. Fansteel Metallurgical Corporation, in which in February, 1939, the same Chief Justice who had held that labor had the fundamental right to organize and protect its members had this to say as to seizure and sit-down strikes:

> "Seizure and retention of respondent's property were unlawful. It was a high handed proceeding without shadow of legal right. The workers had the right to strike but no license to commit acts of violence or to seize the plant. Seizure was a wrong apart from any acts of sabotage. It is same as an assault in conversion of goods. To justify such conduct because of the existence of a labor dispute or of an unfair labor practice would be to put a premium on resort to force instead of legal remedies."

Here is the heart of that opinion:

> "The conduct permitted in scuring labor's rights is lawful conduct.

Mr. Speaker, it appears to me, if we are going to abide by the decisions of the highest court of this land, and I think we are, the highest court of this land has told us that the labor laws were promulgated and enacted by the legislature to protect labor in the exercise of its lawful rights. The same courts, speaking through the same Chief Justice, later on said that the seizure and the retention of the property of an employer would not constitute a labor dispute; it is unlawful conduct, it is a conversion of goods, it is an illegal act and therefore has no right to be protected under any act we pass here. It does seem to me, if we follow the pronouncements of the Supreme Court of the United States which has been fair to labor and which has sustained so much labor legislation, we ought to except out of this the right of the Courts to grant any injunction in the case of these unlawful acts, such as the destruction of property and the seizure of goods.

Therefore Mr. Speaker, I ask the Members to vote in favor of my amendment.

Mr. WILLIAMS. Mr. Speaker, it is necessary that I arise to oppose the amendment offered by the gentleman from Allegheny Mr. Brown, concerning subsection (b) of section four of this act. I have already offered amendments which will be read to the House later on, where we feel that we will take care of this particular subsection.

The gentleman from Allegheny has spoken on what has been done for labor. There is no doubt there has been a lot done for labor in recent years. He also spoke of the decisions of the Supreme Court of the United States. The decision of the Supreme Court of the United States, of course, in this particular case, was one which did not come under the jurisdiction of the Norris-LaGuardia Act, which was the act under which our State act was patterned in 1937. Therefore, we feel, since they have decided it was not a labor dispute, it would not come under the jurisdiction of this House Bill, and we have made provisions to designate "sit-down" strikes, and that is what Mr. Brown is speaking of in this particular amendment to another subsection of section nine of this act.

Therefore, Mr. Speaker, I ask the Members on this side of the House to oppose the amendments at this time. We will offer amendments to the act later on.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. AUKER and Mr. JAMES and Mr. BRETHERICK and were as follows:

YEAS 74

Auker,	Fletcher,	Krise,	Simons,
Boorse,	Foor,	Lee, E. A.,	Snyder,
Bower,	Gates,	Lee, T. H.,	Sollenberger,
Bretherick,	Gillan,	Leisey,	Sorg,

Brown,	Gillette,	Leydic,	Stambaugh,
Brunner, C. H.,	Greenwood,	Lichtenwalter,	Stockham,
Cadwalader,	Gross,	Lyons,	Taylor,
Cook,	Gyger,	McClester,	Thompson, R. L.,
Cooper,	Habbyshaw,	McMillen,	Trout,
Cordier,	Haines,	McSurdy,	Turner,
Dalrymple,	Hall,	Muir,	Van Allsburg,
Dennison,	Hare,	Reagan,	Voorhees,
Dix,	Helm,	Reese, D. P.,	Wagner,
Eckels,	Hewitt,	Rhea,	Winner,
Elder,	Huntley,	Riley,	Wood, L. H.,
Ely,	Imbrie,	Royer,	Wood, N.,
Fisher,	James,	Sarge,	Woodside,
Fiss,	Jones, G. E.,	Serrill,	Yeakel,
Fleming,	Knoble,		

NAYS 115

Achterman,	French,	McDermott,	Reynolds,
Baker,	Gallagher,	McFall,	Rooney,
Balthaser,	Gerard,	McGrath,	Rose, S.,
Baugher,	Goodwin,	McIntosh,	Rush,
Bentley,	Gryskewicz,	McLanahan,	Sarraf,
Bentzel,	Haberlen,	McLane,	Scanlon,
Boies,	Hamilton,	Melchiorre,	Schwab,
Boney,	Harkins,	Mihm,	Shaffer,
Bradley,	Harmuth,	Modell,	Shepard,
Breth,	Harris,	Mooney,	Stank,
Brunner, P. A.,	Heatherington,	Moran,	Stine,
Burns,	Hering,	Moul,	Tarr,
Burris,	Hersch,	Munley,	Tate,
Chervenak,	Hirsch,	Nagel,	Thompson, E. F.,
Chudoff,	Holland,	Nunemacher,	Verona,
Cochran,	Jefferson,	O'Brien,	Vincent,
Cohen, R. E.,	Keenan,	O'Connor,	Vogt,
Corrigan,	Kenehan,	O'Mullen,	Voldow,
Croop,	Kline,	O'Neill,	Watkins,
DiGenova,	Kolankiewicz,	Owens,	Weiss,
Dolon,	Komorofski,	Petrosky,	Welsh, E. B.,
D'Ortona,	Leonard,	Pettit,	Welsh, M. J.,
Duffy,	Lesko,	Polaski,	Williams,
Early,	Levy,	Polen,	Wolf,
Elliott,	Longo,	Powers,	Woodring,
Finestone,	Lovett,	Prosen,	Wright,
Finnerty,	Malloy,	Rausch,	Yester,
Flynn,	Marks,	Readinger,	Young,
	Maxwell,	Reese, R. E.,	Kilroy,
		Regan,	Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment as a new section.

The amendment was read by the Clerk as follows:

Amend bill, page 5, by inserting between lines 18 and 19, the following:

Section 2. Section nine of said act is hereby amended by adding thereto, immediately after clause (f), a new clause to read as follows:

Section 9. No court of this Commonwealth shall issue any restraining order or a temporary or permanent injunction in any case involving or growing out of a labor dispute, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath, and testimony in opposition thereto, if offered, and except after findings of fact by the court to the effect—

(g) That an employe or employes acting in concert, or a labor organization or the members, officers, agents or representatives of a labor organization or persons acting for such organization, have seized, held, or threaten to seize, hold, damage or destroy the plant, equipment, machinery or other property of the employer, or engaging in a "sit-down strike" in order to compel such employer to accede to any demands, conditions or terms of employment or for collective bargaining.

On the question,

Will the House agree to the amendment?

Mr. WILLIAMS. Mr. Speaker, I offer this amendment to section nine setting up a new subsection known as section (g) due to the fact that labor itself does not believe in the "sit-down" strike; we do not care to protect the "sit down" strike. Under the decision of the Supreme Court that was handed down, they declared in that particular case that a "sit down" strike was not a labor dispute, therefore, we felt that that did not come under the jurisdiction of this particular act.

We are offering subsection (g) to section nine in order that where labor is involved in a dispute, that where employers may run into court, and ask the court to hand down an injunction, that labor should at least have a right to a hearing before that injunction is granted. We know that "sit downs" are a thing that is very unpopular both with the general public and with the employer, and of course with labor itself. Labor does not care to have any part of "sit down" strikes; we would be just as glad to be rid ourselves of them as would any one else, but we feel that rather than have an employer or his agent run into court and have an injunction slapped upon labor without a hearing, which would be an injustice because of the fact that we know they do employ people in and around the plant to carry on that particular thing, we feel that in all of these cases where the dispute would come under this particular act, we should have a right to a hearing before an injunction is granted.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Williams.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. WILLIAMS. I will, Mr. Speaker.

Mr. TURNER. We have been trying, Mr. Speaker, over here to discover the difference between this amendment and the amendment offered by the gentleman from Allegheny, Mr. Brown. If the gentleman has an explanation as to why he opposed the amendment offered by the gentleman from Allegheny, Mr. Brown, and presented this amendment, we would like to hear it.

Mr. WILLIAMS. Mr. Speaker, the amendment offered by Mr. Brown was of such a nature that an injunction could be granted without a hearing. We feel in these cases where labor is involved as defined under this act, they should be given a hearing before an injunction is granted. That will be done under this particular section.

Mr. BROWN. Mr. Speaker, I am going to support these amendments on the ground that half a loaf is probably better than no loaf at all. Our differences are differences of procedure. If an act is illegal, in labor as in other matters, the court has a right to restrain those acts. I cannot understand why labor could want more than anybody else would want. Under these amendments, the court would have to grant a full hearing and it would have to take testimony as long as testimony was presented. Destruction could be going on, the plant could be seized until a full hearing was had and service of notice upon all parties concerned, and allowing that time to answer. We differ on the question of procedure. It was my contention that in a matter so vital as the destruction of and seizure of property, an ex-parte injunction should be allowed. However, the majority of the House has seen fit to say "no" to my amendment and the majority has presented this amendment, which gives us half a loaf, saying in effect, "We will allow you the letter and substance of your contention, but with a full hearing and the right to take testimony." It seems to me the only thing we can do is

to take this amendment, which, as I said before, is a half loaf, and a half loaf is better than no bread at all.

Mr. LOVETT. Mr. Speaker, I rise to defend the amendment offered by the gentleman from Washington, Mr. Williams. I want to say that in this time of national defense, we do not feel that we can browbeat labor into submission. We feel that labor should be granted a hearing at all times, which they have not been granted heretofore, and since the intelligensia cannot themselves decide upon what action should be taken in this particular piece of legislation, we are told from one side that there is no need for such a law, that there is plenty of law on the statute books to protect the corporations of the State of Pennsylvania. We find, on the other hand, men who say there is not law enough unless we amend this bill to the extent that the courts cannot issue an injunction for almost anything that happens in a labor dispute. Now, my friends, I say to you this is no time for a quarrel between management and labor. We feel labor should be given a hearing at all times, and I ask the members of this House to support the amendment.

Mr. JAMES. Mr. Speaker, we on this side semed to be willing to vote for the amendments that were offered by Mr. Brown, We felt there was a whole loaf. I do not agree with Mr. Brown that it is better to accept half a loaf than no bread at all in this matter. In asking the Members of this House to vote "no" on this last offered amendment I fully realize, and I think they should fully realize that in these amendments they give the appearance of having voted for "sit-down" strikes. I believe this is a preliminary to kill this entire bill, and I particularly ask the Republican Members to vote "no" on this amendment.

Mr. LEONARD. Mr. Speaker, I desire to say a few words in the interest of the amendments as offered by Mr. Williams.

From the standpoint of practical experience, I am a steel worker; I have been working in the steel mills since 1896, and up until 1932, under the administration which is in charge of the affairs of this great government of ours today it was common to have an injunction issued against you even though you were a hundred miles away from where the strike was in progress. I am in favor as an American citizen, the same as any other American citizen, of having a hearing and determining from that hearing whether or not I am one of the violators that induced the judge to issue the injunction.

My name is in the records through injunction procedure times without number, and I say to this House that I am as innocent of any wrongdoing as a new born baby. It so happened in those days that the attorney representing the corporation was successful and able to reach the ear of those from whom he wanted favors and got an injunction issued against you without one iota of violance having taken place, denying the workers their civil rights, denying them the right to protect the interests which caused the strike. I could possibly enumerate here for an hour things that have happened under injunctions that were issued without a hearing, and especially now with the good things and the privileges that the workers of this country have been enjoying since 1933, I am sure that the people of Pennsylvania, this industrial state of ours want to see their workers given the same rights and privileges that the Constitution guarantees all the citizens of this country.

The American labor movement is not responsible for the "sit-down" strike. It was not brought about through the activities of the American labor movement. The American labor movement is against "sit-down" strikes and every place that I have had anything to do with strikes, I have had the privilege of sitting across the conference table with the owner of the plant and assured him that if he wanted his property protected, just to leave it in the hands of the strikers. Why? Why would we want to leave it in the hands of the strikers? Is there anybody here that would think for a moment that an American worker would want to destroy the instrument that made it possible for him to make a living? I want to say that I have been successful in convincing the management in a few cases that that was the situation, that the worker will protect his plant because if it is destroyed he loses the opportunity of making a livelihood, and if the plant is destroyed, the employer loses his money. Money is secondary in my opinion to the welfare of the people of America, and especially those who produce, this great body of working people who are doing so much in this day to preserve this great democracy of ours, and I ask the members of both sides of the House in the name of American labor and the working movement to support these amendments as submitted by Mr. Williams.

Mr. REUBEN E. COHEN. Mr. Speaker, I do not want to unduly prolong the debate on this amendment, but I think there is something rather fundamental that has been overlooked from the legal phase of the question. The past few years in labor history have brought the "sit-down" strike which is condemned bitterly by both responsible labor leaders and industry alike. This legislation, I believe is not quite understandable from one viewpoint. We are attempting to say by these amendments that should there exist a condition which anyone says is a "sit-down" strike, that merely upon the say-so of that particular individual, upon the say-so of that employer, upon the say-so of a law enforcement agency, that should not be accepted in truth and fact as being a "sit-down" strike without that accusation being brought before the only means of determination of the facts, which affect the rights of people, and that is in an open court for the purpose of testifying, for the purpose of being subjected to cross-examination and for the purpose of having a judicial determination of the accusation.

Mr. Speaker, it seems to me that the shoe might be on the other foot, there might be many in the House to stand up and say that there should be an open hearing and an ex-parte injunction. For example, I might go into court and say so and so was violating the law and committing a nuisance with his plant, and I might say to the judge that that nuisance was affecting the health of the community, and ask for an injunction ex-parte without giving that industry an opportunity to be heard. Should that injunction be granted, a great deal of damage might be done that probably in a short time might be undone, but meantime might cause a great deal of damage to that particular employer. The employer might come into court a while later and have the ex-parte injunction lifted by being able to show that the statements made by the one who asked for the original injunction were not based on the facts upon which the injunction was granted. The existing law is confusing in its concept, and this is merely to define the fundamental principles of a hearing in open court and judicial determination, because after all it is an accepted fact throughout this nation that only in the judiciary do we have a last court of resort for the determination of facts between opposing parties.

For that reason, Mr. Speaker, I think that a bill which emphatically states now with these amendments and sets forth the manner and means by which labor may come into court and meet its accuser and question its accuser and disprove, if the facts warrant disproving the accusation, I think we are only granting to labor what is fundamentally good for every other portion and segment of the American rights of American people.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. BAKER, Mr. TATE and Mr. KEENAN and were as follows:

YEAS 123

Achterman,	Gallagher,	Maxwell,	Rooney,
Baker,	Gates,	McClanaghan,	Rose, S.,
Balthaser,	Gerard,	McDermott,	Rosenfeld,
Baugher,	Goodwin,	McFall,	Rush,
Bentley,	Greenwood,	McGrath,	Sarraf,
Bentzel,	Gryskewicz,	McIntosh,	Scanlon,
Boies,	Haberlen,	McLanahan,	Schwab,
Boney,	Hamilton,	McMillen,	Shaffer,
Bradley,	Harkins,	McSurdy,	Shaw,
Breth,	Harmuth,	Melchiorre,	Skale,
Brown,	Harris,	Mihm,	Sorg,
Brunner, P. A.,	Heatherington,	Modell,	Stank,
Burns,	Hering,	Mooney,	Stine,
Chervenak,	Hersch,	Moran,	Tarr,
Chudoff,	Hirsch,	Moul,	Tate,
Cochran,	Holland,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Imbrie,	Nunemacher,	Verona,
Cordier,	Jefferson,	O'Brien,	Vincent,
Corrigan,	Keenan,	O'Connor,	Vogt,
Croop,	Kenehan,	O'Mullen,	Voldow,
Cullen,	Kline,	O'Neill,	Voorhees,
Dalrymple,	Knoble,	Owens,	Watkins,
Dennison,	Kolankiewicz,	Petrosky,	Weiss,
DiGenova,	Komorofski,	Pettit,	Welsh, E. B.,
Dolon,	Krise,	Polaski,	Welsh, M. J.,
D'Ortona,	Leonard,	Polen,	Wilkinson,
Duffy,	Lesko,	Powers,	Williams,
Early,	Levy,	Prosen,	Wolf,
Elliott,	Leydic,	Rausch,	Woodring,
Finestone,	Longo,	Readinger,	Wright,
Finnerty,	Lovett,	Reese, R. E.,	Yester,
Flynn,	Lyons,	Regan,	Young,
French,	Malloy,	Reynolds,	Kilroy,
	Marks,		Speaker.

NAYS 41

Auker,	Gillette,	McClester,	Stockham,
Boorse,	Habbyshaw,	McKinney,	Thompson, R. L.,
Bower,	Haines,	Muir,	Trout,
Bretherick,	Hall,	Reese, David P.,	Turner,
Brunner, C. H.,	Hare,	Rhea,	Wagner,
Cadwalader,	Helm,	Riley,	Weingartner,
Cook,	Hewitt,	Royer,	Winner,
Cooper,	James,	Serrill,	Wood, L. H.,
Eckels,	Jones, G. E.,	Snyder,	Wood, N.,
Elder,	Lichtenwalter,	Sollenberger,	Woodside,
			Yeakel,

So the question was determined in the affirmative and the amendment was agreed to.

Mr. TURNER in the Chair.

REASONS FOR VOTE

Mr. BRETHERICK filed the following reasons for his vote:

I am voting against the amendment because it will make necessary a hearing in open court to prevent the continued commission of the criminal acts involved in sit down strikes and seizure of private property.

Mr. GATES filed the following reasons for his vote:

Whether the United States will shortly be "at war" formally is still a question which cannot be answered—It all depends.

But approaching facts always cast their shadows before them. Some months ago the shadows indicated abandonment of neutrality policy and it was so reported and there were controversies over the forecast, but the shadows turned out to be true in portent.

Now we are in a more advanced phase, all the actions these days, all the policies, all the plans, indicate preparations as if for war.

These facts do not prove that the United States will be formally at war but they give a strong hint that formal entrance into war is probable. Personally I think the actions mean formal war, and for this reason I am voting for the amendment which bans sit down strikes, which would interfere with the prosecution of full defense.

The second section was read.

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 5, line 19, by striking out the figure "2" and inserting in lieu thereof: "3".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "four" the following: "and to amend section nine"

Amend title, page 2, last line of title on page 2, by inserting after the word "cause" the following: "and allowing courts to issue restraining orders in certain cases"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Delaware, Mr. Turner, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 551, entitled:

A supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the Public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year end-

ing May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ACHTERMAN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out the following: "fifty thousand dollars ($50,000)" and inserting in lieu thereof: "seventy thousand dollars ($70,000)."

Amend Sec. 1, page 2, line 7, by inserting after the word "furnishings" the following: "equipment, books."

Amend Sec. 1, page 2, line 9, by inserting after the word "Representatives" the following: "and."

Amend Sec. 1, page 2, lines 10 and 11, by striking out the following: "and the Department of Justice and for rest room facilities for women employes"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 688, entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McINTOSH. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend as follows: Section 1, Page 1, line 6 after the word "persons," insert the following: "who do not require institutional care because of physical or mental infirmity."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 656, entitled:

An Act to amend the third paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 583, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 259, entitled:

An Act to further amend sections four hundred eleven, and six hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15—1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold; and imposing further penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of a public hearing.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 487, entitled:

An Act to repeal clause (o) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose;

authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by eliminating requirement that the names of general assistance recipients be made public.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LEVY. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 1, by striking out the words "Clause (o) of section seven" and inserting in lieu thereof: "Section four"

Amend Sec. 1, page 2, lines 18 and 19, by striking out the words "and the amendments thereto are" and inserting in lieu thereof: "is hereby amended, by adding thereto, after clause (k), which was added to said section by section two of the act, approved the twenty-sixth day of June, one thousand nine hundred thirty-nine (P. L. 1091), a new clause to read as follows:

"Section 4. General Powers and Duties of Department of Public Assistance.—The Department of Public Assistance shall have the power, and its duty shall be:

"(1) To keep the names of all applicants or recipients of general and special assistance confidential.

"Section 2. Clause (o) of section seven of said act, which was added to said section by section two of the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-nine (P. L. 1091), is"

Amend bill, page 2, by inserting at the end thereof, the following:

"Section 3. This act shall become effective immediately upon final enactment."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. LEVY. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "to" the following: "add clause (1) to section four and to"

Amend title, page 2, last line of title on page 2, by inserting after the word "public" the following: "and requiring that the names of all applicants or recipients of assistance be kept confidential."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to

On the question,

Will the House agree to the bill on second reading as amended?

Mr. LEVY. Mr. Speaker, I cannot very well pass over the amendments to House Bill 487, Printers No. 91, without calling the attention of the Members of the House and especially the attention of the minority floor leader to the fact that I have prepared amendments in accordance with his request and have inserted them in the bill tonight. I want to say, in passing Mr. Speaker, that after the gentleman from Dauphin, when this bill was up for first reading, made remarks relative to the framing of this bill I conferred with the Legislative Reference Bureau and they tell me that the bill was drafted by a gentleman over there who has been in the employ of the Legislative Reference Bureau for many years. If the members of the House will read lines 18 and 19 of this bill they will find inserted the words "and the amendment thereto are hereby repeated".

I understand from this gentleman in the Bureau that that has been the practice for many years, and if the gentleman from Dauphin, Mr. Woodside, would have read the last few lines which I could not do in view of the fact that I had walked in from an important Committee meeting and hadn't had time to glance over the bill before Mr. Woodside took the floor, he probably would have known that this amendment was not necessary, but in view of the fact that it might satisfy the minority floor leader I inserted it in the bill.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 692, entitled:

An Act to amend clauses (k) and (1), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 653, entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of

March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BENTLY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 3), page 2, line 8, by striking out the word "whenever" and insert in lieu thereof "where."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 401, entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 553, entitled :

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred three), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," by providing for forfeiture of the right to take property under the will of a murdered testator.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 554, entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith, and the fees therefor," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 237, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors overseers, guardians, and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," increasing the maximum cost of burial.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SHAW. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. MIHM. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 444, entitled:

An Act authorizing the Department of Military Affairs, upon request, to supply an official flag of the Commonwealth to each post of a nationally chartered veterans' service organization, in the Commonwealth; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CHUDOFF. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 616, entitled:

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "An act to Consolidate, Revise, and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

The first section was read.

On the question,

Will the House agree to the section?

Mr. D'ORTONA. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 1, (section 7), page 2, line 5 by inserting after the part word "corder" the word "coroner".

Amend section 1, (section 7) page 2, line 14, by inserting before the word "the" the following: "the coroner or".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. D'ORTONA. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title, page 1, seventh line of title by inserting after the word "magistrates" the following "and coroners".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 376, as follows:

An Act to amend paragraph (a) of section eight hundred sixty-five of the act approved the twenty-fourth day of June one thousand nine hundred and thirty nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of section eight hundred sixty-five of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 865 Fraudulent Dealing in Liquid Fuels and Oils (a) Whoever stores sells exposes for sale or offers for sale any liquid fuels lubricating oil lubricants mixtures of lubricants adulterated oils reclaimed oils or falsely labeled oils or other similar products in any manner so as to deceive or tend to deceive the purchaser as to the nature origin quality [and] grade or identity of the product so sold or offered for sale and whoever stores sells exposes for sale or offers for sale in any manner so as to deceive or tend to deceive the purchaser any lubricating oil lubricants mixtures of lubricants adulterated oils or falsely labeled oils which had been once used for lubrication purposes and subsequently reclaimed re-refined or reconditioned without clearly indicating or setting forth such fact on the container pump or distributing device used shall be subject to the penalties provided in clause (f) of this section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205.

Achterman,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan,	Sarge,
Baugher,	Gillan,	McClester,	Sarraf,
Bentley,	Gillette,	McDermott,	Scanlon,
Bentzel,	Goodwin,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyder,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Jones, P. N.,	Pettit,	Watkins,
Dolon,	Keenan,	Polaski,	Weingartner,
D'Ortona,	Kenehan,	Polen,	Weiss,
Duffy,	Kline,	Powers,	Welsh, E. B.,
Early,	Knoble,	Prosen,	Welsh, M. J.,
Eckels,	Kolankiewicz,	Rank,	Wilkinson,
Elder,	Komorofski,	Rausch,	Williams,
Elliott,	Krise,	Readinger,	Winner,
Ely,	Lee, E. A.,	Reagan,	Wolf,
Falkenstein,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leisey,	Reese, R. E.,	Wood, N.,
Finnerty,	Leonard,	Regan,	Woodring,
Fisher,	Lesko,	Reynolds,	Woodside,
Fiss,	Levy,	Rhea,	Wright,
Fleming,	Leydic,	Riley,	Yeakel,
Fletcher,	Lichtenwalter,	Rooney,	Yester,
Flynn,	Longo,	Rose, S.,	Young,
Foor,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 367, entitled:

An Act legalizing the operation of bowling alleys and participation in the sport of bowling on Sunday.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

On the question,

Will the House agree to the bill on third reading?

Mr. HEATHERINGTON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 2 of title, by inserting after the word "bowling" the following: "after two o'clock post meridian".

Amend Sec. 1, page 1, line 2, by inserting after the word "Sunday' the following: "but only after the hour of two o'clock post meridan".

Amend Sec. 1, page 1, line 4, by inserting after the word "same" the following: " after such hour."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objections? The Chair hears none.

On the question,

Will the House agree to the amendments.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, last Monday night when the Democrats were committing a blitzkrieg on the Veterans and other legislation sponsored by Republicans I raised an inquiry concerning the apparent discrepancy between sponsorships as they appeared on the bills filed and as they appeared on the calendar. I did not raise the question at that time because there was any doubt in my mind as to what happened. I did not think that the desk had been violating any of the rules of this House, nor that they were inefficient or sloppy in the work which they are doing, and, of course, investigation showed that they were not.

May I say, Mr. Speaker, at this time that I as minority floor leader and as a minority Member have received, not only every right to which I as a Member of this House have been entitled to from the Speaker, the Chief Clerk, the Parliamentarian, the Secretary and other Members on the Desk, but I have received and I think all the Republican members on this side have received every consideration and every courtesy that any minority member could ever expect to be entitled to.

Mr. Speaker, I wish I could have the same praise for the Democratic strategy, but I cannot. You know, Mr. Speaker, the character and standards of political parties are often measured by the seemingly little things which they do. Speaking of little things let us return to this business of bill stealing and sponsorship snatching. The Democrats have started a practice during this session of taking any Republican bill which is good and has political advantage and adding to it the name of some Democrat, even without the knowledge of the sponsor and in direct violation of the rules of this House. When the matter was called to the attention of the House last Monday night the Chair mildly, but properly, rebuked the Members of this House for violating the rules in adding the sponsorship. I think that is petty political practice about which the Members of the Democratic party, even down to the most political minded precinct leader, certainly must be ashamed. Not only are they guilty of sponsorship snatching but they are also guilty of bill stealing. They do that by taking bills which have been introduced by Republican members which they think will be of political advantage to have sponsorship, and then they copy the exact bill and introduce it as their own. This practice also has generally been carried on during this session.

One other practice which has demonstrated itself during the past week has been the returning to Committee of all Republican sponsored bills and at the same time reporting out only those bills which were sponsored by

Democratic Members. I think, Mr. Speaker, that proves conclusively that the Democrats' chief interest is not in the merit of the legislation which is before us but is only in what political advantage they may get for their particular Members in the way of sponsoring legislation.

I cannot understand the Members of this House. I know many of them personally quite well on the other side. They are not that petty; they are not that picayune in their personal feelings. It does not measure up to the type of men many of you I know to be, but in your party you have adopted as a practice in this House resorting to the lowest and the cheapest type of petty politics.

Mr. Speaker, the Governor, the Executive Departments and the Republican members of this House and the Senate have made every conceivable effort during this session to avoid petty political dickering and bickering and to work for the welfare of the Commonwealth of Pennsylvania.

I do not think there was ever a time in the history of the Commonwealth when there was a division between the executive and the legislature where there was as much effort made to cooperate as has been made on the part of the administration and of the Republican members of this House. The Members on the other side of the House well know as you do Mr. Speaker, of occasions when the Governor would call you in and talk to you about the problems of the Legislature even before they would be referred to the members on this side of the House. We introduced legislation which we have taken over to the Democrats and said "We do not want to make any political capital out of this, we want to work for the welfare of the Commonwealth of Pennsylvania, and if you want to join us in this, all right." We introduced the bills on behalf of the administration to carry out the pledges as suggested by the Governor. We took them over to the Democratic side as they came in and asked them whether they did not want to join in the sponsorship to make them non-political. In some cases they did but in most of them they said, "No, we do not want to bother with it, we are going to steer our own course." It developes that "our own course" is stealing these bills that were introduced by Republicans and saying to the Members of this House "We are not going to let out any Republican sponsored bills."

Mr. Speaker, I can only say to the members of this House that the minority has weapons. In this House there are some of us who have been around here long enough to know how to use those weapons, and the Senate has a Republican majority. I say to you, Mr. Speaker, that the Members of the Republican Party are not going to be dragged down to this petty and picayune politics that has been played here particularly during the past week. I think it is time, Mr. Speaker, that we set aside petty politics. The people of the Commonwealth are interested in having this legislation considered carefully and honestly, intelligently and fairly, but they are not interested in such petty party politics as to say who shall sponsor this bill or who shall sponsor that bill. They are interested in having a good administration in the Executive department and having good legislation passed by the House and by the Senate.

Mr. Speaker, I think the Members of this House ought to get down to doing a job of passing legislation regardless of sponsorship. I think the Members on this side of the House will continue the practice which they have followed in the past of voting for all Democratic bills which we think merit support, regardless of who the sponsor is. If it is necessary we will continue to vote for such bills, even in those cases where we know the bills which were introduced by Republican members should have been passed. I think the people of Pennsylvania want us to legislate and want you as legislators to deal with legislation in that manner.

PERMISSION TO ADDRESS THE HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I am rather surprised to hear the outburst on the part of the gentleman from Dauphin, Mr. Woodside, and I am just wondering whether after all he has not falsely suspected us of doing what the party on the other side of the House did in 1939, and has had attributed to us the same activities that characterized them in 1939.

If the gentleman from Dauphin had but examined the calendar of last week and the calendars of the weeks preceding he would have seen as a matter of fact that the minority of this House was receiving the same consideration as were the Members of the majority party. We have recommitted bills that have been introduced by Democrats, and by the same token we also have recommitted bills that have been introduced by the Republicans. I think I rather carefully explained that situation, and more than that I explained in detail the reasons for committing the series of five or six bills that emanated from the Committee on Military Affairs. Some of those bills certainly were not in proper form and needed amendment. There was uncertainty as to the manner in which they had been reported from committee; there was uncertainty as to the names that were on those bills. I very frankly said that was a practice that should not have been followed and that it was necessary and essential to stop that practice in this House. We did that very thing, but when the gentleman says it is the policy to commit all Republican bills, if he will refer to the calendar of last week, my recollection is he will find one bill emanated from the Senate, introduced by a Republican Senator, and was passed finally by this House. That bill was sponsored solely by a Republican. That would not seem to bear out the gentleman's contention that we were opposed to legislation sponsored by Republican members? Then again I would like to call to the gentleman's attention a bill that was sponsored jointly in this House by a Democrat and a Republican. That bill was passed here and sent to the Senate for their concurrence. That has occurred, on numerous occasions in this House, and I can safely warrant to the gentleman from Dauphin that it will continue in this House both as to bills that have been sponsored by Republicans and as to those bills which have been jointly sponsored.

I am saying, Mr. Speaker, in all fairness the charge made by the gentleman from Dauphin is unwarranted; that the facts do not warrant it; that the facts do not sustain it, and, Mr. Speaker, the charge certainly should not have been made. As a matter of fact, a careful study should have been made of the activities of this House in the past as to how we have treated the minority Members. I say, Mr. Speaker, without any fear of contradiction, that we have tendered to the minority Members of this House, and we have accorded them fairer treatment and more substantial treatment than the Democratic members of this House received in 1939.

CONDOLENCE RESOLUTION

Mr. ROYER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 24, 1941.

Reverend John W. Smith, well known religious leader in the Borough of Ephrata and Lancaster County, and pastor emeritus of Trinity Lutheran Church of Ephrata, died March 14, 1941 at the age of eighty-six years. He was born in Floyd, Virginia, and attended Roanoke College, Roanoke, Virginia, graduating in 1883.

Reverend Smith later attended Mount Airy Seminary, Philadelphia, graduating therefrom in 1886. His first charge was at Brandonville, West Virginia, after which he had a charge at Grafton, West Virginia.

Reverend Smith came to Ephrata in 1892 and served as pastor of the Trinity Lutheran Church until May, 1936, when he was retired and made pastor emeritus.

For almost half a century Reverend Smith faithfully and unselfishly served the members of his church and his community. His counsel and example have served as an inspiration to all those coming into contact with him, and his activity and leadership in both religious and civic affairs have been an invaluable contribution to the welfare of his community and his state; therefore be it

Resolved, That the House of Representatives mourns the passing of Reverend John W. Smith; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to his widow, Mrs. Nancy Phlegar Smith.

CONDOLENCE RESOLUTION

Messrs. LEISEY and GYGER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, March 24, 1941.

George R. North of Lyndell, Chester County, has passed away. Mr. North was a member of this House, having served during the regular sessions of 1919-1920 and 1925-1926.

Mr. North was born on March 7th, 1860, and, after a public school education, settled in Chester County, where he resided until his death.

He was a Master Farmer, a member of the East Brandywine Township School Board; a former president of the Chester County School Directors Association; and a former clerk of the Chester County Courts. Until his death, on March 20th, 1941, he was active in the affairs of the Hopewell Methodist Church, and the Pennsylvania State Grange.

Resolved, That the House of Representatives makes a minute of the passing of this useful citizen, and extends to Mrs. North and the members of the family, its sincere sympathy in the loss they have sustained by the death of their husband and father.

Resolved Further, That a copy of this resolution be transmitted to Mrs. North by the Chief Clerk of this House.

PROCLAMATION

The SPEAKER laid before the House a Proclamation from the Governor which was read by the Clerk as follows:

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE
HARRISBURG

"The Glory that was Greece" is a term which may now be revised to "The Glory that is Greece."

The Greece of antiquity was a cradle of civilization and from Greece we have derived laws, literature, art, and concepts of justice and of the dignity of man.

The Greece of today is making a magnificent and glorious struggle to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian.

On March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of courage of the Lacedaemonians at Thermopylae has been handed down through centuries.

Persons of Greek origin or descent have contributed greatly to progress of the United States and Pennsylvania. They have been loyal, progressive and law-abiding.

A campaign is now in progress in the United States to give aid and assistance to the distressed women and children of this beleaguered country. This is a humanitarian work which appeals to all of us.

Pennsylvania will do well to take cognizance of the historic battle being waged by these people of Hellenic origin by participating in the celebration of Greek Independence Day which will be celebrated tomorrow, Tuesday, March 25th.

Now Therefore, I, Arthur H. James, Governor of the Commonwealth of Pennsylvania, in the spirit of the concurrent resolution which was adopted in the Senate March 18, 1941, and which has been adopted in the House tonight, do hereby proclaim Tuesday, March 25th, as Hellenic Day in Pennsylvania.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twenty-fourth day of March, in the year of our Lord, one thousand nine hundred and forty-one, and of the Commonwealth the one hundred and sixty-fifth.

BY THE GOVERNOR:

Secretary of the Commonwealth

COMMITTEE MEETINGS

The following Committee meetings were announced:

Education, Tuesday, March 25 at 11:15 A. M. in Room 326.

Game, Tuesday, March 25 at 10:30 A. M. in Room 324.

Judiciary General, Tuesday, March 25 at 10:00 A. M. in Room 246.

Labor, Tuesday, March 25 at 10:30 A. M. in Room 522.

Municipal Corps., Tuesday March 25, After Session in Room 323.

ADJOURNMENT

Mr. WRIGHT. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 25, 1941, at 1 p. m.

The motion was agreed to, and (at 11:48 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, MARCH 25, 1941. No. 26.

SENATE

TUESDAY, March 25, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Deep within our hearts, O God, would we worship Thee through these moments of prayer. As our minds and hearts pause in Thy holy presence we would renew our languishing strength through Thine and replenish the altar fires of our faith in Thee. We would seek Thee as did the Greeks of old and proclaim Thee to be great among the children of men as did the Romans of yore.

Let Thy grace with all its life-giving power definitely be felt in our hearts that even our children may rise up and call us blessed in times to come, for "as a man thinketh in his heart, so is he."

May our service here be attuned to Thy will and the truth of proposed legislation be indelibly written upon our hearts so that withal the journal of our lives be so recorded by Thy all-seeing eye that of them none of us need ever be ashamed. We pray through the power of Him who loves us with an undying love. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TAYLOR and Mr. WADE the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Geltz asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 25, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

SULLIVAN COUNTY

Charles E. Moran, Davidson Twp., Moran Garage, Muncy Valley, April 1, 1941.

WESTMORELAND COUNTY

Harold L. Walley, New Kensington, April 8, 1941.

LYCOMING COUNTY

J. Robert Brelsford, Montoursville, April 13, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Myrtle J. Jones, Pittsburgh, 3380 Boulevard of the Allies.

Mrs. Clara D. Warr, Pittsburgh, 728 Frick Bldg.

BERKS COUNTY

Harold C. Cooney, Reading.

CUMBERLAND COUNTY

Miss Kathryn R. Burk, Shippensburg.

ERIE COUNTY

Chester W. Roth, Lawrence Park Twp., 1030 Lawrence Parkway, Erie.

PHILADELPHIA COUNTY

Mrs. Dorothy H. Gutjahr, Phila., 3624 North Broad St.
George L. Sander, Phila., 107 East Allegheny Avenue.
Max Waber, Phila., 200 South 12th Street.

WASHINGTON COUNTY

Ralph V. Hoge, Canonsburg.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 42

Barr,	DiSilvestro,	McCreesh,	Stevenson,
Bartlett,	Ealy,	McGinnis,	Stiefel,
Becker,	Frey.	McQuiddy,	Tallman,
Carr,	Geltz,	Miller,	Taylor,
Cavalcante,	Haluska,	Mundy,	Thomas,
Chapman,	Heyburn,	Reed,	Tyler,
Cox,	James,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watkins,
Crowe,	Kephart,	Shapiro,	Wilson, H. I.,
Deitrick,	Lanius,	Snowden,	Ziesenheim,
Dent,	Letzler,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

PROCLAIMING MARCH 25, 1941, HELLENIC DAY IN PENNSYLVANIA

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 18, 1941.

Whereas, "The Glory that was Greece," is a term well known to educated men the world over. Greece of antiquity was the cradle of our civilization. From Greece we have derived our laws, our literature, our art, our concepts of justice and of the dignity of man. Indeed, Greece belongs to all mankind.

Whereas, That treasured pearl of our language, the word democracy, meaning the rule of the people, is derived from the ancient Greek. Democracy was founded in ancient Athens. When Greece of the early Christian era, the home of so many Saints, Fathers and Doctors of the Church, fell to the pagan conqueror, the word democracy vanished through the ages to be revived by our glorious nation at its foundation.

Whereas, On March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of indomitable courage of the Lace-daemonians at Thermopylaie has been handed down through centuries. Indeed, the word Spartan is synonymous with courage. Today, Greece again struggles to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasurers of antiquity of which she is the world's custodian; once ruined in the havoc of modern war, they can never be restored. It is to be hoped that when peace is restored that the nations of the world will remember the "Glory that is Greece" and restore all Greek territory to the blue and white cross of St. George.

Whereas, The Greeks have been associated with the United States since the early days of the Republic. In 1804 the first challenge to our infant nation embroiled us in war with the Barbary States of Northern Africa. Our slogan of that day, "Millions for defense, but not a cent for tribute," brought us the respect of the nations of the world. The slogan is still valid in our day! Our young navy crossed the seas and wrote glorious chapters of our history under Decatur and Bainbridge. Wars are not won by naval victories alone; our infant republic could not send a military expedition across the seas. However, a military force was organized under the command of General William Eaton, U. S. A., and Colonel Tobias Lear who had been military secretary to George Washington: this force was composed mainly of Greeks supported by a small force of Neapolitan gunners. These Greek Companies fought valiantly alongside the United States Marines. Their repeated assaults brought the war to a successful conclusion in 1805 by the capture of the Tripolitan Capitol of Derne. Our Greek companies were repeatedly mentioned in the dispatches for their courage and sacrifice. Thus General Eaton in his dispatch to Commodore Samuel Barron concerning the assault on Derne on April 29, 1805, states, "Our forces ashore successfully assaulted Derne, led by Patrick N. O'Bannon of the Marines along with our Greek companies. The loss in killed and wounded this day were mostly Greeks. They well supported their ancient character." Thus the Greeks made the supreme sacrifice and contributed their lives in the early days of our republic.

Whereas, People of Greek origin or descent have greatly contributed to the progress of the United States as citizens of the republic. They have been loyal, progressive and law abiding. They have entered the various phases of American life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding. In the early days of our present economic depression, having engaged extensively in the food trades in the United States, they willingly fed thousands of persons out of their love for their fellow man before either private or governmental social agencies could bring themselves to the realization of the catastrophe that had overtaken us.

Whereas, A campaign is now in progress in the United States for the purpose of raising funds for the distressed women and children of Greece. Such relief as has been afforded has been most thankfully received. The campaign has been conducted with dignity and restraint. Our citizens of Hellenic origin have steadfastly refused to indulge in a campaign of recrimination and hate or tell us what we should do on their behalf. This is eminently befitting an ancient and cultured people. They realize that our nation is derived from many peoples and that our national unity is of paramount importance. Now be it therefore

Resolved (if the House of Representatives concur), That the Legislature of this state acknowledge the contribution made to our nation by persons of Hellenic origin by endorsing the celebration of Greek Independence Day on March 25th, as Hellenic Day and be it further

Resolved (if the House of Representatives concur), That his Excellency, the Governor of Pensylvania shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the twenty-fifth day of March, as Hellenic Day.

HOUSE MESSAGES

COMMENDING REPRESENTATIVES OF THE ANNUAL STUDENT CONGRESS OF WESTERN PENNSYLVANIA DISTRICT OF THE NATIONAL FORENSIC LEAGUE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 18, 1941.

Whereas, On March 7 and 8, 1941, at California State Teachers' College, California, Pennsylvania, was held the second session of the Annual Student Congress of the Western Pennsylvania District of the National Forensic League, and

Whereas, Students representing high schools from Beaverdale, Bentleyville, Brownsville, California, Cum-

berland Township, Centerville, Charleroi, Derry Township, East Pike Run, Glassport, Monessen, Hurst of Mount Pleasant Township, Munhall, Point Marion, St. Vincent, Waynesburg, and West View participated in this Congress, and

Whereas, This Congress affords training for more than 150 high school students in the proper methods of legislative procedure, and

Whereas, It is necessary in these perilous times that the citizens of the United States do their utmost to insure the Democratic form of government for the future citizens of this nation. Therefore be it

Resolved (if the House concur), That the sponsors of this Student Congress together with the students themselves be highly commended for their efforts to preserve democracy, and be it further

Resolved, That it is the sentiment of the Assembly of Pennsylvania that the Student Congress be continued and, if possible, broadened to include a larger number of students, and be it further

Resolved, That copies of this resolution be sent to all schools participating in the Student Congress and to every student who took part.

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 24, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, March 31, 1941, at 4:30 p. m.; and when the House of Representatives adjourns this week it reconvene on Monday, March 31, 1941, at 9 o'clock, p. m.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 376, (Senate Bill No. 402), entitled:

An Act to amend paragraph (a) of section eight hundred and sixty-five of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "The Penal Code" by prohibiting the sale of lubricating oil which has been used and re-refined unless such oil is clearly so labeled.

Which was committed to the Committee on Judiciary General.

REPORT OF SPECIAL COMMISSION TO INVESTIGATE MILK

The PRESIDENT. The Chair lays before the Senate a report of the Special Commission of the General Assembly to investigate regulation of milk in Pennsylvania, as affecting the producer, the distributor and the consumer.

The Chair understands copies of the report have been distributed among the Senators. The communication will be noted in the Journal.

The report of the committee is referred to the Committee on Agriculture.

COMMUNICATION FROM SECRETARY OF DEPARTMENT OF PUBLIC ASSISTANCE

The PRESIDENT. The Chair is in receipt of a communication from the Secretary of the Department of Public Assistance, dated March 24, 1941, which the Clerk will read.

The communication was read as follows:

March 24, 1941.

The Honorable Samuel S. Lewis,
Lieutenant-Governor,
Commonwealth of Pennsylvania,
Harrisburg, Pennsylvnaia.

Dear Governor Lewis:

We are submitting herewith the material requested by Senate Resolution of February 10, 1941, showing,

(a) Number of employes of the Department.
(b) Certain information on male employes.
(c) Certain information on female employes.
(d) Information on employes separated from the staff during 1940.

This report indicates that there were 7,052 persons employed during the period March 5, to March 11, 1941, of which 2,343 were male and 4,709 were female.

The material covering separations from the payroll during 1940 includes those persons who worked some time during the year but who were not employed at the end of 1940. Of the 2,593 separations, 1,218 represented a net reduction in staff. The remaining separations were due to resignations, leaves of absence, furloughs and the release of provisional employes because of necessary appointments from Civil Service lists.

Sincerely yours,
(Signed) HOWARD L. RUSSELL,
Secretary.

P. S. Additional copies for each member of the Senate have been sent to Mr. George F. Holmes, Secretary of the Senate.

The PRESIDENT. The communication will be noted in the Journal.

PETITION RELATIVE TO ST. LAWRENCE SEAWAY

The PRESIDENT. The Chair lays before the Senate communication dated March 25, 1941, from the National Club of America for Americans, Inc., which will be spread upon the Journal.

THE NATIONAL CLUB OF
AMERICA FOR AMERICANS, INC.
San Diego, California

Harrisburg, Penna., March 25, 1941.

Hon. Samuel Lewis,
Lieutenant-Governor,
State Capitol,
Harrisburg, Penna.

Honorable Sir:

In behalf of the National Club of America for Americans, Inc., I desire to offer to the Senate a few suggestions that may aid the members of the Senate in their desire to oppose the agreement between the United States and Canada for the Great Lakes-St. Lawrence seaway and power development.

1. At the expense of the taxpayers of the United States it will start a boom of construction of factories and shipyards in Canada that will be in competition with factories and shipyards in the United States. It would aid England to help Canada by shipping through Canada at a great loss to the ports of Philadelphia, New York and Baltimore. It would bring a great loss to our railroads, coal, and other industries in Pennsylvania, to say nothing of the loss of employment to American citizens, and the loss of tax revenue to Pennsylvania and her political subdivisions.

To show a united front to Congress and the country at large, may I suggest that the Federal Relations Committee take the two resolutions on the St. Lawrence River agreement and make one resolution out of them with the names of the two Senators on it in order in which they introduced their resolutions. Insert the following in your resolution: Copies of this resolution be sent to the presiding officer of each House of Congress with the request it be read to their House and printed in full in the Congressional Record.

As the Federal Constitution requires that all Treaties be ratified by a two-thirds vote of all the Senators present, and that President Franklin D. Roosevelt is trying to pass this St. Lawrence River agreement over Congress as an agreement and not a treaty, I suggest that the Legislature of Pennsylvania, a Sovereign State, instruct the Attorney General in behalf of the State to request the Supreme Court of the United States to render a decision without delay that the contention of the State of Pennsylvania is that the so-called St. Lawrence River agreement is a treaty between the United States and Canada which shall require a two-thirds vote of all the members of the Senate present. That the Attorney General be instructed to request all other Sovereign States to join with Pennsylvania in this direct appeal to the Supreme Court, that the St. Lawrence River agreement is a treaty between the United States and Canada.

If the President of the United States and Congress can set aside the Constitution of the United States whenever they so desire, then the Governors and the State Legislatures of each State can also set aside the Constitution of the United States when they so desire. The Legislature of Pennsylvani can find out if the Federal Constitution is binding upon the President and the Congress as well as every other American citizen.

Yours for upholing our Federal Constitution,

(Signed) ROYAL C. STEPHENS,
President.

Home Address:
4193 Ohio St., San Diego, California.
Address while in the East:
873 Preston St., Philadelphia, Pa.

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on Forests and Waters, Game and Fish, re-reported as amended, Senate Bill No. 300, entitled:

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

Mr. TAYLOR, from the Committee on Workmen's Compensation, reported as amended, Senate Bill No. 80, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

Mr. COLEMAN, from the Committee on Education, reported as committed, Senate Bill No. 232, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Mr. TYLER, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 329, entitled:

An Act to amend clause (a) of section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," fixing the time of day that the open season shall begi.. for charr, commonly called brook trout and any species of trout except lake or salmon trout.

BILLS INTRODUCED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 403, entitled:

An Act to establish as a State highway a certain section of public road in the County of Elk, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. MUNDY read in his place and presented to the Chair Senate Bill No. 404, entitled:

An Act to further amend sections one thousand two hundred one and one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by defining professional employes, substitutes and probationary employes, and further regulating the employment, dismissal, suspension, demotion and retirement of such employes.

Which was committed to the Committee on Education.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 405, entitled:

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundry rivers of the Commonwealth," increasing the resident fishing license fee and authorizing the use of the money derived from such increase for the acquisition by lease or purchase of public fishing rights in the waters of the Commonwealth, together with the rights of ingress and egress to and from such waters.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. DENT. Mr. President, in introducing a bill here, which is an amendment to the City, State highway law, I want to call this bill to the attention of the chairman of that committee, and I would like the chairman of the Highway Committee to know why I am introducing this bill.

A few years ago the people in the Borough of Jeannette voted to change its form of government from a borough to a third class city government. Under the existing law, the city streets which were part of the highway system, reverted back to the people of that community, and after

that they received no money, the only community in the state that receives no money from the state highway fund for maintenance, and so forth, for city streets that are part of the highway system.

Mr. President, I therefore introduce this bill to again take those streets away from the people of that community and give them back to the state system.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 406, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hunderd and thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealtn to bear a portion of the cost of construction or maintenace; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by establishing additional routes in the City of Jeannette.

Which was committed to the Committee on Highways.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, I am practically forced to rise on a point of personal privilege.

The PRESIDENT. The gentleman from Lackawanna will state his question of personal privilege.

Mr. COLEMAN. Mr. President, the past two months I have listened to many speeches on the floor of the Senate of Pennsylvania about sabotage and its effect upon the defense program in America. I think most of us agree that in virtually every corner of the country there are saboteurs at work, slowing up the defense program and doing many other things the purpose of which is to shatter the faith of the people of America in a free democracy.

I think over the weekend, Mr. President, one of them must have invaded the Senate of Pennsylvania, because when I left here Wednesday afternoon my seat was probably the most comfortable one in the Senate of Pennsylvania; but over the weekend somebody did something to the springs, broke them I assume, and they are now uncomfortably close to penetrating the upholstery in the seat.

I have heard many speeches in the Senate about enemies boring from within but I never thought, Mr. President, I would have the matter of boring so forcibly brought to my attention. It is quite possible some disgruntled taxpayer in his anxiety to prod the members of the Senate into action is responsible, but I wish the Chair would over the weekend call the attention of the custodial force to that condition, to the seat of my trouble, so that when I come back next week I will not have to be shifting constantly to a comfortable position and I will be able to enjoy the debates in the Senate of Pennsylvania.

I might say, Mr. President, the "chair" thanks the gentleman from Philadelphia, Mr. Jaspan, for his great sacrifice.

RESOLUTION URGING INCREASE IN AMOUNT OF INSURANCE PERMITTED TO BE CARRIED BY RELIEF RECIPIENT

Mr. WADE. Mr. President and members of the Senate, I want to present a resolution and I would like to preface the introduction with a few remarks. I listened to the remarks of the Chairman of the Committee of Public Assistance and Welfare yesterday with a great deal of interest and I think this body, composed of two political parties, is very fortunate to have a gentleman to go into and to study the intricate, very delicate problems of public assistance as our Chairman stated yesterday he has done and I want publicly to compliment him on doing that, and also to say regardless of how he has studied it or how thoroughly those who have to do with the administration of that department have gone into it, there is bound to crop into it some things that are not as wholesome as we would like.

Mr. President, this resolution has to do with the matter of life insurance so far as applicants for public assistance are concerned. A similar resolution—or I should not say a similar resolution—but a resolution touching upon somewhat the same problems came to us a few weeks ago, but the unfortunate part of that resolution was it had no ceiling whatever on the problem. In other words, the man who applied for public assistance could carry one hundred or two hundred thousand dollars of life insurance and there would be no ceiling.

This resolution, Mr. President, merely raises the amount from five hundred dollars to one thousand dollars, and the reason for that is that ofttimes a man or woman is compelled to drop his present insurance, from the hazard of not being able to pay his insurance premiums or for financial or economic reasons and therefore he is obliged to forfeit the equity he has built up over a number of years, because out of 386 life insurance companies now registered to do business in the State of Pennsylvania approximately 350 do not write life insurance policies under one thousand dollars.

Mr. WADE offered the following resolution which was twice read:

In the Senate, March 25, 1941.

Whereas, The Department of Public Assistance has been, and is at the present time, compelling all persons that apply, or are receiving public assistance, to cancel any life insurance policy whether held by the relief recipient or by any member of his family in excess of $500.00; and

Whereas, Many persons have paid premiums on such life insurance policies for many years and now are compelled to cancel these policies at a great loss, thereby depriving their dependents from recovery after death in excess of $500.00; therefore be it

Resolved, That the Department of Public Assistance be requested to at once raise the maximum amount of insurance permitted to be carried by a relief recipient, or by any member of his or her family from five hundred dollars to one thousand dollars.

On the question,

Will the Senate agree to the resolution?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Cumberland tell me whether or not he knows I presented a resolution of the same type about two months ago?

Mr. WADE. What was that, Mr. President?

Mr. HALUSKA. Mr. President, does the gentleman from Cumberland have knowledge of a resolution I presented about two months ago with reference to relief needs?

Mr. WADE. Mr. President, I am familiar with that. As a matter of fact I touched upon it a moment ago, and I might also if I am privileged under interrogation by the gentleman from Cambria, state that I went to the gentleman from Cambria, Mr. Haluska, and asked him to amend his resolution and put in a limit of one thousand dollars instead of having it without any ceiling whatever.

Mr. HALUSKA. Did I refuse to do that, Mr. President?

Mr. WADE. No action, Mr. President, indicates to me an unwillingness.

Mr. HALUSKA. Mr. President, I would like to ask the gentleman from Cumberland whether he knows I am not a member of that committee?

Mr. WADE. Mr. President, I know of no committee—

Mr. HALUSKA. Mr. President, I wish to state I had no opportunity to amend that resolution; I was never offered the opportunity by the chairman of that committee. The committee had my resolution. I offered my resolution back some time during the early part of January and I recall when I asked unanimous consent that the gentleman from Allegheny, Mr. Geltz, objected to unanimous consent, stating he thought the resolution had some merit but that it deserved some study and that was the last I have heard from that gentleman.

As you all know I have repeatedly risen to my feet and asked the chairman of the Committee on Public Assistance, Mr. Bartlett, to bring out some action on my resolution; if they were sincere it was an easy matter to amend my resolution; but I say they were not sincere and it appears to me that because I am a Democrat is the only reason why my resolution was pickled.

Now today comes a brand new resolution and I think if you are sincere you can amend my resolution; but without giving me any opportunity you pickled that resolution and bring up one of your own. I do not care, just as long as we achieve my point, but I say now, Mr. President, that a thousand dollars is not sufficient. We have persons in this Commonwealth that have carried life insurance, two thousand dollars, fifteen hundred dollars, twelve hundred dollars, for as far back as thirty-five or forty years, and now they are being called upon to cancel that policy before relief can be granted.

So, Mr. President, I would ask that my resolution be given some consideration and I am also asking the chairman of the Committee of Public Assistance to bring out my resolution this afternoon and then if you find it must be amended to fifteen hundred dollars, well and good, but certainly you have been very unfair with your tactics thus far.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, is there anything now before the Senate?

The PRESIDENT. The request of the gentleman from Cumberland for immediate adoption of the resolution just read.

Mr. SHAPIRO. Mr. President, I object to immediate consideration and in making my objection I should like to state my reasons.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, there was no motion made by the gentleman from Cumberland, Mr. Wade, for immediate consideration of his resolution and therefore the gentleman from Philadelphia is out of order in discussing something that is not before the Senate.

The PRESIDENT. The Chair is familiar with the present status. It was not a motion and was so stated. It was a request for immediate consideration.

Mr. SHAPIRO. Mr. President, I am not out of order. If anything the Chair is out of order because the Chair told me there was a request for immediate consideration.

The PRESIDENT. That is correct.

Mr. SHAPIRO. I am in perfect order, Mr. President; I am in good shape.

The PRESIDENT. That is correct.

Mr. WALKER. Mr. President, may I respectfully suggest to the Chair that I was unaware of the fact there was a request made by the gentleman from Cumberland for immediate consideration of the resolution, and I request the Chair to inquire of the gentleman from Cumberland whether such a request was made.

Mr. WADE. Mr. President, there was no such request made.

The PRESIDENT. The Chair will dispose of this very quickly.

The resolution is referred to the Committee on Welfare, Public Assistance and Pensions.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of real personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, I am a member of the Welfare Committee and what my colleague, the Senator from Cambria has stated, reflects somewhat on me, but I know he stated it inadvertently, because I was present with a number of the members of that committee when the meeting was held and this resolution was discussed, and in fairness to the rest of the members of the committee, I want to state the facts.

Mr. President, I shall have occasion to criticize my colleagues on the right, and when the occasion arises to criticize, I will not hesitate to do it, but I want to say to the gentleman from Cambria, Mr. Haluska, that he has inadvertently criticized the chairman of the committee, because at the last meeting of the committee the resolution was discussed and as a result of that discussion we all agreed something was wrong in the picture and that we would send for the Secretary of Welfare, Mr. Russell, and ask him to appear this week before the committee and bring us some illustration of the situation, in its actual workings, so that we could do something with the resolution and make some provision in connection with insur-

ance policies that have been discussed here. I understand it was the intention of the committee either to have Mr. Russell here today or at the earliest possible moment so that we could make some report on it and if the resolution introduced by the gentleman from Cumberland were to be acted upon immediately I was going to object, because I think the gentleman from Cambria is entitled to have his resolution acted upon, and as I understand the committee's intentions it will be acted upon just as soon as information is available.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Philadelphia tell me whether or not this resolution is an answer to the request of Mr. Russell to come to the committee?

Mr. SHAPIRO. No, Mr. President, this is a resolution which in my opinion is another one of those resolutions and proceedings to give a lot of business to insurance companies. I notice that in 1939 we gladly gave a vote and passed a bill which enabled some water scandals in Chester County and now we are very hurriedly, as I see by the bills passed, helping insurance companies to do things with which I am not in accord.

Mr. President, this is another resolution along the line to help the insurance companies sell some insurance, because I do not think we are interested in insurance companies in this proposition, we are interested in the man on relief and I do not think increasing the amount of insurance to a thousand dollars by resolution solves the problem. I think it is entitled to more careful consideration.

My answer to the gentleman from Cambria, Mr. Haluska, is that in my opinion this is not a resolution to help the reliefer, nor is it in answer to his resolution.

Mr. HALUSKA. Mr. President, am I to understand that Mr. Russell was called to the meeting, to appear this afternoon, on my resolution and not the resolution introduced by the gentleman from Cumberland?

Mr. SHAPIRO. Mr. President, I understand Mr. Russell was to be called to appear before the committee in order to give information on the resolution submitted by the gentleman from Cambria and also several other matters which were discussed at the meeting.

Mr. HALUSKA. Mr. President, I just wish to state that I must take issue with my colleague from Philadelphia when he states it is only a resolution to help insurance companies—either resolution. I say my resolution is to protect those that have insurance now, not those that are buying insurance.

Mr. EDMONDS. Mr. President, I ask unanimous consent to make a brief statement.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. Yesterday, Mr. President, the gentleman from Northampton, Mr. Bartlett, gave us a most interesting account on relief as administered in this Commonwealth and the growth of the system of relief. When he concluded the Senator from Washington, Mr. Reed, asked him a question as to the number of employes in the Relief Department and then after that the Senator from Philadelphia, Mr. Shapiro, indulged in some statistics and he and I had an argument as to what the statistics meant.

I have since applied to Secretary Russell and I have a statement which I think myself will shed some light on the discussion held yesterday afternoon.

The period 1939-1940 was marked by a rise in case load during the summer of 1939, and a decline since, a monthly decline in the amount of administrative costs.

Here is the net result: In 1938 the percentage of administrative costs to total cost for the department was 8.0 per cent; in 1939 it was 8.1 per cent; in 1940 it was 8.5 per cent, but, that is the percentage to the total cost and as the total cost goes down of course that percentage increases.

Now, Mr. President, how about the number of employes? In January, 1939 the case load in the department was 358,597; in December of 1940 it was 298,780. That is a decrease in the case load.

In January, 1939 the total personnel was 7,975; in December of 1940 the total personnel was 7,038, of which 296 were assigned to work on milk orders and also to work under the Pierson Act.

Now, Mr. President, with reference to the cost in January, 1939, the total cost of personnel for salaries was $824,185; the total cost under the special lines of the Pierson Act and milk was $32,000 and in the other item $698,148.

In other words, in those two years the case load declined by 14.4 per cent and in that two years the personnel, excluding the Pierson Act and those that were working on the milk program, declined 16.5 per cent. Mr. President, that is the record as it comes from the Department of Public Assistance and it bears out entirely the thought expressed yesterday; namely, that there is a decline in personnel but it is not quite as great for all the time as the decline in the case load, because in some cases when the case load declines they need personnel in order to discover that fact, but I think it justifies the fact that administration is being economically done and I present this information to you.

QUESTION OF PERSONAL PRIVILEGE

Mr. WADE. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, I certainly do not want to prolong the debate on the resolution I offered but I do want to emphasize one point. In that connection, Mr. President, I would like to interrogate the Chairman of the Committee on Welfare, Public Assistance and Pensions.

The PRESIDENT. Will the gentleman from Northampton permit himself to be interrogated?

Mr. BARTLETT. I will, Mr. President.

Mr. WADE. Mr. President, I should like to ask the gentleman from Northampton if the sponsor of the other resolution referred to has asked to appear before the Committee of Welfare, Public Assistance and Pensions.

Mr. BARTLETT. Mr. President, I do not recall any such action in conection with this resolution; whether that request has been made or not. A request has been made in connection with other bills introduced by the gentleman from Cambria but as to this resolution I do not know whether such a request has been made or not.

Mr. WADE. Mr. President, has the gentleman from Cambria offered amendments to his original resolution, to the committee.

Mr. BARTLETT. The answer to that question, Mr. President, is "no."

Mr. WADE. Mr. President, I wish further to state I cannot understand by what stretch of the imagination the gentleman from Philadelphia, Mr. Shapiro, says this is helping life insurance companies when they would have to pay one thousand dollars instead of five hundred dollars. I cannot understand that.

Let me say further, Mr. President, there is no personal pride in offering this resolution, which is quite different, which embodies a different principle, a matter of fact, from the gentleman from Cambria resolution, as originally presented, because the gentleman from Cambria says to the Department of Public Assistance that regardless of how much life insurance the recipient or applicant for relief owns, whether it is paid up life insurance or insurance under premiums being paid, he should retain that, and at the same time receive assistance from the public purse of Pennsylvania.

Now on the other hand, Mr. President, let me speak for the life insurance people in the State of Pennsylvania. They would like to preserve equities for the people who are applying for or receiving relief and make it possible for 350 life insurance companies to retain some insurance. The minimum requirement, according to their by-laws and rules, the minimum of some 386 life insurance companies, is one thousand dollars.

Now, Mr. President, the life insurance companies when they originally take these risks, as they are termed, consider them according to rank. First they consider health; second, their moral character; third, their occupation; and fourth, their financial ability to pay the premium.

Mr. President, no one who is receiving relief from the State of Pennsylvania could pass that fourth requirement, which is the financial ability to pay the premium, because the life insurance companies do not hide the fact that the first two or three years of a policy shows a loss on their books, and unless they are able to continue the policy for some years they have no chance to profit.

I think that should conclusively prove to all excepting the gentleman from Philadelphia, Mr. Shapiro, that life insurance companies are not fighting for the business of the relief recipients, but they welcome the opportunity to help them preserve some of the equity out of the risk that they have built up over and through more prosperous years.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege, to answer the gentleman from Cumberland.

The PRESIDENT. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, I said the resolution introduced by the gentleman from Cumberland was to help the insurance companies and the gentleman from Cambria misunderstood me and thought I meant his resolution. His resolution was introduced in an effort to preserve the situation which I think should be in many cases preserved.

I am quite sure, Mr. President, the gentleman will admit in some cases it may be advisable to reduce an insurance policy to five hundred dollars.

At a committee discussion it developed that the insurance companies, as has been confirmed by what has been said by the gentleman from Cumberland, insurance companies will not write policies for five hundred dollars and so the insurance company is annoyed by the request from the Department of Public Assistance, that in certain cases they should reduce the policy to five hundred dollars, so this resolution coming now is to help and aid the insurance companies so that there will be a rule which will require the Department of Public Assistance to leave those policies in the amount of at least one thousand dollars, which means that the policies will not be confined to those selling five hundred dollar policies but the one thousand dollar people will be able to continue their policies.

That is why, Mr. President, I charge the resolution emanating this morning from the gentleman from Cumberland is in order to aid the insurance companies and not to aid the relief recipient, and that is why I say the resolution introduced by the gentleman from Cambria is a resolution which should be given consideration, and as I understand it will be given consideration, and does not require he shall offer any amendments to it at this time.

If after we hear from the Secretary of Welfare and we find what are the actual facts in concrete cases, as I understood we were going to find out, and at that time as I understood it the gentleman from Cambria was going to be invited to attend the meeting so that he might ask questions, then we can get an intelligent answer, but every time an insurance problem is involved if the insurance companies come in with a resolution to help themselves and not the other persons concerned I shall very plainly make the statement, as I did this morning, that this is not an attempt to help in the relief problem but it is an attempt to help the insurance companies again.

Mr. HALUSKA. Mr. President, I desire to further interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be further interrogated?

Mr. WADE. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Cumberland define the word "plagiarism"—

p-l-a-g-i-a-r-i-s-m?

Mr. WADE. Mr. President, I not only can not define the word but I have never heard of it.

Mr. HALUSKA. Mr. President, will the gentleman take time to look it up in a dictionary?

Mr. WADE. What is that, Mr. President.

Mr. HALUSKA. Mr. President, does the gentleman from Cumberland have time to look up the meaning of the word in a dictionary?

Mr. WADE. Do I have time, Mr. President?

Mr. HALUSKA. Yes.

Mr. WADE. Yes, Mr. President, I will be glad to do that.

Mr. HALUSKA. Mr. President, while I say a few words I would like to have the gentleman from Cumberland look it up and give me an answer.

Mr. President, in regard to the remarks made by the gentleman from Cumberland as to whether or not I asked the committee for permission to attend the committee meeting, I think the gentleman from Northampton said "no." The fact is, Mr. President, I have spoken on this resolution at least half a dozen times and the fact does remain that at one time I appeared without having been invited before his committee, and the fact also is that Mr. Russell happened to be there that day and I asked Mr. Russell a number of questions with reference to this

insurance and much to my surprise he knew nothing about it, and he is the man that imposes procedure.

He admitted at that committee meeting he had very little knowledge of the effect on persons receiving old age assistance or direct relief being called upon to cancel their policies but he said he would look into the matter and report at a later date.

Now, Mr. President, the gentleman from Northampton was present the day I appeared, and you recall I asked those questions, and I have waited patiently for that second meeting; I was told that last Tuesday afternoon a committee meeting was to be held and Mr. Russell was to appear.

The following day, Mr. President, I questioned the gentleman from Northampton and he informed me a meeting was scheduled but a quorum was not present and for that reason the meeting was not held. Therefore I fulfilled my obligation. I have asked and I am still asking that committee to give me an opportunity to present my cause and after I leave if the committee saw fit to amend my resolution naturally I would not do much about it but certainly I believe it is your duty to act—not mine. I have no right to defy your committee on amendments; you have not asked me for them and, after all, even if I do it is your committee that takes action and not me.

Now, Mr. President, I ask the gentleman from Cumberland, Mr. Wade, whether or not he has obtained a definition of the word "plagiarism."

Mr. WADE. Mr. President, I have sent for a dictionary but none has appeared as yet. Some of my good friends and colleagues have given me a definition but I hesitated and I still hesitate to give it in public until I have verified the definition.

Mr. HALUSKA. Very well, Mr. President, I will yield until later in the day.

Mr. BARTLETT. Mr. President, at the time the resolution introduced by the gentleman from Cambria was presented some weeks ago, it was stated that the resolution was in response to certain instances which had occurred in his district, with which he was familiar.

Mr. President, I would like to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. Mr. President, I will.

Mr. BARTLETT. Mr. President, will the gentleman from Cambria state whether or not I ever asked him to present to the committee certain instances in which the regulations of the department interfered with the insurance program?

Mr. HALUSKA. Mr. President, in answer to the question may I in turn interrogate the gentleman from Northampton?

The PRESIDENT. The gentleman from Northampton has the floor and he has asked permission to interrogate the gentleman from Cambria. When that is concluded the gentleman from Cambria then may have the floor.

Mr. HALUSKA. The reason I asked that, Mr. President, is that I would like to say before I answer the question, to the best of my knowledge, the Committee on Welfare, Public Assistance and Pensions has had no meeting since I made my request and I am ready to submit to the committee the information it desires if I get the opportunity. Does that answer the question?

Mr. BARTLETT. That answers my question, Mr. President.

The PRESIDENT. Does the gentleman from Cambria now desire to interrogate the gentleman from Northampton?

Mr. HALUSKA. No, Mr. President; I have asked that question.

QUESTION OF PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. STIEFEL. Mr. President, I do not know any other method of bringing this to the attention of the Senate, but, owing to the courtesy of the gentleman from Lehigh, Mr. Tallman, and the membership of the Committee on State Government, Doctor Alfred G. Buehler, of the University of Pennsylvania, appeared today before the committee in connection with the suggested intensive study of taxation in Pensylvania. Mr. President, his remarks are of such interest that I may safely term them as a capsule course in taxation in Pennsylvania and I therefore desire to move, Mr. President, that the remarks of Doctor Buehler be spread in the Legislative Journal.

The PRESIDENT. If there is no objection it is so ordered.

Remarks before the Committee on State Government, March 25, 1941, concerning the need for the intensive scientific study of Pennsylvania's particular tax problems.

By Dr. Alfred G. Buehler, University of Pennsylvania

I am very glad to appear before the distinguished Committee on State Government and to endorse wholeheartedly the proposal as suggested in Senate Resolution No. 109 introduced by Senator Dent, to undertake a series of searching scientific studies of particular tax problems of the Commonwealth of Pennsylvania.

The Committee is to be congratulated upon its determination to bore down to the fundamentals of the present perplexing tax situation.

The power to tax involves more than the power to destroy. It is the most essential of the powers of government, for without this power no government could long survive. Without this power no government could continue to carry on its program of providing public education, public highways, and other vital services.

Many of the states in recent years have sought solutions of their complex tax problems by calling to their aid tax experts who have conducted nonpartisan studies of particular phases of the revenue system.

The "tax doctors", if one may use this expression, have very commonly been specialists selected because of their knowledge of the principles of taxation, their ability to analyze the problems of raising revenue, and above all, their capacity to present nonpartisan reports and recommendations. The legislature then utilizes these reports and recommendations as it sees fit. This plan is helpful so long as it is recognized that the expert is not an administrator or a law-maker, but a fact-finding and adviser. His task is not to determine policy but to aid and counsel the law-maker in the latter's decisions and determinations.

The tax studies undertaken for the legislatures of the

various states have either been general surveys of the whole tax structure or specialized studies of particular taxes and their problems. An excellent illustration of the general survey is the study completed in Connecticut a few years ago. A two volume report was turned over to the legislature by Dr. Benjamin Whitaker and his staff. One volume was a rather large and exhaustive treatise on state taxation. It was accompanied by an excellent short summary of the findings of the research staff. To make it possible to conduct the general tax survey, the Connecticut legislature appropriated the sum of $25,000.

Such a broad general study is advantageous when a State finds it desirable to take a rather complete inventory of its revenue resources and wishes to overhaul its entire tax system. A wide survey will relate the problems of particular taxes to the problems of the revenue system and it will be especially valuable where the state is united in the conviction that a complete and total tax reform is essential.

About a year ago the Tax Study Commission of Michigan, under the direction of Dr. Lent D. Upson, completed an intensive survey of the Michigan tax system and its problems and recommended a program of tax revision at points where reforms appeared to be imperative. The Commission presented the problems of state taxation and offered constructive solutions of these problems in a most interesting short monograph.

Under the Michigan plan the tax experts studied each tax in detail, assembled useful data concerning each tax and its problems, and analyzed and interpreted the statistical and other data for the information of the legislature. The Michigan Commission realized that the legislature would not have the time to spend long hours in the study of a great mass of statistics. The Commission therefore selected carefully the data of most interest to the legislature and summarized its findings and its recommendations in a convenient monograph which was written clearly in nontechnical language.

The Michigan survey dealt with the problems of taxing business as well as consumers. Those who feel that Pennsylvania is unique in the burdens of business taxation and is alone in facing complaints that business is being driven out of the state by crushing taxation may obtain some comfort from the knowledge that similar problems have been found in Michigan. The Commission declared:

"At present, as well as in the past, Michigan industries have been solicited to locate in states which offer advantageous wage and tax differentials. Where these differentials are combined with more convenient access to sources of raw materials or markets they are potential threats. In recording this fact this Commission is not unmindful of the possibility that the importance of inter-state competition can be overstressed. An accurate evaluation of this consideration requires further study."

The Commission maintained that business should be taxed in Michigan for the benefits it received from state government, but further increases in corporation taxation were opposed and the capital stock tax was sharply criticized. Supporting evidence was offered to substantiate these conclusions.

I make this reference to the conclusions of the Michigan Tax Study Commission because I wish to illustrate the methods of tax research by experts who sought to provide a scientific nonpartisan analysis of serious tax problems so that the legislature could formulate tax plans with the objective of establishing a harmonious revenue system which would be both productive of adequate revenues and which would distribute the burdens of taxation equitably. The study was thorough and it suggested the broad foundations for the tax system of the future. It has provided much needed information to the legislature and has furnished pertinent material which may be employed for scientific tax revision.

Other states have also undertaken research programs in taxation in recent years. A few years ago the New York State Commission for the Revision of the Tax Laws published a series of notable monographs upon certain state tax problems. University tax experts were invited to explore deeply a number of problems of outstanding interest. Thus, before the retail sales tax was adopted a study was made by Dr. Carl Shoup of American and foreign general sales taxes.

The New York Commission published a dozen or more monographs in pamphlet form. They were small, readable monographs of twenty-five to one-hundred pages. These monographs were available for the Commission and the Legislature and provided basic material for the report of the Commission to the legislature on the revision of the tax laws.

The New York legislature appropriated the unusually large sum of $75,000 for financing the research program of the Commission. The reports are valuable specialized studies of major tax problems which deal expertly and clearly with definite tax problems.

The New York tax studies indicate the merits of the second type of tax research, the specialized and intensive study of particular tax problems upon which the legislature desires further light. The efforts of investigators who undertake specialized tax studies may be concentrated upon the segments of the revenue system which are under most stress, upon the feasibility and desirability of proposed tax reforms, or upon the adequacy of suggested new revenues.

The specialized tax studies need not be isolated explorations into the dark caverns of certain tax labyrinths which are unrelated to the problems of the various taxes in the revenue system. Instead, they may be related to the whole tax picture and may be undertaken in logical sequence in the effort to construct a solid tax foundation. If tax reforms are imperative, they may be undertaken step by step over a period of years.

It may be politically impossible to secure a complete overhauling of the tax system of a state at a given time, if that is considered to be desirable, but it may also be politically expedient to equalize tax burdens among the taxpayers and to initiate long delayed reforms in particular taxes.

Tax systems are usually not constructed de novo overnight in complete perfection. They are more likely to evolve piecemeal over the course of the years.

Existing taxes may be inherently sound. If so, they should certainly not be scrapped for alluring new tax gadgets which may alleviate a sore spot in the tax system for a year or two without providing a fundamental solution of present problems.

The purpose of tax research is similar to the object of the frequent examination of the human body by expert physicians. Periodic health examinations are desirable for

all of us. Their purpose is to appraise our condition of health, not to prove that we need more of vitamin A or an operation for appendicitis. If health deficiencies are found, the physician will recommend remedial action.

Tax research provides a checkup of the efficiency of the revenue system to determine the adequacy of existing sources of revenue and their economic and social effects. It may and generally does reveal the need for tax reforms. Whether reforms are shown to be desirable or not, tax research is a prerequisite for tax planning. The facts of the situation must be known before the future can be faced with the assurance that the revenue system rests upon a solid rock foundation and that the revenues are sufficiently flexible to be adapted to changing revenue problems.

Many of the states have promoted scientific tax research in recent years. Because tax problems are perennial in their complexity, are many and varied, the tax research program should, so far as possible, be continuous. The country is evidently entering an era of progressive tax increases as Democracy comes to grip with the axis powers.

The state and local governments cannot escape the repercussions of the floods of federal taxes which are already being released. At the same time the problems of financing nondefense expenditures will probably become more critical day by day.

The time is propitious for the thoughtful survey of the Pennsylvania tax system and its complicated revenue problems. Business and other groups are highly conscious of their tax burdens and may be expected to become more critical of their unpleasant but necessary taxes as the tax load grows heavier during the present world crisis. The taxpayers desire a revenue system which will equalize the costs of government equitably among the different industrial groups and classes and which will not seriously disrupt the economic and social organization.

All levels of government, national, state and local, are seeking ample revenues. In their search for revenue they may overlook inequalities in tax burdens and harsh repercussions of taxes upon the economy of the community. The fundamental problem is one of securing sufficient revenue with the minimum social cost, with the least injurious effects to the economic processes.

Because of the present interest in the taxation of business, a scientic study of selected tax problems might well begin with an inquiry into the current system of business taxation in order to determine the fiscal adequacy and the social justice of the taxes upon corporations and the feasibility of improvements in the corporation taxes.

Among the subjects which could profitably be examined in a study of business taxation in Pennsylvania, the following loom up as very important:

1. The definition of business for taxation.
2. The justification of business taxation.
3. The principles of business taxation.
4. The taxation of corporations and unincorporated business.
5. The taxation of small and large scale enterprise.
6. The problems of taxing foreign business enterprises.
7. The evolution of business taxes.
8. The revenue significance of business taxes.
9. The factors which determine the revenue yield of business taxes.
10. The use of the revenues from business taxes.
11. The methods, costs, and problems of tax administration.
12. The incidence and effects of business taxes.
13. The experience of the federal and other state governments in business taxation.
14. The apportionment of the burdens of business taxes among the taxpayers and the community at large.
15. The possibility of securing more adequate bases of business taxation.
16. The desirability of particular reforms in the existing taxes.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented proclamation by His Excellency, the Governor of the Commonwealth, which was read as follows:

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA
Governor's Office
Harrisburg

PROCLAMATION

"The Glory that was Greece" is a term which may now be revised to "The Glory that is Greece."

The Greece of antiquity was a cradle of civilization and from Greece we have derived laws, literature, art, and concepts of justice and of the dignity of man.

The Greece of today is making a magnificent and glorious struggle to maintain her liberty and freedom as a nation; she defends not only her soil, but those classical treasures of antiquity of which she is the world's custodian.

On March 25, 1821, the Greece of modern times became an independent nation through the never-ending faith, hope, and courage of her people. In the century that followed, Greece all too often has been the battle ground of nations, but the spirit of courage of the Lacedaemonians at Thermopylae has been handed down through centuries.

Persons of Greek origin or descent have contributed greatly to progress of the United States and Pennsylvania. They have been loyal, progressiv and law-abiding.

A campaign is now in pro ress in the United States to give aid and assistance to the distressed women and children of this beleaguered country. This is a humanitarian work which appeals to all of us.

Pennsylvania will do well to take cognizance of the historic battle being waged by these people of Hellenic origin by participating in the celebration of Greek Independence Day which will be celebrated tomorrow, Tuesday, March 25th.

Now, Therefore, I, Arthur H. James, Governor of the Commonwealth of Pennsylvania, in the spirit of the concurrent resolution which was adopted in the Senate, March 18, 1941, and which has been adopted in the House tonight, do hereby proclaim Tuesday, March 25th, as Hellenic Day in Pennsylvania.

Given under by hand and the Great Seal of the State, at the City of Harrisburg, this twenty-fourth day of March, in the year of our Lord, one thousand nine hundred and forty-one, and of the Commonwealth the one hundred and sixty-fifth.

(SEAL)

BY THE GOVERNOR:

S. M. R. O'Hara,
Secretary of the Commonwealth.

ARTHUR H. JAMES.

QUESTION OF PERSONAL PROTEST

Mr. SHAPIRO. Mr. President, I rise to a question of personal protest.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, there is a stranger in our midst; he came unheralded, without announcement and with great surprise. For years I have picked up the Calendar of this body and I have been confronted with "Second Reading Men" and "Third Reading Men" but never have I met a "First Reading Man." Today, for the first time, Mr. President, without notice to the minority floor leader there appears on the Calendar a gentleman called Mr. First Reading and I am concerned with what we will do with him. Heretofore, we have had the pleasure of furnishing something for the majority leader to do; usually the majority leader has very little to do; it is always done by the minority leader. The majority leader usually rises and suggests to the Chair that bills reported from Committee be read for the first time, and without any information as to what those bills are the gentleman says the bills will be laid aside for second reading and they are, they never come out except as second reading men, and today, Mr. President, without our knowledge or consent on the Calendar appear bills on first reading. I am confused; I do not know whether I am entitled to amend these bills on first reading; I do not know whether they will be read the first time again; and I do not know whether he will be comfortable in this chamber and I rise in protest at this conduct.

Mr. WOODWARD. Mr. President, I would like to suggest to the gentleman from Philadelphia that this is the day we are celebrating Greece, and that is what facilitates the passage of what we call Grease on the Calendar.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 377, as follows:

An Act validating certain proceedings and elections of counties cities boroughs school districts or other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method of procedure specified by the provisions of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the acts amendatory thereof and supplementary thereto where the majority of votes cast at such election was in favor of the increase of indebtedness and where the purpose of the proposed increase of indebtedness is to provide for the construction of sanitary and surface sewers and the improvement of the public streets and alleys by the aid and assistance of labor and material furnished in whole or in part by the State or Federal governments and for the presecution carrying on and financing any projects receiving State or Federal approval by whatever name the local agency may be styled or denominated be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district either did not or by separate and independent action did not prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the authorities of such county city borough township school district or other municipality or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by the act its amendments and supplements and notwithstanding such resolution or ordinance was not advertised as is required by law for the advertisement of ordinances and notwithstanding that the notice of such election stated the amount of the last assessed valuation of the taxable property in such county city borough township school district or other municipality or incorporated district to have been the assessed valuation of another county city borough township school district or other municipality or incorporated district which is coextensive therewith the assessed valuation in both such districts having been based upon the same or substantially the same taxable property and being the same or substantially the same in amount in both of such coextensive districts and notwithstanding that a primary election had intervened between the date of the adoption by the proper authorities of the ordinance or resolution expressing the desire to increase the indebtedness and the date of the special election at which such increase of indebtedness was approved by the electors and notwithstanding the ordinance expressing such desire of the proper authorities of said county city borough township school district or other municipality or incorporated district for the increase of indebtedness may have been advertised concurrently with the said notice of election though more than thirty days intervened between the date of the first advertisement and publication of said notice of election and the date of said election and notwithstanding the ballots used at said election were not certified by the county commissioners or did not bear their facsimile signature or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates but were printed on separate ballots at a general election or were printed on a party ballot at a primary election and notwithstanding that the electors at any such election attached stickers to the ballots cast at said election on which stickers were written or printed preferences for sites of buildings or other matters and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court and notwithstanding that a record showing the results was not made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect informality or vagueness of expression in the language of the ordinance or resolution fixing the time for holding such election and notwithstanding any defect or informality in the manner of holding mode of conducting or giving notice of such election or in form of the ballot and notwithstanding any mistake in stating the amount or percentage of existing debt or the percentage of the proposed increase or the amount of the last preceding assessed valuation and notwithstanding any patent error of orthography or of numerical statement on any or all of the ballots and notwithstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballots

All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid and binding obligations of every such county city borough township school district or other municipality of incorporated district Provided That all the other requirements of law concerning such procedure election and issue of bonds have been compiled with And provided further That the provisions of this act shall not

apply in any instance where the validity of such election or any issue of bands or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act nor to any litigation in any court of this Commonwealth instituted prior to the passage of this act and still pending and undetermined

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Mallery,	Stiefel,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	James,	Ruth,	Watkins,
Crider,	Jaspan,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Shapiro,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 384 (House Bill No. 463), as follows:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the Department of Property and Supplies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty-seven thousand dollars ($57,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap and for the payment of labor and the purchase of supplies material and equipment deemed necessary for the improvement of the said military reservation and for enlarging and making the same suitable and proper for military reservation purposes. No lands shall be purchased or condemned for such purpose except by the Department of Property and Supplies in the manner provided by the Administration Code of 1929

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 49

Barr,	Ealy,	Mallery,	Stiefel,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Cavalcante	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	James,	Ruth,	Watkins,
Crider,	Jaspan,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Shapiro,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I ask unanimous consent that Senate Bill No. 50, on second reading, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and certain residents of the United States on a yearly salary basis.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Luzerne.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Luzerne state what is the purpose of having this bill go over in its order for two successive days?

Mr. MILLER. The purpose of having the bill go over in its order, Mr. President, is to further clarify amendments that have been suggested.

Mr. SHAPIRO. Why not put it back in committee, Mr. President, and have it amended?

Mr. MILLER. Mr. President, because I believe the situation can be handled by just a few more words in the amendments that have been proposed. I do not think it is necessary to refer the bill back to committee.

Mr. SHAPIRO. Mr. President, do I understand this bill will be acted upon today?

Mr. MILLER. Not today, Mr. President. It is my hope the amendments will be prepared by tomorrow.

Mr. SHAPIRO. I have no objection, Mr. President.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (Pamphlet Laws four hundred seventeen) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and

sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations", by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

And said bill having been read at length the second time,
On the question,
Will the Senate agree to the bill?

Mr. HEYBURN. Mr. President, I offer the following amendments.

The PRESIDENT. The Chair suggests in the preparation of amendments that in addition to referring to the line, that the amendment referred to the section. There are a number of amendments here and we will have to try to determine to just which section the amendments apply. There are quite a few of them.

Mr. SHAPIRO. Mr. President, why not have the bill go over in its order until the amendments can be put in proper shape.

Mr. HEYBURN. Mr. President, I have no objection to the bill going over in its order. I withdraw the amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 343, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 242, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 301, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. WALKER. Mr. President, I desire at this time to make a statement on a question of grave national importance. It seems to me Mr. President, we have been discussing problems of democracy and the question of democracy and national defense.

Mr. President, the great State of Allegheny has just made a very valuable contribution to national defense and the problems of democracy and at this time I would like to make a very brief report on the results of a great national experiment in Allegheny County.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. WALKER. What do you think of Democracy? Do you say, "I like it. I would rather have it than any kind of dictatorship?" Now just what is it that you like? Is it the irresponsible life that so many people pursue, dodging burdens and caring most for an easy time? Or do you think of it with its responsibilities as well as its liberties; its duties as well as its rights?

Is democracy working well in the world? The dictators say, "No." What's more, they are doing their best to prevent it from working or even continuing anywhere. They are educating their people to mistrust and hate it. Some of our own people just remark off-hand, "Things are pretty bad now, but they have always come out all right in the end with us; just give them time." But some well-meaning people among us are not so sure. They are confused and worried. Is tomorrow to be a day of doom or a promise of hope?

"What causes this anxiety?" One asks his neighbor, "Why isn't something done about it?" The neighbor might reply: "Too many people have taken democracy for granted. They have enjoyed its benefits without realizing that all good things cost much of the best that man has to give, and will continue to cost as much to maintain them. Too few people are interested and informed enough to give their time and energy to make things right in our individual lives and in the work and ways of our community and our nation." Are you and I among the slackers?

But the wisest and most earnest thinkers among us have become aroused to our weakness and our dangers. They are anxious that we shall all cooperate in remedying our mistakes and really giving democracy a chance. They are trying to make us realize, as it has been well said, "It is later than you think." Many of the forces that have brought upon us this emergency have arisen outside our borders. They are following up their outside gains by attacking our ideals and our achievements and, through their misleading propaganda, trying to create division, discouragement, and misunderstanding among us. Besides, we must admit that there exists among us conditions that no fair-minded person can defend and that offer an excuse for discontented people to listen to the claims of the trouble-makers.

Do we need to be afraid to stand up and defy the foes from without and the doubters within? The United States abounds in the most varied and abundant resources of any nation on earth. It has produced many of the world's great men and women in literature, science, art, philosophy, religion, industry, commerce and finance. It has applied the discoveries of science and invention to all fields of life in a most effective manner. It has created and maintained the highest average standard of living any country has ever known. It has had a long and successful experience in building a democratic form of government and developing a democratic way of life under that government. Why, then, or whom, should we fear?

But to do anything well we must have the facts. "Ye shall know the truth, and the truth shall make up free," it was said many years ago. Can there be anything wiser or better for us right now, than to understand this democracy of ours, to discover how to meet the foes that threaten it, and to use every opportunity given to us to make democracy a real and vital force in our American way of life?"

The disturbed conditions of the world in recent years have challenged us to think seriously about the meaning and values of our democratic way of life. Over and over again, dictators have sneered at the democracies. They have bragged about the "new order" they are going to set up in the world, in which, of course, our situation would be whatever they allowed it to be. It is quite to the point, therefore, for us to think seriously about our democracy and what it has brought to us, if for no other reason than to realize what we might lose.

But still more important even than defense against present menaces from outside, is the strengthening of our faith in democracy as our permanent ideal of human relations. As good citizens, we should appreciate to the full the blessings and the obligations of our democratic way of life. For we do believe in democracy—believe in it so much that, if we must, we will go to any necessary length to guard it and to see that it does not "perish from the earth."

DEMOCRACY is not an easy word to define, partly because it means different things to different people, and partly because it touches life in more ways than can be expressed in a brief statement. It comes from two Greek words, a noun that means "people," and a verb that means "rule." They usually emphasize, often in complicated language, the thought of democracy so well summarized in Lincoln's famous phrase, "Government of the people, by the people, for the people."

Another has said, "Democracy is a way of life which seeks to give every person his proper share in the making of the society to which he belongs." A seminar group meeting at the Congress on Education for Democracy at Teachers College, Columbia University, in August, 1939, accepted this statement by way of definition: "Democracy is a way of life and social organization which above all others is sensitive to the dignity and worth of the individual human personality, affirming the fundamental moral and political equality of men, and recognizing no barriers of race, religion, or circumstance." Theodore Roosevelt declared: "Our democracy means that we have no privileged class, no class that is exempt from the duties or privileges that are implied in the words "American citizenship."

Many forms of government have appeared in the world. In fact, no two national governments are exactly alike. But there are only two real PRINCIPLES of government: democratic and authoritarian. In democratic countries, government is from the bottom up; all authority comes from the people, who choose their own officials and help to make their own laws; government exists only to secure the greatest possible well-being and freedom to individual citizens. In authoritarian states, government is from the top down; some person, who in one way or another has gained supreme power, imposes his will on the people, either for his own benefit or for what he believes to be the good of the state, with no regard for the rights of the individuals. To put it briefly, in democracy the state is the servant of its citizens; in authoritarianism, the citizens are servants of the state.

You learned in history that the earliest states to appear in ancient times were despotisms in which the common people were slaves of the king; this was the earliest form of authoritarianism. In the middle ages you saw authoritarianism appear in another form, feudalism, in which authority was from the top down and the common people were serfs of the nobles. In early modern times authoritarianism took the form of "divine right" monarchy, and now it is appearing in the form of totalitarianism in just the same old tyranny against which humanity has been struggling through the ages in quest of that freedom which is the natural aspiration of everyone. Try to picture to yourself what life must have been like under these dif-

ferent forms of authoritarianism and contrast it with the American way of life as we know it. Then let us compare this picture with the totalitarian countries of today.

Besides the rights and priveleges that are definitely mentioned in the Constitution, the democratic idea calls for certain definite conditions of living in order to make it effective. Where the spirit of democracy prevails these conditions will exist, and in a democracy that is working well, citizens will more and more come to look upon them as features of their life and work for which they will feel almost the same regard as for anything found in the Bill of Rights. Indeed, it would be very difficult for any way of living to be called democratic in which these features and conditions were neglected.

Peace is an ideal that people of good will have always looked forward to and cherished. Yet the world has rarely had complete peace at any one time throughout even the lands where people lived and called themselves civilized. Is democracy more, or less, likely to encourage peace than some other kinds of government and society? This question is immensely important, for it concerns not merely one nation or a few, but the whole world.

It will help us to gain a real appreciation of the democratic way and what it means in the daily life of each of us, if we realize what we, as a people, have been able to accomplish under our democratic scheme of living. The partial list of these achievements which follows may suggest many more.

The question is often asked, "What are we preparing to defend?" Sometimes those who ask the question are thinking of the territorial areas that our armed forces will try to protect. But, let us think of it as, "What is the heritage of American life that we are willing to defend, not only against any possible attack from the outside, but against corroding forces within?" Let us ask ourselves what the American way of life has accomplished that is worth defending, and try to answer the question out of our own knowledge.

Since we most often think of democracy from the political point of view, it may be well for us to consider that aspect of the matter first. It is through government that we make effective our ideas with reference to our economic or social life. Unless we have political democracy, we are likely to find it very difficult to secure democracy in any other field. Along with our achievements we will need to recognize also the problems that exist in the field in which our achievements have not been perfect—and sometimes they are many.

No intelligent person would question the outstanding position that this nation has in the fields of industry, agriculture, or any other of the ways by which men make a living. We surely have accomplished much in this respect. At the same time, depressions have come over us from time to time, and especially our latest one has seemed more serious than any that preceded it. It would be helpful for us to study both our achievements and our problems in the economic side of our activities.

Democracy shows itself very plainly, if it exists at all, in the contacts of individuals and groups with one another in the everyday relations of life. It exhibits itself also in the extent to which the community cares for the less fortunate of its members and in the opportunities that it gives to all its members of making most of their talents. Our country in this respect as in others, has made definite progress and still has numerous unsolved problems to be kept in mind.

A nation whose chief concern was for material comfort and happiness and which felt that it had gained its highest objectives when its people had accumulated considerable wealth, would have missed what thoughtful people would look upon as the finest part of life. Democracy must, therefore, do something more than help its people get rich or live comfortably if it is to render the greatest possible service. What then have been our achievements in spiritual things?

Since democracy is a principle rather than a person or even a machine, it cannot be expected to work to the best advantage under unfavorable conditions. We must, therefore, try to find out what these conditions are and then seek to put them into effect. These are matters that we as individual citizens can help to promote. In a very special sense they represent the human side of the democratic way of life.

You recognize this phrase, of course, as coming from the pledge to the Flag, which we have all no doubt taken many times. We had a fearful contest years ago between different sections of our country, which resulted from the belief of one group of states that they had the right to withdraw from membership in the Union. This Civil War went against them, and it is not likely that any group will ever again undertake to do what this group failed to do in the 1860's. But there is still the possibility of division among us, and that we must try to avoid if in any way we can do so.

In time of war we have much to say about mobilization. It means bringing together troops or equipment needed to carry on campaigns and planning for their use in the work that has to be done. There is reason to think that we have neglected a mobilization of our ideals and our principles in times of peace, with the result that when difficulties and dangers arise, we may hesitate and be confused and make unnecessary mistakes. How, then, can we establish ourselves in thought and purpose so that we may live happily in times of peace and be able, without flinching, to face dangers when they come?

No matter how happy and harmonious are the passengers and crew of a ship, they must have a captain if the voyage is to be safe. Democracy also must have captains and leaders. It prefers to choose them itself rather than have them handed to it by inheritance or some superior authority. Because of the very organization and purposes of a democratic community or nation, leadership may be more difficult than in a society where the mass of the people expect to do nothing except take orders. It is very important that we should understand the place that leaders have in a democracy, and the responsibility that they have to the rest of people and that the rest of the people have to them.

By this time we surely have convinced ourselves, if there was any doubt before, that few of us could be satisfied under any dictatorship, whether of one man, one group, or one party. But what shall we say when somebody tells us that there is still discontent and sometimes injustice—that our democracy still has faults? In making our democracy a happy one we need to think both of the respects in which improvement can be made and of the obligation we must accept in order that it may work successfully. No government can do the work which it is meant to do unless it is supported, guarded, and kept

in good condition. Democracy will do just as good work as we are willing to give it the chance to do.

If anything is really good, it surely is worth protecting. No intelligent citizen of this country will question the value of democracy as both a principle of government and a way of life. If all the world felt toward democracy as we do, the situation would be far different, but as long as other theories and ideals are in the minds of the leaders of great nations, we cannot afford to become careless or let ourselves be ignorant of the dangers from which we need to defend ourselves. Along with the recognition of these dangers we ought to consider what we must pay for our protection, in money or in other ways.

Patriotism is a feeling or attitude which can be most praiseworthy and beneficial but also can be perverted to harmful uses. Under the guise of patriotism things have been done that the prepetrator would not dare to engage in otherwise. In a democracy, however, patriotism must be taken for what it should mean—a love of country. One who is inspired with patriotic motives will love to do things which are for the benefit of his country and will try to conduct himself so as to bring credit upon both his citizenship and the nation of which he forms a part.

Perhaps one reason why democracies have sometimes got into difficulties is that their people have taken it for granted that the way of life which they had developed was perfectly good as it was, and was not likely to change. All history, our own especially, ought to prove to us that the one thing we can be sure of in human relationships is that change will come. If a democracy is to save itself from misdirection and misfortune, it will need to look into the future and think about solving whatever problems it already has recognized, and about meeting conditions that may arise in future days. We may profitably give some thought to this matter in this consideration of "our Democracy."

Twenty years ago the veterans of the World War, fresh from that terrible conflict to make the world safe for democracy, banded together to preserve the gains which democracy had made. They called their organization The American Legion, and they adopted a Constitution to govern their Legion. This Constitution has a Preamble, which is one of the greatest tributes to democracy I have ever read. It is as follows:

> "For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred per cent Americanism; to preserve the memories and incidents of our Association in the Great War; to inculcate a sense of individual obligation to the Community, State and Nation; to combat the autocracy of both the classes and the masses; to make right the Master of Might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of Justice, Freedom and Democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness."

The Department of Pennsylvania of The American Legion organized a Scholarship Contest for the boys and girls of Pennsylvania. Each Senator contributed one of his Senatorial Scholarships to be awarded through The American Legion in an Essay Contest sponsored by the Legion and conducted by the High Schools of Pennsylvania. This year in Allegheny County the six State Senators cheerfully and willingly awarded to The American Legion one of their scholarships for this American Legion Scholarship Essay Contest. The County Commander of The American Legion appointed a Committee to take care of the details. On this Committee were my five colleagues from Allegheny County, as well as a number of civic and educational leaders. At the head of the Committee was an outstanding Legionnaire, a young man who has been a soldier in time of war and a soldier in time of peace, the Honorable Ralph H. Smith, Judge of the Court of Common Pleas of Allegheny County. Judge Smith was not satisfied with the objectives attained by the Essay Contest. Working under his leadership, the Committee found that in most instances few of the High School students participated in the Essay Contest, and in some instances the teachers were writing or editing the essays.

The Legion had hoped, through this contest, to teach Americanism to our High School students. The Committee in Allegheny County, appreciating the National Emergency and the need to rekindle the torch of Americanism in the heart of every young American citizen, decided to depart from the routine Essay Contest and sponsor an Americanism Constest that went deeper into the soul of democracy. With the aid and the assistance of the educational leaders of Allegheny County, a text book entitled "Our Democracy" was written, edited and published. A copy of this text book was distributed to every High School senior in every High School in the City of Pittsburgh and the County of Allegheny, including the Parochial Schools. Beginning on March 3, 1941, every senior in all of these High Schools began a strenuous cram course in American Democracy. The text book prepared by The American Legion was the text book used for the course. Twenty lessons are incorporated in the course, and simultaneously every day these lessons were given in all of our High Schools. Five days out of each week during the month of March, there were five radio programs aiding and assisting the seniors in studying this course. All three of the great metropolitan newspapers in Pittsburgh carried daily stories, explaining the course and expounding its virtues. This course will be concluded on Friday, March 28th.

On Monday, April 7th, in every High School throughout Allegheny County there will be an examination given to all of these seniors. This examination has been carefully prepared by our leading educators, and it is predicated on the Pamphlet I have just discussed. The winning examinations from each High School will be forwarded to the Chairman of the Committee, Judge Smith, and on April 21st, the winning student from each High School will assemble at the Frick School in the City of Pittsburgh for a final examination. These final examination papers will be graded according to Senatorial Districts and the winner from each District will be awarded a Senatorial Scholarship through the courtesy of the State Senator from that respective District.

The value of this course in teaching Americanism and in teaching the mechanics of our democracy can hardly be visualized as we stand on the threshold of this great experiment. Here on the floor of the Senate I have listened to a number of my colleagues stressing the fact that we must inculcate into the minds of our Pennsylvania youth the ideals that motivated the Declaration of Independence. While Pennsylvania has been talking about it, the great

State of Allegheny has acted. We have laid the foundation stone for one of the greatest contributions to Americanism, Patriotism and Democracy since 1776. This is the magna carta that will free the youth of Pennsylvania from all ISMS but Americanism. This is the Bill of Rights of 1941, that will establish in the hearts of the boys and girls of the great State of Allegheny the firm conviction that our democracy is right, and in that right lies the might to overcome all obstacles.

On behalf of the District which I so proudly represent, I extend my sincere thanks and appreciation to my Senatorial colleagues from Allegheny County, to my friend and comrade, Judge Ralph Smith, and to the educational leaders for making this patriotic contribution a possibility.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will state his question of personal privilege.

Mr. DENT. Mr. President, I desire to make a very short statement. Mr. President and members of the Senate, recently we passed a bill covering the subject matter of birth certicates. In the passage of that bill certain remarks were made by the gentleman from Fayette, Mr. Cavalcante, relative to the proposal in the bill of throwing practically every applicant for a birth certificate before an Orphans' Court Judge and the statement was made it would cost too much money.

Mr. President, I just want to tell the Senate that last week an applicant for a birth certicate, whose name was misspelled by the midwife who attended the birth, after his father and his father's father had gone by the name that boy now bears, because of the mistake of this midwife in the registry in our county, his name is misspelled, and he went to a lawyer, a leading attorney in my county, and asked him to take the case before the Orphans' Court, as he was directed by the Register of Wills to do.

The lawyer asked him a fee of twenty-five dollars and a guarantee of forty dollars for court costs and seven witnesses with a probable cost of thirty-seven more dollars.

Now, Mr. President, I just want to call to the attention of the Senate that I said then and I say now the Chapman bill was the worst steal ever put over on the people who want birth certificates in this state.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. McGINNIS. Mr. President, I wish to compliment the gentleman from Allegheny, Mr. Walker, on the splendid address he has just made. We feel that in Allegheny County we have done a splendid thing in establishing this course of our government in all our schools I have felt the boys and girls in our schools now do not appreciate the good things we have as well as we older people.

Mr. President, I feel the boys and girls do not appreciate the automobile, the radio and our wonderful highways that we have through this state; I also feel the boys and girls of our schools do not appreciate our government and the very interest that has been aroused by this course during one month in the schools of Allegheny County is I am sure something worth trying.

We have received requests from other counties asking us to describe our plan, from other states; our newspapers have given us great space, every one of them, and the radio stations have given us a great deal of time, and will give us a great deal more time, and we are arousing in our boys and girls in our schools an interest in government I am sure will bring good results.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Fayette will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, apropos to the subject before us, stated in the remarks of the gentleman from Allegheny, Mr. Walker, may I state I do not want to distract from the enthusiasm that has overwhelmingly taken the gentleman from Allegheny County in this matter of scholarships.

I say I do not want to in any way belittle their enthusiasm and I trust that from this day on they will pursue in the same course, but I do want to make this known at this time, that in the remarks made by both gentlemen from Allegheny, Mr. Walker and Mr. McGinnis, you will see the proposition that we have tried on numerous occasions to point out on the floor of this Senate, the distance at which the State of Allegheny and the Commonwealth of Philadelphia is from the common people of Pennsylvania, the rural inhabitants.

Now, Mr. President, I have probably been not enthused over the proposition stated as much as the other gentlemen of this body that come from those two separate subdivisions of Pennsylvania, the State of Allegheny and the Commonwealth of Philadelphia, because it was nothing for me to be enthused over, for ever since I have been a member of this Senate not only have I contributed a scholarship to the American Legion but I have also contributed scholarships to the Veterans of Foreign Wars and the Disabled American Veterans.

I do not want to be heaping any praise upon myself but this year I have contributed a scholarship to the Legion and one to the Disabled American Veterans and one to the Veterans of Foreign Wars.

Now Mr. President, I say I am not enthused that they are awakening in the State of Allegheny and in the Commonwealth of Philadelphia. I hope that spirit will overtake them very shortly for I have not heard any of those gentlemen upon the floor say they are pursuing the same course, but at a later date, Mr. President, I expect in more detail to point out to the members of this Senate how difficult it is going to be to enjoy that kind of democracy so ably illustrated by the gentleman from Allegheny, in Pennsylvania, if those two separate sub-divisions in this state do not come to a realization there are people in this Commonwealth who live outside of Allegheny and Philadelphia and that those people do not have all those blessings that are found in those centers of concentrated wealth and population.

I do not want to remind them of that famous passage in the "Deserted Village," that those centers of concentrated wealth and population were expressed as a place where wealth accumulates and men decay.

I have been much impressed in my course of learning

to learn that that City of Brotherly Love, Philadelphia, has been referred to by many wise men as the place where there is corruption and yet they are content; they stay content.

Well, I have no fault to find with them on that score, but as a citizen of this Commonwealth I surely do find a little bit of objection to that corruption crossing the river and over into Delaware County. I think probably it is just another case of where one rotten apple in the bushel has spoiled all the apples.

Mr. President, mark you, I am not here trying to reflect upon anybody but I am merely trying to state a situation I sincerely believe exists in this Commonwealth, that the city boys are forgetting we boys from the country, and that I do want to make the point that we fellows from the country who have this coal smoke and hayseed probably in our clothes, that we too possess a lot of this patriotic spirit in this desire to see that our democracy works; we too have made our contribution to this great cause of democracy, this great effort to help the youth of our districts to become good American citizens.

QUESTION OF PERSONAL PRIVILEGE

Mr. REED. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Washington will state his question of personal privilege.

Mr. REED. Mr. President, and members of the Senate, we people from the smaller counties are generally far behind the centralized centers, such as the great State of Allegheny in most things.

I want to call attention to the gentleman from Allegheny, Senator McGinnis, and likewise the gentleman from Allegheny, Mr. Walker, that out in the Forty-Sixth Senatorial District, this practice has been going on for the last six years, that is to say, the American Legion has been distributing senatorial scholarships there and it has proven very successful, and it will do just as Senator Walker has said, it will encourage many of our young people in the ways to democracy, but, of course, as has many times been said in this Senate, that alone will not solve the problem. We must teach our young people the value of independent thought and action.

I have noticed, since I have been in Harrisburg, that independent thought and action are so many times supressed by political authority from someone in the background. That was well illustrated in last Sunday's Sabbath School lesson. The great Pontius Pilate, who many of us admire, was not strong enough in the crisis to stand firmly and face the politicians of that day, and his conduct has been ignominiously looked upon down to the present time.

Mr. President, one feature of the great Abraham Lincoln's life that I like to study and follow in so far as my weakness will permit is that which brought him in contact with the politicians of that day. How vigorously did he oppose them and how even some of his cabinet members crossed him with diverging policies in order to ruin him, but yet he stood strong and firm in what he believed to be right.

If the politicians had not interfered with the great Theodore Roosevelt, how much more good would have been done by that great man, but the latter part of his political life was cut short because he was strong enough to stand up and fight for what he thought was right against politicians of that day. Today we have many examples, and I regret, Mr. President, that I have seen it working in this Senate, not only on your side, members of the Republican Party, but on my side, among the members of the Democratic Party, when a good bill came up, a bill that the people would be interested in, a bill that would help the people, that would uplift the welfare of the people of Pennsylvania, some politician in the background gave the orders and then the whole matter collapsed.

I am glad to hear the Senator from Allegheny, Mr. Walker, make a noble address like that and I hope it will do much good, but as we read that address, let us add to it this corollary, that in the crucial test we well permit no politician or no dictator or no person who claims to be an authority to draw us away from the true issue; that issue is the welfare of all the people and not the welfare of some little politician or some person who claims to be an authority and some state, county, city or other municipality.

QUESTION OF PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. STIEFEL. Mr. President, a few weeks ago the gentleman from Fayette, Mr. Cavalcante, mentioned about an unholy alliance between Philadelphia and Allegheny. At that time I pointed out that there is neither an alliance nor if there would be would it be unholy, but at the same time I have been taking a record of the new phrases which the gentleman from Fayette has coined. One has been statisticology, and the second was flat heel. Now I am suggesting a third term, namely the word dispersers—to disperse.

Mr. President, at the present time if there is any wealth in Philadelphia or in Allegheny, it is going to be dispersed, because due to the transmission of electricity today the division between rural sections and city sections has gone, and for that reason I believe this drawing of distinctions between rural sections and urban sections is artificial in a time of such importance as now, when grim determination is necessary to overcome many obstacles.

Mr. President, I believe the ancient saying "Divide et impero"—divide the rule—should not be applicable today, and I for one will always be on my feet objecting against this division between city and farm, between rural sections and urban sections, because it is outgrown and it is artificial.

QUESTION OF PERSONAL PRIVILEGE

Mr. WALKER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. WALKER. Mr. President, being a small town boy, I some day hope to acquire such tremendous mental stature that I will be able to move into the city and compete with lawyers such as the gentleman from Fayette, Mr. Cavalcante, who resides in a city.

I do not expect the members of the Senate to listen to a longwinded speech such as I just delivered on this floor this morning, but if perchance they had listened they would have noticed that in my discussion of what we have attempted to do in Allegheny County, I pointed out the fact that the American Legion all over Pennsyl-

vania for years has had these American Legion scholarships essay contests, but what we attempted to do in Allegheny County, Mr. President, and this is repetition and is directed mainly at the gentleman from Fayette, what we attempted to do in the great State of Allegheny was to redraft the essay contest and submit a textbook on democracy, and instead of awarding these scholarships through essay contests, we do it through an attempt to teach democracy to the youth of the state of Allegheny.

I am well aware of the fact the gentleman from Fayette, Mr. Cavalcante, the keeper of righteousness, has incorporated in Fayette County the giving of scholarships to various service organizations, and for that reason I congratulate him; I appreciate the tremendous cost to him in dividing them up that way, and there are many Senators all over Pennsylvania who do likewise. He is not alone in that achievement.

The major premise of my remarks, Mr. President, was that we in Allegheny County have departed from the essay contest and have attempted to teach democracy to the youth of Allegheny County, and that was the gist of the suggestion made by me and by my distinguished colleague, the gentleman from Allegheny, Senator McGinnis.

I trust this slight explanation will wipe out from the mind of the gentleman from Fayette any thought of this unholy alliance, that stalks like Banko's ghost through this chamber, and no longer exists, because in Allegheny County, Mr. President, we have more farms and more farm products than they do in Fayette; we have more farmers than they do in Fayette. We are very proud of the County of Allegheny.

In Allegheny County we have a population of approximately one and one half million people, we have seven hundred and fifty-seven square miles of area, we have more miles of streets and bridges than any other county in the world; we have the largest inland port in the country, with a river front thirty miles long; we have an annual tonnage two and one-half times greater than New York, London and Hamburg combined.

Mr. President, these are just a few statistics which are very boring to the average person, but I suggest to the gentleman from Fayette that when we boast about Allegheny County, we predicate our boast upon facts, and that we are justly proud of the fact we come from a great urban center.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Cumberland, Mr. Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated.

Mr. WADE. I will, Mr. President.

Mr. HALUSKA. Mr. President, I would like to ask the gentleman from Cumberland if he has looked up the definition of the word plagiarism.

Mr. WADE. Mr. President, I have not. I sent out to my office where I have a complete library on all matters of insurance, particularly, and if the term is used in life insurance, I will try to have it very shortly.

Mr. HALUSKA. Mr. President, I have had handed to me by my colleague from Somerset Couney, a dictionary, and I will be glad to hand it over to the gentleman from Cumberland, and perhaps he can find the word.

Mr. WADE. Mr. President, I accepe the gift of the gentleman from Cambria, Mr. Haluska, with thanks; I will be glad to keep the dictionary in my library.

The PRESIDENT. The Chair suggests the gentleman from Cumberland keep it on his desk.

Mr. HALUSKA. Mr. President, am I to understand the gentleman from Cumberland has refused to give me the definition of the word plagiarism.

Mr. WADE. Mr. President, I do not refuse. I will be glad to give it to him just as soon as I get the new dictionary and have time to look it up.

Mr. HALUSKA. Mr. President, if I may, since we are to have a meeting this afternoon, and the gentleman from Northampton has given me an official invitation to attend the meeting of the Committee of Public Assistance, I would like to briefly just read the following letter that I received from Blair County this morning which is written in feeble hand writing. I would say, and which I would like to read into the record:

"My dear sir: I must congratulate you on your stand against the pauper's bill. I am a poor old man, eighty-six years old and nothing in the world to go on but I hold a life insurance policy for one thousand dollars. I have been instructed by the Department of Public Assistance that I must assign this policy over to them before relief will be granted to me. I buried my wife fourteen years ago and paid for the expenses of her funeral; I also buried my oldest son and daughter and I would like to have markers put on their graves after I am gone. My only ambition is that I may be in position to retain my policy so that I may be able to put markers on their graves, pay my debts, and leave some money for a marker on my own grave."

That is signed by C. W. Bulgev of Blair County.

Mr. President, that is only one of many thousands of pieces of mail I have received from elderly folks in Pennsylvania, trying to get legislation and asking us to do something soon so that they may in time receive some aid without signing away their life insurance policies.

Mr. President, I have also had brought to my attention a few minutes ago a copy of the law as outlined in California. In California they have this provision, section 2163 of the 1940 act, "And not to be granted to any person who owns personal property in value which exceeds $500. The assessed value of real property of a single person or the combined real property of a husband and wife in the case of a couple may not exceed three thousand dollars. Personal property of an individual may not exceed five hundred dollars, excluding insurance, not in excess of one thousand dollars at maturity.

Now, Mr. President, in the state of California, in the state of Colorado and in many other states, they can get relief if they are found to be in need, without making assignment of property or without making assignments of life insurance.

Mr. President, I bring this up now because I am informed definitely that this afternoon Mr. Russell will appear at this meeting and I am trusting that the gentleman from Northampton will place before him not only my resolution pertaining to life insurance but also my resolution pertaining to assignment of property. Up until this time we have done very little and if we are going to do anything at all for the aged of our Commonwealth, for the poor of our Commonwealth, for those men, may I repeat, for those men who built our schools, who have built our churches and made this Commonwealth what it is, and now we are calling upon them to sign away their worldly belongings before we shall give them

any aid. This is the time, gentlemen, if you are sincere, to bring up these resolutions, and if the fact remains that my name might be the obstacle, I shall be glad to remove my name, or if any Republican colleague wishes to join me and place his name on my resolution, gentlemen, you may do so. It is not pride of mine, it is a problem of mine and yours, and I shall be only too happy to have any of you join me in my fight and place your name on my resolution, and I assure you that if passed in this body it shall pass the lower house.

QUESTION OF PERSONAL PRIVILEGE

Mr. MUNDY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Luzerne will state his question of personal privilege.

Mr. MUNDY. Mr. President, I listened with intense interest to the splendid essay as presented by the brilliant young Senator from Allegheny County, which still in the last geographical record remains an integral part of the State of Pennsylvania.

I agree in the main with these speeches, because they are safe and they are sane and they appeal very strongly to the popular imagination, but sometimes we wonder seriously whether some of these speeches are not tinged occasionally by a hysteria produced by economic conditions at home and perhaps the international situation.

However, Mr. President, the point I want to make is this, that on many of these bills, on these patriotic bills presented on the floor, there has been given the opportunity for certain members of the Senate to impress upon the membership generally their honesty, their integrity, their freedom from political bossism, their idea of being individuals, standing alone, thinking for themselves, and I do say that probably within themselves they have engendered a serious ill, have engendered probably a serious mental and may produce later some physical degeneration or ailment, but I think, gentlemen, that when we get up and extoll our own personal virtues, we are much in the same position as a distinguished gentleman who went to an eminent specialist complaining of a very intense headache, and this specialist sent him to an X-ray man and he sent him to a laboratory man, who sent him to various clinicians to find out what might be the cause of this particular ailment, and after a very, very serious study he seemed to be kind of perplexed until one day he went in to see his patient and in an anxiety to solve the problem he noticed a deep crease on his forehead, and immediately his intelligence asserted itself and he said, "I am able to diagnose your case now; the trouble with you is that you are wearing your halo too tightly clasped to your brow.

QUESTION OF PERSONAL PRIVILEGE

Mr. COLEMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Lackawanna will state his question of personal privilege.

Mr. COLEMAN. Mr. President, and members of the Senate, following the usual brilliant address of my colleague from the neighboring county of Luzerne, I rise to my feet with more than usual hesitancy and trepidation to publicly compliment the gentleman from Allegheny for the very fine address he delivered here today.

I have talked at banquets and public gatherings in the County of Lackawanna with such annoying regularity about democracy and what it means to the people of America and particularly to the youth, that I am reminded of a story of a young, perhaps overzealous priest, who talked repeatedly Sunday after Sunday about confession, and finally the parishoners who had heard it with such annoying regularity went to the Bishop and suggested that the curate be called in and given a bit of advice on changing his topic for Sunday sermons, and the Bishop called him in and said, "I think you ought to change your subject. I suggest to you that next Sunday you talk about St. Joseph." So the priest arose in the pulpit the following Sunday and he said, "I want to talk to you briefly about St. Joseph; St. Joseph was a good man; St. Joseph was a just man; St. Joseph was the foster father of Christ; St. Joseph was a carpenter and being a carpenter he built a confessional, and that brings me down to my subject this morning."

So, Mr. President, I have talked about youth and democracy and the many fine things we have in America so many times, that I could not suppress the inclination to say a word or two about my good friend from Allegheny.

Somewhere I read that some English leader of this great conflict abroad sounded what I think is a clarion call to free peoples all over the world, when he summed up the fight abroad in this terse and pithy sentence: "We would rather die on our feet than live forever on our bended knees."

Mr. President, I am delighted to see that Allegheny County is taking cognizance of the fact that the youth of Pennsylvania as well as America are accepting these principles of democracy as something to be taken for granted. Here this afternoon we saw a splendid demonstration of freedom of speech, and I am glad to live in a nation that has freedom of assembly, freedom of speech, freedom from violent bias or religious liberty, and I am glad to live in a nation that has freedom of assembly, freedom of speech, freedom from violence based on religious hatred and I am glad to see that Allegheny County is in the vanguard of a movement to impress upon the young men in the State of Pennsylvania that democracy cannot be taken for granted, that democracy must be purchased afresh and anew by each succeeding generation, by sacrifice and application to the American principles of government. I think that spirit ought to be spread throughout the State of Pennsylvania, and I am glad, while I hesitated to get up again and renew this discussion about a great democracy, I am glad my good friend from Allegheny got up here this afternoon and impressed upon the Senate of Pennsylvania we have a great responsibility in inculcating into the hearts, minds and souls of the youth of America that if we are to have this democracy, if democracy is to be perpetuated they must realize there must be some sacrifices made in this great state.

QUESTION OF PERSONAL PRIVILEGE

Mr. McGINNIS. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his question of personal privilege.

Mr. McGINNIS. Mr. President, I think a great deal of good will come out of discussions like this this afternoon. For instance, I have heard reference made to what we call or what have been termed the rural districts, saying they have been doing this good thing we are doing in Alle-

gheny County, and that is giving scholarships to the American Legion and the Veterans. I know in Allegheny County I have given a scholarship for six years to the American Legion and the Veterans, and I think that every other Senator has done the same for the past six years, and it is encouraging to learn on this floor that Senators from the rural districts do the same. In other words, we are all interested in our country, in our government, and it is a little amusing to me to hear men who are Democrats or Republicans get up here and criticize politicians.

You all know we have lived a great many years in this country under the Democratic Party and under the Republican Party, and I have watched reformers and I have watched trouble makers and on the whole I have not seen a thing permanent or a thing good come from the slick and sly reformer. If you go back over the history of our government and what has been accomplished in this country, as I said before, it has come through the Democratic Party or the Republican Party, and if you go back and look at the great men in our history for the last fifty years, they either belong to the Democratic Party or the Republican Party.

Now, for instance, Mr. President, I know they were not perfect on either side, but I will say this, that while the Democractic Party happened to have charge of this state for four years, you could take our platforms on which our men ran for office and take out statute books today, and you will find a bill on the statute books for every promise we made in our campaigns, and I defy anybody on this side or the other side to say that in a single instance a Democratic leader in this state asked them to vote contrary to what they promised the people back home when they were running for office. To me that means good government; to me that means party government; and until I find a leader in either party that goes back on his promises to the people back home when his men are running for office, I think that is the time to find fault or approve what is being done, and so until I find a leader of my party browbeating or cajoling or trying to influence a man on the floor to vote against something that he promised the people back home, I am going to stand by my party.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will state his question of personal privilege.

Mr. DENT. Mr. President, I have been delegated by the Senator representing the State of Allegheny to read the message of welcome to the Ambassadors from the Latin-American countries who attended a recent conference in Pittsburgh. It was in part as follows:

Saludos a Nuestros Amigos Latino-Americanos.

MOTION THAT SENATE RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now recess until 4:30 o'clock, p. m.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, before we recess—

Mr. GELTZ. Mr. President, there is a motion before the Senate to recess. Nothing else is in order but the motion to recess.

Mr. SHAPIRO. That is correct, Mr. President, but I say before that motion is seconded or before it is acted on, I suggest that this, in the interest of good democracy, is the wrong time to cut off this debate, because I have listened to it for some time and I would like to make, for the purpose of the record and in the interest of democracy, a few remarks, if the gentleman will permit me.

The PRESIDENT. Is there any objection? The Chair hears none. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, I am very serious about this, because you behold in me a man who does not give scholarships to veterans of any foreign war or veterans of any kind unless they happen to be persons who are entitled to a scholarship for the reason that they can not afford to pay the fee themselves. You also behold me a man who has a great interest in preserving the democracy of this nation, and I am frank to say I am amazed at the trend of this discussion.

Mr. President, when the gentleman from Allegheny was making his remarks I was interested because I hoped and felt that they were leading to something constructive, and I am sorry to say that the gentleman destroyed in a measure the value of a great paper by injecting a foreign substance in it which had no place in so serious and important a document.

Mr. President, it was not important to call attention to the fact that Allegheny was a state or a county in the discussion which he presented. I listened to these gentlemen and I came to the conclusion after the speech, first, that they had missed the point and secondly, they raised here what might be called brag and braggage; they had come here for the purpose of showing how fine they were when the point of the whole speech was that while we are involved in a serious consideration as to whether or not we can save our democracy by placing on the statute books a law which will prohibit communists from being a party, the gentleman from Allegheny showed it was possible to save our democracy by a more constructive way, of inducting children into democracy in a real and early way and at an early time and instead of making that a very serious consideration, we degenerate into a discussion of personalities and persons and characteristics and counties and cities and rural districts, and I was wondering what the people who listened would say and would think about it, and I shall close my remarks by telling you a story which may be funny but is appropriate. We are here as supposed citizens of importance to carry out important functions and I was reminded when I heard this of a story I was told years ago by my father, who called my attention to the fact that, according to the Jewish Religion, persons are not privileged to carry money on Saturday, but occasionally in the course of travel, in business, a man finds himself in a strange community with money in his possession. The custom was to proceed to the Rabbi in the locality and leave the money with him over the Sabbath. And on one occasion, a gentleman who had been traveling for a week found himself in that predicament and he proceeded to the Rabbi in the locality and he said to him, "Rabbi, I have fifteen hundred rubles in my possession, the Sabbath is about to come on, I am a stranger here, and I desire to leave it with you for safekeeping," and the old gentleman looked down over his glasses and he said, "Yes, that is very

fine, but you are a stranger to me and I am a stranger to you. We are human beings. I shall keep the money but I prefer, since something may happen to me, that there should be witnesses to the fact that you have left this fifteen hundred rubles," and he called in Abraham and Isaac and Jacob and he said to them, "Gentlemen, this is Mr. Cohen of Minsk and he has left with me fifteen hundred rubles for safekeeping. I am putting it in this drawer, and I want you to be witnesses; in case anything happens to me, I want you to see that he gets his money," and he returns to this gentleman and he says, "These are three of our eminent citizens in the community, and you can rely upon them, and in case anything happens to me, be sure you get your money." So, after the Sabbath, the gentleman having left and returned and he said, "Rabbi, I am Mr. Cohen of Minsk. Remember yesterday I left with you fifteen hundred rubles. I would like to get them back." The Rabbi looked at him and said, "You left with me fifteen hundred rubles? I don't know you, never saw you, never heard of you." "Why," he said, "Rabbi, I don't understand this. I came here and brought you the fifteen hundred rubles and you called in three eminent citizens, called them in as witnesses to assure me that they would see to it that I would get the money." "I called in witnesses? Whom did I call?" "Why, Abraham, Jacob and Isaac." He said, "Well, let's send for them and see about it." He did call them in, and when they came in, he said to each of them, 'Abraham, this man said I got fifteen hundred rubles from him; he left it with me for safekeeping. Did I? Did he give me the money?" And Abraham said, "I didn't see it." He then said, "Jacob, how about you?" and Jacob said, "I was not even here." He then said, "Isaac, how about you?" and Isaac said, "What do you mean, I don't know the man." They left and the Rabbi turned to the gentleman and said, "You see, you are wrong." Well, the man became enraged and he said, "What are you trying to do, trying to rob me? What is this?" and he began to get excited and the Rabbi smiled and said, "Don't get excited," and he reached down in the drawer, pulled out the fifteen hundred rubles and he gave them to him, and the gentleman looked at him and said, "Rabbi, I don't understand this. I left fifteen hundred rubles with you, you called in three eminent citizens, you had them in here as witnesses. I came and asked for my money and you didn't know me. You call in the citizens, who don't recognize me, and when they leave, you hand me the fifteen hundred rubles. What are you trying to do?" The Rabbi said, "I am trying to show you what kind of eminent citizens we have here."

Mr. President, I am afraid the community may make the same comparison with us.

And the question recurring,

Will the Senate agree to the motion?

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 4:30 o'clock, p. m.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 381

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 381, entitled:

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "Business Corporation Law," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 291, entitled:

An Act to amend section nine hundred eight of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations, defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations, conferring certain rights, powers, duties and immunities upon them and their officers and shareholders, prescribing the conditions on which such corporations may exercise their powers, providing for the inclusion of certain existing corporations of the second class within the provisions of this act, prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions and officers, authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act, imposing penalties and repealing certain acts and parts of acts relating to corporations" by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation and making the rights and remedies herein provided for exclusive.

House Bill No. 463, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

Whereupon,

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being in-

troduced presented for concurrence bills of the House, as follows:

House Bill No. 136 (Senate Bill No. 407), entitled:

An Act to further amend section four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "Labor Anti-injunction Act," by extending the provisions thereof to certain additional cases.

Which was committed to the Committee on Labor and Industry.

House Bill No. 401 (Senate Bill No. 408), entitled:

An Act to further amend section five hundred eleven of the act approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "Administrative Code of 1929," appropriating to the Department of Military Affairs the proceeds of the sale of certain products, to be expended for the Indiantown Gap Military Reservation.

Which was committed to the Committee on State Government.

House Bill No. 553 (Senate Bill No. 409), entitled:

An Act to amend section twenty-two of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "Wills Act of 1917," by providing for forfeiture of the right to take property under the will of a murdered testator.

Which was committed to the Committee on Judiciary General.

House Bill No. 554 (Senate Bill No. 410), entitled:

An Act to amend section twenty-three of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "Intestate Act of 1917," by providing for forfeiture of the right to inherit or to take property of a murdered intestate under the said act.

Which was committed to the Committee on Judiciary General.

House Bill No. 583 (Senate Bill No. 411), entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

Which was committed to the Committee on State Government.

House Bill No. 656 (Senate Bill No. 412), entitled:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March, one thousand nine hundred and three (P. L. 106).

Which was committed to the Committee on Municipal Government.

House Bill No. 692 (Senate Bill No. 413), entitled:

An Act to amend clauses (k) and (l), and to add clause (n) to section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," authorizing the leasing of Indiantown Gap Military Reservation to the United States.

Which was committed to the Committee on State Government.

House Bill No. 616 (Senate Bill No. 414), entitled:

An Act to amend section seven of the act approved the thirty-first day of March, one thousand eight hundred and sixty, (P. L. 427), entitled "Criminal Procedure Act of 1860," providing for admission to bail by committing magistrates in cases involving manslaughter by automobile.

Which was committed to the Committee on Judiciary General.

House Bill No. 653 (Senate Bill No. 415), entitled:

An Act to add clause eighteen A to section three of article nineteen of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "Second Class City Law," authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment.

Which was committed to the Committee on Municipal Government.

House Bill No. 551 (Senate Bill No. 416), entitled:

A Supplement to the act approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (Appropriation Acts, page 60), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-nine; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-nine," providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-one; providing for payment out of revenues of the fiscal biennial period beginning June first, one thousand nine hundred forty-one; and preventing lapsing.

Which was committed to the Committee on Appropriations.

House Bill No. 688 (Senate Bill No. 417), entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey R. Vanderslice, 1119 Oak Street, Coatesville, Chester County, for appointment as a member of the Board of Trustees of West Chester State Teachers College, for the term of four years, and until his successor is qualified, vice Gibbons Gray Cornwell, Jr., resigned.

ARTHUR H. JAMES.

PETITION

The PRESIDENT. The Chair lays before the Senate a communication dated March 22, 1941, addressed to the Chair which the Clerk will read.

UNITED MINE WORKERS OF AMERICA
LOCAL UNION NO. 1190

Ellsworth, Pa., March 22, 1941.

Honorable Samuel S. Lewis
President of the Senate
Harrisburg, Pa.

Assembled on our regular meeting, on March 22, 1941, representing over 800 members, who wish to go on record, that we are supporting one hundred per cent, Senator Haluska Resolution, introduced in the Senate on February 3rd, 1941, calling on the Department of Public Assistance to discontinue its requirement for the cancellation of Life Insurance Policies.

Also we are in favor of repealing the present Relief Act which requires a relief recipient to execute a bond.

President: JOHN L. HARRIS
Rec. Sec'y: F. JAMES RYAN.

APPOINTMENT TO STATE COUNCIL OF DEFENSE

The PRESIDENT. The Chair lays before the Senate communication addressed to the Secretary of the Senate, from the President Pro Tempore of the Senate, which the Clerk will read.

Charles H. Ealy
President Pro Tempore
Somerset, Pa.

Office of the President Pro Tempore,
Senate of Pennsylvania, March 24, 1941.

Honorable George F. Holmes
Secretary of the Senate
Harrisburg, Pennsylvania

Dear Mr. Holmes:

I beg to advise that I have designated as my appointee to the State Council of Defense, created by a recent Act of Assembly, Dr. Webster N. Jones, Dean of the School of Engineering of the Carnegie Institute of Technology, Pittsburgh, Pennsylvania.

Sincerely yours,
CHARLES H. EALY,
President Pro Tempore.

REPORTS FROM COMMITTEES

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Judiciary General, reported as amended, Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid city and school taxes in cities of the first and second class and school districts of the first class, and on poll, poor districts, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

Mr. BECKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 197, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. TALLMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 172, entitled:

An Act to amend section eight hundred one and nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies, and further defining the duties of the Secretary of the Commonwealth with respect to nomination petitions, certificates and papers.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make a statement at this time in connection with the bill just reported.

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, when the committee met it considered that bill before I arrived in the committee room, and in subsequent discussion with the committee, I suggested the amendment which I want to make to the bill, but in view of the fact that this bill will be on the Calendar tomorrow, I do not want to present the amendment suddenly before the members and I want to read the amendment which I have suggested to the bill, which is in addition to the present amendment which has been offered, but it does not require that amendment.

Amend Section one by adding to the bill Section 976. Section 976 is the section which sets forth the reasons for which a nomination paper may be rejected.

The present amendment which has just been offered places into this section the fact that a party or person or group advocating the overthrow of the government is a reason for rejection.

Instead of that amendment I propose this amendment: Provided further, That no nomination petition, nomination paper, or nomination certificate shall be permitted to be filed if the political party or political body referred to therein shall be composed of a group of electors whose purposes or aims or one of whose purposes or aims is the establishment, control, conduct, seizure or overthrow of the Government of the Commonwealth of Pennsylvania or the United States of America by the use of force, violence, military measure or threats of one or more of the foregoing. The authority to reject such nomination petition, paper or certificate for this reason shall, when filed with the Secretary of the Commonwealth, be vested in a committee composed of the Governor, the Attorney General and the Secretary of the Commonwealth, and when filed with any county board of elections, shall be vested

in such board. If the committee or board, as the case may be, shall conclude that the acceptance of such nomination petition, paper or certificate should be refused, it shall forthwith fix a place and a time ten days in advance for hearing the matter, and notice thereof shall be given to all parties affected thereby. At the time and place so fixed, the committee or board, as the case may be, shall hear testimony, but shall not be bound by technical rules of evidence. The testimony presented shall be stenographically recorded and made a part of the record of the committee or board. Within three days after such hearing, the committee or board, if satisfied, upon competent evidence, that the said nomination petition, paper or certificate is not entitled to be accepted and filed, it shall announce its decision and immediately notify the parties affected thereby. Failure to announce decision within three days after such hearing shall be conclusive that such nomination petition, paper or certificate has been accepted or filed. The decision of said committee or board in refusing to receive and file such nomination petition, paper or certificate may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when presented to the Secretary of the Commonwealth or such board. The application for such writ of mandamus shall be made within three days of the time when such decision is announced. If the application is properly made, any judge of said court may fix a time and place for hearing the matter in dispute, of which notice shall be served with a copy of said application upon the Secretary of the Commonwealth or the county board of elections, as the case may be. At the time so fixed, the court or any judge thereof, assigned for the purpose, shall review the record made before the committee or board. No additional testimony shall be taken before such court which shall be limited to the determination of the regularity of such decision and whether it was reasonable in the light of the competent evidence presented. If after such hearing, the said court shall find that the decision of the committee or the board was erroneous, it shall issue its mandate to the committee or board to correct its decision and to accept and file the nomination petition, paper or certificate. It shall be the duty of the said court to fix the hearing and to announce its decision within such period of time as will permit the Secretary of the Commonwealth or the County Board of Elections to permit the names of the candidates affected by the court's decision to be printed on the ballot if the court shall so determine.

Mr. President, I shall prepare fifty copies of this proposed amendment, and I will have a copy put on the desk of each Senator so that they will have time to consider it, because I feel that this amendment does not affect the principle of the bill, that it is in line with the proposed amendment and that it simply sets up safeguards and a regular procedure under which no one can complain if their petition is rejected or accepted.

It will be necessary, of course, since the bill is now presented, to present an additional amendment to remove the amendment offered with this bill as reported from the committee, but the portion of the bill which is now in it by this amendment will be included and is included in the amendment which I propose.

Mr. President, I suggest that the members of the Senate give this some consideration. I am also going to give a copy of this amendment to the chairman of the committee so that he may take it up with the attorney general before the bill comes up for action.

Mr. EDMONDS. Mr. President, I should like to interrogate the gentleman from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. EDMONDS. Mr. President, I merely want to inquire of the gentleman from Philadelphia whether the amendment he proposes to offer is in lieu of the committee amendment to section (h)?

Mr. SHAPIRO. Mr. President, it is in lieu of that and includes the amendment to section (h) that was offered.

Mr. EDMONDS. In other words, Mr. President, there will be a strikeout of what is now the committee amendment.

Mr. SHAPIRO. Mr. President, there will be a strikeout, but the amendment is out of place and is added in the amendment I offered. It is only a question of place; it is out of place and I am bringing it back into place.

RESOLUTION MEMORIALIZING CONGRESS NOT TO APPROVE CONSTRUCTION OF ST. LAWRENCE SEAWAY

Mr. WADE, from the Committee on Federal Relations, to which was referred resolution offered by Mr. WATKINS on February 17, 1941, reported the same with amendment as follows, and moved its immediate adoption.

In the Senate, February 17, 1941.

Whereas, It appears that the present Congress of the United States will be called upon to pass upon the construction of the St. Lawrence Seaway; now therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania is opposed to the proposed St. Lawrence Seaway because of its economic impracticability, its entire lack of advantage as a defense measure and its detriment to business in the Commonwealth of Pensylvania; and be it further

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence Seaway; and be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of the United States Senate, the Speaker of the House of Representatives and to each Senator and Representative elected from the Commonwealth of Pennsylvania.

A motion was made by Mr. WADE and Mr. WATKINS That rule 39, which requires resolutions reported from committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. SHAPIRO. Mr. President, I am not so sure that procedure is correct. Are we voting on the resolution or is it a motion for immediate adoption? I do not think that motion is in order.

The PRESIDENT. The motion was for immediate adoption of the resolution.

Mr. SHAPIRO. Mr. President, this is a report from committee which is to be voted on.

The PRESIDENT. It is a report from committee.

Mr. SHAPIRO. Mr. President, I desire to interrogate the sponsor of this resolution.

The PRESIDENT. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. SHAPIRO. Mr. President, is it a fact the resolution offered by the gentleman from Lackawanna is exactly the same resolution as the one which is now before the Senate?

Mr. WATKINS. Yes, Mr. President, except that it is more general.

Mr. SHAPIRO. Mr. President, as the resolution sponsored by the gentleman from Schuylkill? Is this resolution as reported from committee jointly sponsored by you and the gentleman from Lackawanna?

Mr. WATKINS. It is sponsored by me and it was introduced by me about a month ago. The resolution introduced by the gentleman from Lackawanna is a separate resolution.

Mr. SHAPIRO. Mr. President, is there any objection to joint sponsorship on your part?

Mr. WATKINS. Yes.

Mr. SHAPIRO. There is?

Mr. WATKINS. Yes.

And the question recurring,

Will the Senate agree to the Resolution?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COLEMAN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Lackawanna will state his question of parliamentary inquiry.

Mr. COLEMAN. Mr. President, I think to get the record straight, to get the Senate procedure straight, am I correct in my assumption that immediate consideration is not necessary since the resolution is reported out from committee and what we are doing now is voting on it; is that correct?

The PRESIDENT. That is correct.

And the question recurring,

Will the Senate agree to the Resolution?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—34

Bartlett,	Edmonds,	Mundy,	Tyler,
Becker,	Farrell,	Ruth,	Wade,
Carr,	Geltz,	Scarlett,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Coleman,	James,	Stevenson,	Wilson, H. I.,
Crider,	Lephart,	Tallman,	Wilson, T. B.,
Crowe,	Letzler,	Taylor,	Woodward,
Deitrick,	Mallery,	Thomas,	Ziesenheim,
Ealy,	Miller,		

NAYS—12

Barr,	DiSilvestro,	Jaspan,	McGinnis,
Cavalcante,	Frey,	Lanius,	McQuiddy,
Cox,	Haluska,	McCreesh,	Stiefel,

PRESENT—2

Reed,	Shapiro,

So the question was determined in the affirmative.

REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales or transfers providing remedies for violations thereof, and establishing penalties therefor.

Mr. MALLERY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except cities of the first and second classes), borough, town, township, school district (except school districts of the first and second class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

He also, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 41, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or an agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or report under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

JUSTICE OF THE PEACE, TOWNSHIP OF BRECKNOCK, BERKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

Paul B. Horning, R. D. 2, Mohnton, Berks County, for appointment as Justice of the Peace for the County of Berks, Township of Brecknock, to fill a vacancy.

ARTHUR H. JAMES.

JUSTICE OF THE PEACE, TOWNSHIP OF HARMONY, BEAVER COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 17, 1941.

Francis J. Kroker, Breitenstein Road, Ambridge, Beaver County, for appointment as Justice of Peace for the Township of Harmony, Beaver County, vice Leonard J. Wygonek, resigned.

ARTHUR H. JAMES.

JUSTICE OF THE PEACE, GREEN LANE, MONTGOMERY COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 12, 1941.

Arnold C. Snyder, Main Street, Green Lane, Montgomery County, for appointment as Justice of the Peace for the Borough of Green Lane, Montgomery County.

ARTHUR H. JAMES.

JUSTICE OF THE PEACE, LINESVILLE, CRAWFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 10, 1941.

Fred B. Stewart, Linesville, Crawford County, for appointment as Justice of Peace in the Township of Pine, Crawford County.

ARTHUR H. JAMES.

ALDERMAN FOR 7TH WARD, CITY OF WASHINGTON, WASHINGTON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941.

R. M. Weirich, 996 Jefferson Avenue, Washington, Washington County, for appointment as Alderman, in and for the 7th Ward of the City of Washington, Washington County, until the first Monday in January, 1942, vice W. D. McCarrell, deceased.

ARTHUR H. JAMES.

APPOINTMENT AS CORONER IN LEBANON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter H. Brubaker, 7th and Chestnut Streets, Lebanon, Lebanon County, for appointment as Coroner in and for the County of Lebanon, until the first Monday of January, 1942, and until his successor shall be duly qualified, vice John D. Boger, resigned.

ARTHUR H. JAMES.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

Commonwealth of Pennsylvania,
Governor's Office Harrisburg, January 13, 1941.

Jerry F. Neill, Philadelphia, from September 4, 1940, for the term of four years, and until his successor is qualified.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. EALY

That Rule 38 which requires nominations made by the Governor be referred to an appropriate committee be dispensed with, and the Senate do not resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 44

Barr,	DiSilvestro,	Lanius,	Snowden,
Bartlett,	Ealy.	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Stiefel,
Carr,	Farrell,	McCreesh,	Taylor,
Cavalcante,	Frey,	McGinnis,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Coleman,	Haluska,	Mundy,	Watkins,
Cox,	Heyburn,	Reed,	Wilson, H. I.,
Crider,	James,	Ruth,	Wilson, T. B.,
Crowe,	Jaspan,	Scarlett,	Woodward,
Deitrick,	Kephart,	Shapiro,	Ziesenheim,

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

COMMITTEE TO INVESTIGATE STATE HOSPITALS

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Health.

In the House of Representatives, March 24, 1941.

Whereas, Newspapers have carried reports concerning the operation of certain state hospitals within the Commonwealth of Pennsylvania, which, if true, show an extremely reprehensible situation existing in such state hospitals; and

Whereas, There have been charges made that certain trustees and supervisory officials have committed criminal acts; and

Whereas, Certain state hospitals have lost their official standing and rating with the American Medical Association; and

Whereas, The conduct of certain trustees of state hospitals has resulted in unfavorable criticism of the operation of said hospitals; and

Whereas, If these charges are true, the situation calls for immediate attention by the legislative branch of the government to remedy such a condition; therefore be it

Resolved (if the Senate concur), That the Speaker of the House of Representatives appoint a committee of three members of the House, and the President pro tempore of the Senate appoint a commiteee of three members of the Senate to act as a legislative committee to investigate the maintenance, operation and conduct of all state hospitals within this Commonwealth; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee mav deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the said committee, because of the urgency of the situation, report to the House as speedily as possible, with appropriate recommendations.

BILLS INTRODUCED

Mr. McCREESH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH read in place and presented to the Chair Senate Bill No. 418, entitled:

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

Which was committed to the Committee on State Government.

Mr. RUTH. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. BECKER and RUTH read in place and presented to the Chair Senate Bill No. 419, entitled:

An Act providing for the reconnaissance survey of a State highway between the city of Harrisburg, in the county of Dauphin, and the borough of New Hope, in the county of Bucks.

Which was committed to the Committee on Highways.

Mr. WOODWARD. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 420, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 421, entitled:

A Joint Resolution proposing an amendment to section one, article eight, of the Constitution of the Commowealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 422, entitled:

A Joint Resolution proposing an amendment to section four, article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 423, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair Senate Bill No. 424, entitled:

An Act restricting the granting of licenses to marry to divorced persons.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DiSILVESTRO, STIEFEL and JASPAN read in place and presented to the Chair Senate Bill No. 425, entitled:

An Act makng an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Which was committed to the Committee on State Government.

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 426, entitled:

An Act establishing certain public roads and streets as a State highway and providing for their construction, reconstruction and maintenance by the Department of Highways subject to certain terms and conditions.

Which was committed to the Committee on Highways.

Mr. JAMES. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection The Chair hears none.

Messrs. JAMES and STIEFEL read in place and presented to the Chair Senate Bill No. 427, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. COX. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX read in place and presented to the Chair Senate Bill No. 428, entitled:

An Act to amend section nine hundred and one of, and to add section nine hundred and one-tenth to, the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and reverse the penal laws of the Commonwealth," by limiting the offense of burglary to certain acts committed by night, and making entering buildings in the daytime, with intent to commit a felony therein, or breaking and entering buildings in the daytime, a felony.

Which was committed to the Committee on Judiciary General.

SENATE BILL No. 343 CALLED UP

Mr. HEYBURN. Mr. President, I now call up Senate Bill No. 343, on Page 2, of the second reading Calendar, which went over in its order.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations," by providing that milk delivered or made available or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

The first section was read as follows and agreed to:

Section 1 Section four hundred one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission definin perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" is hereby amended to read as follows

Section 401 Milk Dealers Required to Be Licensed Except as herein otherwise specifically provided a milk dealer as defined in this act shall not buy or receive or handle on consignment or otherwise milk from producers or others within this Commonwealth for storage manufacture processing distribution handling or sale whether on consignment or otherwise within or without this Commonwealth or sell or distribute milk within this Commonwealth unless such dealer be duly licensed as herein provided and it shall be unlawful for a milk dealer to buy or receive or handle on consignment or otherwise milk from or sell or deliver or make available on consignment or otherwise milk to a milk dealer who is not either licensed or exempted as herein provided or in any way to receive deal in distribute or handle on consignment or otherwise milk which he has reason to believe has previously been received dealt in distributed or handled in violation of the provisions of this act

The second section of the bill was read as follows:

Section 2 Section four hundred two of the said act is hereby amended to read as follows

Section 402 Milk Dealers Subject to Exemption The commission may by official order exempt from the license requirements provided by this act milk dealers who purchase or receive or handle on consignment or otherwise milk in a total quantity not exceeding one thousand five hundred pounds in any month and milk dealers selling

delivering or making available on consignment or otherwise milk in any quantity only in markets of a population of one thousand or less for local consumption The commission may by official order exempt stores or any class thereof from the license requirements provided by this act and shall exempt stores selling milk all of which has been purchased or received on consignment or otherwise from a licensed milk dealer However milk dealers exempted by this section from the license requirements of this act shall continue to be subject to all the other provisions of this act relating to milk dealers

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 2, page 5, between lines 12 and 13, after the word "selling" and before the word "delivering", by inserting the word "or"

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth, fifth and sixth sections of the bill were read as follows and agreed to:

Section 3 Paragraph (2) of section four hundred four of the said act is hereby amended to read as follows

Section 404 Grounds for Refusal Suspension or Revocation The commission shall grant a license to an applicant complying with the provisions of this act and the rules regulations and orders issued by the commission pursuant thereto The commission may decline to grant a license to an applicant or may suspend revoke or refuse to transfer a license already granted to a milk dealer or may prohibit a milk dealer exempted from the license requirements of this act from continuing to operate as a milk dealer after determination by the commission that the dealer * * * *

(2) Has without reasonable cause failed to account and make payment for any milk purchased or received or handled on consignment or otherwise from a producer

Section 4 Section five hundred one of the said act is hereby amended to read as follows

Section 501 Milk Dealers Required to File Bonds It shall be unlawful for a milk dealer to purchase or receive or handle on consignment or otherwise milk from producers unless the milk dealer shall file with the commission on a corporate surety individual surety or collateral bond approved by the commission Except as otherwise herein provided the bond shall be in a sum equal to the value of the highest aggregate amount of milk purchased or received or handled on consignment or otherwise by the dealer from producers in any one month during the preceding calendar year which value shall be computed according to lawful prices and shall not in any event exceed one hundred thousand dollars ($100,000.00) The bond shall be upon a form prescribed by the commission conditioned for the payment by the milk dealer of all amounts due including amounts due under this act and the orders of the commission for milk purchased or received or handled on consignment or otherwise by the milk dealer from producers during the license year upon such terms and conditions as the commission may prescribe

In the case of a milk dealer who pays producers in full each week for milk purchased or received or handled on consignment or otherwise by him from such producers the bond shall be in a sum equal to fifty per centum of the value of the highest aggregate amount of milk purchased or received or handled on consignment or otherwise by the dealer from producers in any one month during the preceding calendar year which value shall be computed according to lawful prices and shall not in any event exceed fifty thousand dollars ($50,000)

Section 5 Section five hundred two of said Act is hereby amended to read as follows

Section 502 Computation of Amount of Certain Bonds Milk purchased or received or handled on consignment or otherwise by a milk dealer from producers outside the Commonwealth and sold or distributed by such dealers as fluid milk within the Commonwealth shall be included in computing the amount of such dealer's bond except where such dealer has filed a bond for the protection of such producers with the state wherein the milk is purchased or received on consignment or otherwise or with such producers In such computation the amount due for such milk shall be determined according to any applicable official prices or any lawful contract price

A milk dealer purchasing or receiving or handling on consignment or otherwise or intending to purchase or receive or handle on consignment or otherwise milk from producers but not so engaged during any month of the preceding calendar year shall file a bond in a reasonable sum to be fixed by the commission and within the time for filing his application such dealer shall request the commission to fix such sum

Section 6 Section five hundred five of the said Act is hereby amended to read as follows

Section 505 Financial Statement A milk dealer shall from time to time when required by the commission make and file with the commission a verified statement of his disbursements or of any other facts in connection with his business during a period to be prescribed by the commission which financial statement shall contain the names of the producers from whom milk was purchased or received or handled on consignment or otherwise the amount due or paid to the producers and any other relevant facts required by the commission pertinent to the dealer or the dealer's surety or sureties

The seventh section of the bill was read as follows:

Section 7 Section five hundred six of the said Act is hereby amended to read as follows

Section 506 Increase or Decrease of Bond If it shall appear from the dealer's financial statement or from facts otherwise ascertained by the commission that the bond afforded to producers selling or furnishing delivering or making available on consignment or otherwise milk to such milk dealer does not adequately protect such producers the commission may require such milk dealer to procure an additional surety or to give an additional bond or additional security for the collateral bond in a sum to be determined by the commission which shall not exceed more than fifty per centum of the value of the highest aggregate amount of milk purchased or received or handled on consignment or otherwise by the dealer from producers in any one month during the preceding or current year which value shall be computed according to the prices applicable and shall not in any event exceed fifty thousand dollars ($50,000.00) In the case of a milk dealer who pays producers in full each week for milk purchased by him from such producers any increase required hereunder shall not exceed more than twenty-five per centum of such value and in any event shall not exceed twenty-five thousand dollars ($25,000.00)

The commission may grant a reduction of the bond or the collateral or release an additional surety if it shall appear that owing to a decrease in the milk purchases or receipts of milk on consignment or otherwise of the milk dealer or to other causes a bond in a lesser amount or with fewer sureties will protect producers selling milk to such milk dealer

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 7, page 9, between lines 12 and 13, after the word "purchased" and before the word "by", by inserting the following words: "or received or handled on consignment or otherwise".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows:

Section 8 Section five hundred eight of the said act is hereby amended to read as follows

Section 508 Interest or Dividends upon Securities The milk dealer shall be entitled to all moneys received by the State Treasurer as interest or dividends upon any security or securities deposited by such milk dealer with the commission and transmitted by the commission to the State Treasurer for safekeeping in accordance with the provisions of this act Provided however That the milk dealer shall not be entitled to interest or dividends if there is on file with the commission a valid unpaid claim of a producer against the milk dealer based on milk sold delivered or made available on consignment or otherwise by such producer to the milk dealer.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 8, page 10, line 8, after the word "sold" and before the word "delivered", by inserting the word "or".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows:

Section 9 Section five hundred eleven of the said act is hereby amended to read as follows

Section 511 Procedure for Disubrsing Proceeds The commission may prescribe the procedure for the payment out of the proceeds of any bond or collateral required by this article or the amounts found due to producers based on sales or deliveries whether on consignment or otherwise of milk by them to a milk dealer who has posted a bond or collateral Provided however That if the proceeds of a bond or of collateral which has been posted by a milk dealer shall be insufficient to pay in full the amounts due to producers who have sold delivered or made available on consignment or otherwise milk to such milk dealer the moneys available shall be divided pro rata among such producers

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 9, page 10, line 21, after the word "sold" and before the word "delivered", by inserting the word "or".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows and agreed to:

Section 10 Section five hundred thirteen of the said act is hereby amended to read as follows

Section 513 Subdealers Bonds It shall be unlawful for a subdealer to buy or acquire receive or handle on consignment or otherwise milk from a milk dealer who purchases or acquires receives or handles on consignment or otherwise milk from producers unless the subdealer shall file with the commission a corporate surety individual surety or collateral bond approved by the Commission Such bond shall be executed to the Commonwealth in a sum equal to three hundred dollars ($300.00) for each route owned or operated by the subdealer and shall be conditioned for the payment by the subdealer of all amounts due u r this act and the orders of the commission for milk rchased or acquired received or handled on consignment or otherwise from such milk dealer or dealers during the license year subject however to the further condition that if at time of default such milk dealer or dealers are indebted or in arrears in their payments to producers the proceeds thereof shall be held on the account of such dealer or dealers for the benefit of such producrs Such bond shall be filed annually with the subdealer's application for a license and shall in all applicable particulars not herein specifically mentioned be subject to terms and conditions such as provided in the other sections of this article for the bonds of other milk dealers and for suits thereon except where the protection of such milk dealers selling or delivering or making available on consignment or otherwise to the subdealer or of producers selling or delivering or making available on consignment or otherwise to such milk dealers requires the substitution of such dealers and producers in applying such terms and conditions to the bonds of subdealers

The eleventh section of the bill was read as follows:

Section 11 Section eight hundred two of the said act is hereby amended to read as follows

Section 802 Wholesale and Retail Prices The commission shall fix by official order (except as hereinafter provided in this section) the minimum wholesale and retail prices and may fix by official order the maximum wholesale and retail prices to be charged or received for milk sold delivered or made available on consignment or otherwise for milk sold within any milk marketing area of the Commonwealth wheresoever produced including milk sold delivered or made available on consignment or otherwise by

(1) Milk dealers to other milk dealers

(2) Milk dealers to consumers

(3) Milk dealers to stores either for consumption on the premises or resale to consumers

(4) Stores to consumers except for consumption on the premises where sold

Nothing herein contained shall be construed to empower the commission to fix the price at which milk may be sold by any milk dealer or producer to consumers for consumption on the premises of such milk dealer or producer

The fixing of minimum wholesale or retail prices for skimmed milk condensed or concentrated whole or skimmed milk bulk cream handled between milk dealers other than stores and ice cream mix shall be discretionary with the commission.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend

Section 11, page 12, line 7, after the word "sold" and befor the word "delivered," by inserting the word "or"; amend section 11 page 12, line 10, after the word "sold" and before the word "delivered," by inserting the word "or".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 Section eight hundred three of said act is hereby amended to read as follows

Section 803 Prices to Producers The commission shall fix by official order the minimum prices to be paid by milk dealers to producers for milk sold or delivered or made available on consignment or otherwise by producers to milk dealers.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 12, page 13, line 5, after the word "dealers" and before the word "Provided," by taking out the light faced bracket; amend Section 12, page 13, line 8, after the word "commission," by taking out the light faced bracket.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth section of the bill was read as follows:

Section 13 Section eight hundred four of the said act is hereby amended to read as follows

Section 804 Classification When pursuant to any statute or regulations or orders adopted thereunder or any ordinance or reasonable trade practice various grades of milk are specified orders of the commission fixing minimum or maximum prices may be applicable to each grade Orders of the commission fixing minimum or maximum prices may vary in different markets and shall designate the markets to which applicable Such orders may likewise classify milk and milk dealers in any reasonable manner which the commission deems advisable and may vary according to the classes to which they are applicable The orders of the commission with respect to the minimum prices to be paid to producers and others shall apply to the area in which the milk is produced or to the area in which the milk so produced is sold or distributed by milk dealers in the form of milk other than ice cream mix and to the area in which food products including ice cream mix are manufactured or are sold or distributed by milk dealers and may vary in different areas according to varying uses grades and conditions Each such order may classify such milk of forms classes grade or uses as the commission may deem advisable and may specify the minimum prices therefor Other reasonable methods of classification may be prescribed by the commission

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 13, page 13, line 25, after the word "is" and before the word "sold," by inserting the following words: "processed, manufactured"; amend Section 13, page 13, between the lines 25 and 28, after the word "distributed" and befor the word "and," by taking out the following words' "by milk dealers in the form of milk other than ice cream mix and to the area in which food products including ice cream mix are manufactured or are sold or distributed by milk dealers" and by inserting the following words: "as the commission shall provide."

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth section of the bill was read as follows and agreed to:

Section 14 Section eight hundred seven of the said Act is hereby amended to read as follows

Section 807 Violations After the commission shall have fixed prices to be charged or paid for milk whether by class grade use or otherwise it shall be unlawful for a milk dealer or producer to sell or deliver or make available on consignment or otherwise or by or receive or handle on consignment or otherwise or offer to sell or deliver or make available on consignment or otherwise or buy or receive or handle on consignment or otherwise milk at any price below the minimum price or above the maximum price applicable to the particular transaction

No method or device shall be lawful whereby milk is bought or received or handled on consignment or otherwise or sold or delivered or made available on consignment or otherwise or offered to be bought or received or handled on consignment or otherwise or sold or delivered or made available on consignment or otherwise at a price less than the minimum price applicable to the particular transaction whether by any discount premium rebate free service advertising allowance or extension of credit or by a combined price for such milk together with another commodity or a service which is less or is represented to be less than the aggregate of the price of the milk and the price or value of such commodity or service when bought or received or handled on consignment or otherwise or sold or delivered or made available on consignment or otherwise or offered for sale delivery purchase handling or receiving separately or otherwise

It shall be unlawful for any milk dealer to sell or deliver or make available on consignment or otherwise any milk for which he has paid or agreed to pay a price lower than that fixed by the commission for milk of that class or grade

It shall be unlawful for a milk dealer to sell or deliver or make available on consignment or otherwise or buy or receive or handle on consignment or otherwise or offer to sell or deliver or make available on consignment or otherwise or buy or receive or handle on consignment or otherwise milk at a price computed upon false or erroneous weight butterfat test grade or classification or at a price from which have been made deductions not authorized by law or in excess of any deductions so authorized whether such illegal deductions be in the form of excessive transportation charges or otherwise

The act of a director officer agent or other person acting for or employed by a milk dealer shall be deemed the act of such milk dealer

The fifteenth section of the bill was read as follows:

Section 15 Section eight hundred eight of the said Act is hereby amended to read as follows

Section 808 Prices of Certain Milk It is hereby declared to be the legislative intent that the instant (whenever that may be) that the handling by a milk dealer of milk produced outside of the Commonwealth becomes a subject of regulation by the Commonwealth in the exercise of its police powers the restrictions set forth in this act respecting such milk so produced shall apply and the powers conferred on the commission by this act and particularly by this article shall attach but such restrictions shall not apply to condensed or concentrated whole milk contained in hermetically sealed cans

It is also hereby declared to be the legislative intent that the prices prescribed by the commission for milk produced in this Commonwealth and sold delivered or made available on consignment or otherwise in this Commonwealth for shipment into and ultimate sale in another state shall not be destructive of the price structure of producers in such other state

On the question,

Will the Senate agree to the section?

Mr. HEYBURN. Mr. President, I move to amend Section 15, page 16, line 12, after the word "sold" and before the word "delivered," by inserting the word "or"

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth section of the bill was read as follows and agreed to:

Section 16 Effective Date This act shall become effective immediately upon its final enactment

The title of the bill was read as follows and agreed to:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, dening remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations," by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

SENATE BILL No. 50 CALLED UP

Mr. MILLER. Mr. President, I now call up Senate Bill No. 50, on Page 1 of the Second Reading Calendar, which went over in its order.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and certain residents of the United States on a yearly salary basis

The first section of the bill was read as follows:

Section 1 No department bureau commission or office of the Commonwealth of Pennsylvania or of any city borough township school district or of any other political subdivision shall employ any person on a yearly salary basis who is not a citizen of the United States or who has not been a resident of the United States for the past ten years or who has not taken out first citizenship papers to become a citizen of the United States Provided however That citizenship may be waived in the case of exchange teachers not permanently employed and teachers employed for the purpose of teaching foreign languages

On the question,

Will the Senate agree to the section?

Mr. MILLER. Mr. President, I move to amend Sec. 1, page 1, lines 6, 7 and 8 by striking out the following: "been a resident of the United States for the" in line 6, all of line 7 and "ship papers to become" in line 8, and inserting in lieu thereof: "duly filed his application for a certificate of arrival and preliminary form for declaration of intention or preliminary form for petition for naturalization directed toward becoming"

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. COLEMAN. Mr. President, I would ask that the reading clerk read the amendment again, slowly, in order that we may all understand.

The amendment was again read.

And the question recurring,

Will the Senate agree to the amendment?

Mr. CAVALCANTE. Mr. President, I object.

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mallery,	Stiefel,
Bartlett,	Frey,	McCreesh,	Taylor,
Carr,	Geltz,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Walker,
Crider,	James,	Mundy,	Watkins,
Crowe,	Jaspan,	Ruth,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. B.,
Ealy,	Lanius,	Snowden,	Woodward,
Edmonds,	Letzler,	Stevenson,	Ziesenheim,

NAYS—4

Becker,	Cavalcante,	Cox,	Reed,

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third and fourth sections of the bill were read as follows and agreed to.

Section 2 Any officer of the State or of any city borough township school district or any other political subdivision or any other person responsible who knowingly employs or retains any employe contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or to undergo imprisonment not more than thirty days or both.

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and certain residents of the United States on a yearly salary basis.

On the question,

Will the Senate agree to the title?

Mr. MILLER. Mr. President, I move to amend title, Page 1, lines 2 and 3 of title, by striking out the following: "certain residents" and inserting in lieu thereof: "applicants to become citizens"; Further amend title, page 1, line 3, by striking out the following: "on a yearly salary basis."

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—40

Barr,	Farrell,	Mallery,	Stiefel,
Bartlett,	Frey,	McCreesh,	Taylor,
Carr,	Geltz,	McGinnis,	Thomas,
Chapman,	Haluska,	McQuiddy,	Tyler,
Coleman,	Heyburn,	Miller,	Walker,
Crider,	James,	Mundy,	Watkins,
Crowe,	Jaspan,	Ruth,	Wilson, H. I.,
Deitrick,	Kephart,	Shapiro,	Wilson, T. E.,
Ealy,	Lanius,	Snowden,	Woodward,
Edmonds,	Letzler,	Stevenson,	Ziesenheim,

NAYS—4

Becker,	Cavalcante,	Cox,	Reed,

So the question was determined in the affirmative.

And said bill as amended having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. EALY. Mr. President, it is evident now that a certain part of the title has been stricken out, to wit, the words "on a yearly salary basis," without those words having been stricken out of the body of the bill, and if it is the intention of these amendments to strike out the words "on a yearly salary basis," then I will ask that this bill go over for a few minutes until a further amendment is made to put the body of the bill in line with the title.

(The Senate was at ease.)

Mr. MILLER. Mr. President, I offer the following amendment to Senate Bill No. 50:

Amend Section 1, page 1, between lines 4 and 5 after the word "person" and before the word "who," by striking out the words: "on a yearly salary basis".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Judiciary General reported as amended, Senate Bill No. 228, entitled:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not enrolled in the armed forces of the United States pursuant to any selective service act, or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, March 26, 1941 at 11:00 o'clock a. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:12 o'clock p. m., until Wednesday, March 26, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 25, 1941

The House met at 1 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL, offered the following prayer:

Gracious God, our Heavenly Father, forgive us for permitting self-interest and self-will to destroy the foundations of our homes, for we have failed to make Thy will the center of our individual lives. Help us to stop our compromising with the forces of evil which allure us with great promises which can never be fulfilled. May we reread the history of the past and learn anew before it is too late, that the only security that is lasting has its very foundation in Thee, the one true and living God. Help us in our weakness to be strong.

We beeseech Thee to look with favor upon those of this House who are ill in body. May it please Thee to grant a speedy recovery to each, especially to Representative Jones of Lawrence County who recently underwent an operation. Hear our prayer for the needs of all men. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday when, on motion of Mr. AUKER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WOLF. HOUSE BILL No. 940.

An Act to amend section 1202 by adding thereto clause LX, of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs;" authorizing boroughs to appropriate money for the support of hospitals.

Referred to the Committee on Boroughs.

By Mr. HAMILTON. HOUSE BILL No. 941.

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy".

Referred to the Committee on Appropriations.

By Messrs. NAGEL and GATES. HOUSE BILL No. 942.

An Act to amend section 699.4 of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled, "An act to consolidate, amend and revise the penal laws of the Commonwealth," increasing the penalties for performing worldly employment, games or diversion on Sunday.

Referred to the Committee on Judiciary Special.

By Mr. WOLF. HOUSE BILL No. 943.

An Act to reenact and amend section 441 of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by authorizing boards of county commissioners to appropriate county moneys for the support of charitable hospitals.

Referred to the Committee on Counties.

By Mr. REGAN. HOUSE BILL No. 944.

An Act licensing and regulating the business of stripping anthracite coal; providing for the issuance and revocation of licenses by the Secretary of Mines; authorizing said Secretary to enter stripping operations; to issue regulations governing the administration of this act, and to appoint mining engineers who are empowered to enter stripping operations and inspect same; requiring a corporate surety bond to accompany every application for a license; authorizing appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

Referred to the Committee on Mines and Mining.

By Mr. ROSENFELD. HOUSE BILL No. 945.

An Act to amend section three of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by requiring registers of wills to receive and file the wills of living persons, and prescribing the manner of fixing fees therefor.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 946.

An Act requiring moneys transferred from one state fund to another to be repaid within one year from date of transfer.

Referred to the Committee on Ways and Means.

By Mr. ROSENFELD. HOUSE BILL No. 947.

An Act providing that contributory negligence shall not be a bar to recovery of damages in actions brought for personal injuries, death or property damage.

Referred to the Committee on Judiciary General.

By Mr. THOMAS H. LEE. HOUSE BILL No. 948.

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to, and the burial of, certain aged indigent persons, and the administration of this act by the Department of Public Assistance, the county board of assistance in the several counties, and others; making counties liable for certain expenses; providing penalties; and making an appropriation.

Referred to the Committee on Welfare.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 949.

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the orphans' courts; the powers and duties of the judges thereof; and appeals therefrom," by imposing liability on executors, administrators or trustees for real estate broker's commissions in certain cases.

Referred to the Committee on Judiciary Special.

By Mr. DOLON. HOUSE BILL No. 950.

An Act to add a new section to the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns; townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines; forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," requiring dealers to furnish certificates containing certain information in connection with sales or agreements for sale of used motor vehicles; requiring the affixing of stickers to certain used motor vehicles; providing for the issuance of insurance policies to purchasers of used motor vehicles under certain circumstances; imposing additional duties upon the Department of Revenue; and providing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. DOLON. HOUSE BILL No. 951.

An Act to prohibit deductions from wage of employes for the payment of store bills, for goods, wares and merchandise; declaring, with certain exceptions, certain contracts, agreements and understandings against public policy, and void; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. HAINES. HOUSE BILL No. 952.

An Act to further amend section four, and to amend section seventeen of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by providing for refunds of taxes paid on liquid fuels consumed for purposes other than the operation of motor vehicles on the public highways of this Commonwealth; and providing penalties.

Referred to the Committee on Ways and Means.

By Mr. HIRSCH. HOUSE BILL No. 953.

An Act to further amend the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, scholos, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further defining beauty culture; making certain changes regarding the examination and registration of those desiring to engage in the occupation of beauty culture; modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators and demonstrators; prescribing certain qualifications for examiners, inspectors and supervisors; making certain changes in the powers and duties of the Department of Public Instruction and in the procedure to be followed in the enforcement of the act.

Referred to the Committee on Professional Licensure.

By Mr. FRENCH. HOUSE BILL No. 954.

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation on behalf of the Commonwealth of Pennsylvania, a tract of land near the present site of the Joseph T. Rothrock memorial for the purpose of erecting a new and suitable memorial to the memory of Joseph T. Rothrock thereon; providing for the selection of such a site and memorial by and with the consent of the Pennsylvania Historical Commission; providing for the control, management, supervision, improvement and preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. VAN ALLSBURG. HOUSE BILL No. 955.

An Act to amend section ninety-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," further regulating use of nets in boundary lakes.

Referred to the Committee on Fisheries.

By Mr. RUSSELL E. REESE. HOUSE BILL No. 956.

An Act prescribing special qualication for members of the Allopathic and Homeopathic profession who desire to hold themselves out as specialists in any particular branch of medicine or surgery, providing for the examination and licensing of such members, providing a board for special medical qualification and medical specialists licensure in the Department of Public Instruction, defining the practice of medicine and surgery, providing penalties, and repealing all acts or parts of acts inconsistent herewith.

Referred to the Committee on Public Health and Sanitation.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 957.

An Act to amend the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties," by defining "Average Salary" and further defining "County Employe" and "Retirement Allowance"; further regulating retirement funds and allowances and the payment of retirement allowances and refunds in case of withdrawal or death of members; validating certain contributions; providing for further admissions to the system and protecting rights heretofore vested.

Referred to the Committee on Counties.

By Messrs. BRETH and HAINES. HOUSE BILL No. 958.

An Act to add section eight hundred and eleven to the act, approved the third day of June, one thousand nine hundred and thiry seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," requiring hunters to wear bright red on hunting cap or coat; and prescribing a penalty.

Referred to the Committee on Game.

By Mr. VAN ALLSBURG. HOUSE BILL No. 959.

An Act to further amend section one of the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (P. L. 730), entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing, and compounding of carbonated beverages or still drinks, and the sale and dispensing thereof; creating a special fund in the State Treasury; and providing penalties," making specific the exclusion of natural tomato juice from the provisions of said act.

Referred to the Committee on Public Health and Sanitation.

By Messrs. BAKER and LICHTENWALTER. HOUSE BILL No. 960.

An Act to amend sections one and two and to further amend sections three and five of the act, approved the sixth day of April, one thousand nine hundred and eleven (P. L. 51), entitled "An act providing for the protection of the public health and the prevention of fraud and deception, by prohibiting the sale, the offering for sale, or exposing for sale, or having in possession with intent to sell, of adulterated or deleterious sausage; defining sausage; and prescribing the penalty for the violation thereof," making possession of adulterated sausage prima facie evidence of intent to sell; further defining and regulating the adulteration of sausage; and conferring powers on the Department of Agriculture.

Referred to the Committee on Public Health and Sanitation.

By Messrs. RAUCH and LICHTENWALTER.
HOUSE BILL No. 961.

An Act to amend subdivision (b) of article three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," imposing on counties the duty of paying certain expenses incurred by recorders and deputies in attending the annual meeting of such association, and requiring counties to make certain contributions toward the cost of such annual meetings.

Referred to the Committee on Counties.

By Mr. LICHTENWALTER. HOUSE BILL No. 962

An Act to further amend the definition of the term "tractor" in section one hundred and two, to further amend section two hundred and three and to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, boroughs, incorporated towns, and townships, within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds; by providing that altered or rebuilt motor vehicles used as tractors for exclusively agricultural purposes shall be included within the definition of "tractor," and prescribing the classification and registration fee of such altered or rebuilt vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. LICHTENWALTER. HOUSE BILL No. 963

An Act to further amend the definitin of the term "tractor" in section one hundred and two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highway of this Commonwealth; providing for the titling, including liens; encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, and miscellaneous receipts; making an appropriation and providing for refunds," by extending such definition to include rebuilt or altered motor vehicles used as tractors for exclusively agricultural purposes.

Referred to the Committee on Motor Vehicles.

By Mr. HIRSCH. HOUSE BILL No. 964.

An Act relating to the business of selling or leasing chattels on the installment or deferred payment plan; and prohibiting the joining in one agreement of sale or lease of chattels purchased or leased at different times.

Referred to the Committee on Judiciary General.

By Messrs. FISHER and BONEY. HOUSE BILL No. 965.

An Act to amend section seventeen of the act approved the eighth day of April, one thousand nine hundred and thirty-seven, (P. L. 262), entitled, "An act relating to consumer credit in amounts of one thousand dollars, ($1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties;" by exempting from the provisions of said act certain contracts and loans and advances of money in connection with sales of insurance.

Referred to the Committee on Banking.

By Mr. MORAN. (By Request) HOUSE BILL No. 966.

An Act relating to the practice of the occupation or business of opticians; and providing for the licensing and registration of opticians and for the revocation and suspension of such licenses and registrations subject to appeal, and for their reinstatement; defining the powers and duties of the State Board of Examiners of Opticians and the Department of Public Instruction; and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. HARKINS. HOUSE BILL No. 967.

An Act to add a new section to the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," prescribing a procedure whereby townships of the first class, having a population of eight thousand or more, may become cities of the third class upon petition to the court of quarter sessions; and providing for the incorporation of such townships as cities of the third class after the petition has been granted by the court.

Referred to the Committee on Township.

By Mr. HARKINS. HOUSE BILL No. 968.

An Act to amend section two hundred one of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto" by changing from ten thousand to eight thousand the population which certain political subdivisions must have before a referendum may be held on the question of becoming a city of the third class.

Referred to the Committee on Townships.

By Mr. HARKINS. HOUSE BILL No. 969.

An Act to add a new subdivision to article two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing a procedure for the creation of boroughs from townships of the first class having a population of eight thousand or more, by petition to the court of quarter sessions.

Referred to the Committee on Townships.

By Messrs. MIHM and POWERS. HOUSE BILL No. 970.

An Act to further amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149) as amended by the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), and to further amend section ten of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), as last amended by the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 634), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation", to provide for the making of separate reports on liquid fuels sold for aviation purposes, and to further provide for the establishment of an Aviation Liquid Fuels Tax Fund and the return of said taxes to counties of the second class.

Referred to the Committee on Ways and Means.

By Messrs. SHAFFER and GOODWIN.
HOUSE BILL No. 971.

An Act to further amend sections fifteen and fifteen and three-tenths, and to repeal sections fifteen and one-tenth and fifteen and two-tenths, of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended, by providing for the renewal, extension and continuation of liens for taxes and water, lighting, power and sewer rates, until such taxes and rates are fully paid and satisfied; and authorizing the filing and revival of liens heretofore lost, and in certain cases, reviving, validating, preserving and extending liens.

Referred to the Committee on Municipal Corporations.

By Mr. EDWIN A. LEE. HOUSE BILL No. 972.

An Act providing for the completion of the Eastern half of the new Eastern State Penitentiary at Graterford, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. SHAW and D'ORTONA.
HOUSE BILL No. 973.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the issuance of milk orders.

Referred to the Committee on Welfare.

By Mr. HARKINS. HOUSE BILL No. 974.

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

Referred to the Committee on State Government.

By Messrs. KEENAN and SARRAF.
HOUSE BILL No. 975.

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred and fifteen (P. L. 200), entitled "An act creating, in counties having over eight hundred thousand, and less than one million five hundred thousand, inhabitants, according to the last preceding United States census, a board to fix and determine the number and compensation of employes in all county offices, boards, bureaus, departments, and divisions thereof; prescribing the powers and duties of said board, and regulating appeals from the decision thereof," by providing for annual meetings of the salary board, in second class counties, at the call of the chairman of the board of county commissioners.

Referred to the Committee on Counties.

By Mr. TARR. HOUSE BILL No. 976.

An Act to amend clauses five six and seven of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a Public School System in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended changing the salaries and increments of certain teachers in districts of the second third and fourth classes.

Referred to the Committee on Education.

By Mr. MOUL. HOUSE BILL No. 977.

An Act proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Messrs. GERARD and YESTER.
HOUSE BILL No. 978.

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred thirteen, (P. L. 507), entitled, "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" exempting from said tax casualty insurance companies having no capital stock.

Referred to the Committee on Ways and Means.

By Messrs. GERARD and BOIES.
HOUSE BILL No. 979.

An Act to amend section one thousand seven hundred and one of article seventeen of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the recount of ballots in cases of suspected fraud or error, and governing the return of the moneys deposited in such cases.

Referred to the Committee on Elections.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. HOLLAND. RESOLUTION No. 59.

In the House of Representatives, March 24, 1941.

Whereas, Under the provisions of section ten of "The Liquid Fuels Tax Act" of May 21, 1931, (P. L. 149), as amended, one-half cent of the tax collected on each gallon of liquid fuels is paid over to the counties of the Commonwealth to be expended on roads, highways and bridges; and

Whereas, Some counties construct or maintain no roads, highways or bridges; therefore, be it

Resolved, That the Department of Revenue is hereby requested, before the first day of May, 1941, to submit to the House of Representatives a report showing in detail the purposes for which liquid fuels taxes paid to each county of the Commonwealth have been expended during the current fiscal biennium; and if such information is not available in sufficiently specific detail from reports made to the department as required by law, to obtain from any county such further information as may be required; and

Resolved, That a copy of this resolution be transmitted to the Secretary of Revenue immediately upon its adoption.

Referred to the Committee on Rules.

By Mr. HOLLAND. RESOLUTION No. 60.

In the House of Representatives, March 24, 1941.

Whereas, The Federal Government has made available to the states considerable sums of money for use in connection with flood control projects, of none of which this Commonwealth has availed itself, although the need for protection against floods is manifest in many sections; therefore be it

Resolved, That the Secretary of Forests and Waters is hereby requested to advise the House of Representatives of the reason for the neglect on the part of officials of this Commonwealth to secure for its benefit and protection all the funds that are available from the Federal Government for much needed flood control in Pennsylvania; and

Resolved, That the Chief Clerk certify a copy of this resolution and transmit the same to the Secretary of Forests and Waters.

Referred to the Committee on Rules.

By Mr. CORDIER. (Concurrent) RESOLUTION No. 61.

In the House of Representatives, March 24, 1941.

Whereas, A bill is pending in the Congress of the United States providing for the opening up of the St. Lawrence Waterway; and

Whereas, The opening of said waterway would seriously affect transportation on and over the railroads operating in that section of the Nation and particularly in Pennsylvania, of goods and materials now transported thereon; and

Whereas, Such curtailment of transportation on and over such railroads would deprive them of a large portion of their income and necessitate the dismissal of thousands of employes; and

Whereas, The coal operation and coal miners of Pennsylvania would suffer great losses by reason of the opening of such waterway, resulting in the dismissal of thousands of miners now gainfully employed; and

Whereas, The said injury to the railroads and the mining industry would be greatly reflected in the general business conditions of this Commonwealth; therefore be it

Resolved (if the Senate concur), That the General Assembly memorialize the members of the Congress of the United States from the Commonwealth of Pennsylvania to oppose the passage of this legislation to open up the St. Lawrence Waterway; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives, to each member of the Congress of the United States coming from Pennsylvania.

Referred to the Committee on Rules.

By Messrs. RUSSELL E. REESE and MORAN.
RESOLUTION No. 62.

In the House of Representatives, March 24, 1941.

Whereas, There have been many complaints made to members of this House relating to the length of time required by the Workmen's Compensation Board and referees of the Workmen's Compensation Board to file opinions in cases heard by them; and

Whereas, It is reported that such delays are in many instances due to the appointment of partial medical experts by the said referees and the Workmen's Compensation Board; and

Whereas, As a result thereof, the rights of injured employes are seriously affected since long delays are detrimental to claimants and beneficial to employers; therefore be it

Resolved, By the House of Representatives of the General Assembly that the Speaker of the House shall appoint a legislative committee, consisting of five members of the Workmen's Compensation Committee, whose duty it shall be to investigate the affairs of the Workmen's Compensation Board and referees thereunder with respect to the delay in deciding cases and in the appointment by them of medical experts to testify in such cases; and be it further

Resolved, That said committee report the result of its investigation to this House, as speedily as possible, with appropriate recommendations.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. TARR, from the Committee on Education, reported as committed, House Bill No. 236, entitled:

An Act protecting the rights of students in colleges, universities and other educational institutions to credits represented to be obtainable at the time of commencing work therefor; imposing penalties; and providing for equitable relief.

Mr. SAMUEL ROSE, from the Committee on Judiciary General, reported as committed, House Bill No. 665, entitled:

An Act prescribing presumptions of authority and rules of evidence, where payments are made on account of the prinicipal of mortgages in certain cases.

Mr. HOLLAND, from the Committee on Education, reported as committed, House Bill No. 165, entitled:

An Act to further amend subsection six and to repeal subsection seven of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class.

Mr. VOGT, from the Committee on Game, reported as committed, House Bill No. 919, entitled:

An Act to amend subsections two, five and six of section seven hundred and twenty-four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the killing of elk or bear destroying property.

Mr. WILKINSON, from the Committee on Education, reported as committed, House Bill No. 383, entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

Mr. WOLF, from the Committee on Education, reported as amended, House Bill No. 325, entitled:

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils, for educational trips and other school activities.

Mr. HOLLAND, from the Committee on Labor, reported as amended, House Bill No. 868, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Departmnet of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before the board.

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof and to make uniform the law with reference thereto.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 463.

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 463.

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands, the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 381.

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation, and making the rights and remedies herein provided for exclusive.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives, is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, second from last line, by striking out after the word "consolidation" the word "and"; also by inserting after the word "exclusive" in last line of title the following: "and providing for notice of said section to shareholders'.

Amend Section 1, page 5, by inserting after the word "exclusive" in line 28, the following new paragraph: "D A Copy of this Section 908 shall be enclosed with the written notice mentioned in clause B of Section 902 of this act and said written notice shall state that said Section 908 sets forth the exclusive rights and remedies of shareholders who object to the plan of merger or plan of consolidation."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205.

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boles,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Model!,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E.,
Cochran,	Herman,	Munley,	Thompson, R.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	I , T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,
Foor,	Malloy,	Rosenfeld,	Speaker.

NAYS—0:

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 381.

An Act to amend section nine hundred eight of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation making the rights and remedies herein provided for exclusive and providing for notice of said section to shareholders.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

NEWMANSTOWN HIGH SCHOOL WELCOMED

The SPEAKER. The Chair extends the welcome of the House to the Junior and Senior classes of the Newmanstown High school.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreably to order,

The House proceeded to the second reading and consideration of House Bill No. 597, entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties of the third, fourth, fifth and sixth classes to acquire by lease, purchase or condemnation, land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields; authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions; and authorizing appropriations for such purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

INTERROGATION

Mr. REAGAN. Mr. Speaker, I would like to interrogate the author of this bill.

The SPEAKER. This bill has been agreed to on second reading. However, if there is no objection the interrogation will be permitted. The Chair hears no objection.

Will the gentleman from Beaver, Mr. Nagle, permit himself to be interrogated?

Mr. NAGLE. I will, Mr. Speaker.

Mr. REAGAN. I would like to inquire why the remaining classes of counties were excluded from this amendment.

Mr. NAGLE. May I ask the gentleman, Mr. Speaker, what classes of counties he has reference to?

Mr. REAGAN. Mr. Speaker, I have reference to the seventh and eighth classes which are not included in this amendment.

Mr. NAGLE. Mr. Speaker, if the gentleman will read the title of the act "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes" I believe that this bill includes all classes of counties.

Mr. REAGAN. But, Mr. Speaker, if the gentleman will read on he will see "authorizing counties of the third, fourth, fifth, and sixth classes to acquire".

Mr. NAGLE. I might say, Mr. Speaker, in preparing this amendment there was no request of any counties at that time to have those counties after the sixth class included. However, I would see no objection to it.

Mr. REAGAN. I would ask if the gentleman is willing to lay it aside for amendment in case the counties of the seventh and eighth class desire to be included in this amendment?

Mr. NAGLE. Mr. Speaker, I will be glad to defer with this gentleman's request. However, I believe that it could be readily amended in the Senate. This is a bill, I think, that we will all find is not controversial; it is an enabling bill, and I am satisfied that if this bill is approached in the Senate the amendments could be added, so as to include the seventh and eighth class counties. That would not necessitate holding the bill on the calendar here in the House, and I will assure the gentleman that I will oppose no amendments of that kind in the Senate.

Mr. REAGAN. Mr. Speaker, would the gentleman assist in having it amended in the Senate?

Mr. NAGLE. Mr. Speaker, I renew my previous statement that I would be glad to confer and cooperate in the measure to any extent so that it does not destroy the intent and purpose of this bill.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 314, entitled:

An Act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. MARKS. Mr. Speaker, I move that this bill b placed upon the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order

The House proceeded to the second reading and consideration of House Bill No. 107, entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order

The House proceeded to the second reading and consideration of House Bill No. 251, entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth; and to provide for the administration thereof," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order

The House proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be recommitted to the Committee on Workmen's Compensation for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order

The House proceeded to the second reading and consideration of House Bill No. 50, entitled:

An Act to repeal section four hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

The first section was read.

On the question,

Will the House agree to the section?

Mr. O'CONNOR. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 7, by striking out the words "repealed absolutely" and inserting in lieu thereof the following: "amended to read as follows:

Section 408. The board of school directors shall exercise general supervision over the schools of their respective districts [and shall, except in districts having district superintendents or supervising principals, by one or more of their number visit every school in the district at least once a month, and shall cause the report of such visit to be entered on the minutes of the board.]"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. O'CONNOR. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend the title, line 1, of title by striking out the word "repeal" and inserting in lieu thereof the word "amend".

Amend the title, page 1, last line of title by inserting after the word "therewith" the following: "relieving school directors of the duty of visiting schools and of making reports thereof."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

ANNOUNCEMENT BY SPEAKER

The Speaker. Each member of the House has been given a car sticker by the Chief Clerk. These stickers were supplied by the Department of Property and Supplies as a permit for parking on the plaza in front of the Capitol Building.

Members must have these stickers displayed on their car window—the policemen will not recognize your badge for parking purposes.

There were only a sufficient number of these parking stickers printed to take care of the Mambers of the House and the Senate and each one given out was assigned to the particular Member who received it.

The Department of Property and Supplies has co-operated in every way for the convenience of the members. It is therefore only reasonable that the Members themselves do their part by displaying the parking sticker otherwise there can be no complaint if you are not permitted to park your car—let me repeat badges will not be recognized for parking on the plaza.

Any Member who has not received his parking sticker please see the Chief Clerk. Cars not displaying stickers will be towed away.

PARLIAMENTARY INQUIRY

Mr. FLEMING. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. FLEMING. Mr. Speaker, I do not seem to have a copy of House Bill 367 in my House folder.

The SPEAKER. Do the members have copies of House Bill 367, Printer's No. 117 in their files?

Mr. LEVY. Mr. Speaker, I rise to call the attention of the Chair to the fact that according to my House Calendar there is no bill after Printer's No. 110. I notice on today's calendar we have quite a few numbers above that, therefore, Mr. Speaker, I call that to your attention.

BILL PASSED OVER

The SPEAKER. For the information of the House, the Chief Clerk advises that due to the public hearing that was held in the hall of the House this morning it was not possible for the Sergeant-at-Arms to file the bills on the Members' desks. We hope they will be filed before we adjourn. House Bill 367 is therefore passed over.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 656, as follows:

An Act to amend the third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" permitting the city treasurer to collect delinquent taxes under the act approved the thirtieth day of March one thousand nine hundred and three (P. L. 106).

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of article seven of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended to read as follows

Article VII

Department of City Treasurer

* * *

The city treasurer shall receive the proceeds of all public loans and shall demand and receive from the proper officers all moneys payable to the city from whatever source and pay all warrants duly issued and countersigned the receipt and collection of funds derived from assessments taxes water rents licenses permits and rents from markets landings wharves and other public property excepting delinquent taxes and water rents shall be attached and subordinate to this department and subject to its supervision control and direction Provided however That nothing herein contained shall prohibit the city treasurer from enforcing collection of delinquent taxes in accordance with the provisions of the act approved the thirtieth day of March one thousand nine hundred and three (Pamphlet Laws 106) entitled "An act authorizing and empowering the city treasurer of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid"

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,
Foor,	Malloy,	Rosenfeld,	Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 583, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such price as may be agreed upon two certain adjoining plots of land together with the improvements thereon erected situate in Clearfield County Plot number one containing 1 103 acres located in Lawrence Township adjacent to Clearfield Borough facing River Street and Old Mill Road and plot

number two containing .7427 acres located in Lawrence Township adjacent to Clearfield Borough and adjoining rear property line of plot number one facing Old Mill Road title to which plots of ground is in the Commonwealth and to make and execute a deed in the name of the Commonwealth to the purchaser thereof The moneys received as the purchase price of said plots of ground shall be paid into the General Fund of the State Treasury

Section 2 This act shall become effective immediately upon final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, on February 10, Senator Letzler introduced Senate Bill No. 163 which was identical to this bill in every particular, down to the last letter. On February 25th this bill was introduced. The Senate bill passed finally in the Senate on February 17th. The day following, on February 18th, this bill was reported out of committee, on the same day that the Senate bill, identical in every particular, was referred to a committee of the House. I merely call this to the attention of the Members of the House as another very definite and clear example of bill stealing and petty politics. I have no objection to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Voet,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. BRETH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BRETH. Mr. Speaker, a few minutes ago when this bill was discussed, reference was made to bill stealing. I would like to make a few remarks to the members of the House.

The SPEAKER. Will the gentleman yield? Will the gentleman state his question of personal privilege?

Mr. BRETH. I wish to comment on the remarks made a moment ago.

The SPEAKER. The gentleman will proceed.

Mr. BRETH. The fact is, Mr. Speaker, I listened to the other side and the minority leader spoke of certain political activity in the House regarding the passage of certain bills. I heard the majority leader answer. At that time I had a sneaking feeling that perhaps the bill that was just passed had something to do with it and I wish to inform the members of this House as to the background of this particular bill.

The bill is very innocent; it is non-partisan; it merely covers the sale of an old garage at Clearfield to the school board of Clearfield for a vocational training school for high school students. To get such a school requires a bill of the legislature. I have been interested in that borough project for some time. Bing a resident, and a life long resident of the city of Clearfield. I was approached last fall and asked if I would introduce such a bill.

For swiftness of action and so that the bill would not be eliminated at this session, either in the Senate or in the House, different members of the school board and other interested citizens contacted me. I said, "I will do all I can because the bill is very close to me, and I would like to see it go through."

In the meantime a Senator from our district, who is not a resident of the borough was probably contacted by the school board in its great desire to have this particular bill put through. Then a rookie, perhaps a very uniformed rookie, perhaps you might say an ignorant rookie, ignorant of the legislative procedure in getting a bill through, I introduced a bill identical with the Senate bill. At the time my bill was introduced the Senate bill was in committee. My bill was reported favorably out of committee. In the meantime I might blame myself for not following the Senate bill but after all, when I take a thing under my wing, it is mine and I will do my best to put it through. My bill was reported out of committee. The Senate bill was sent to the House.

Now, I have been down here long enough to know that a lot of things can happen to a bill that is good and that has no political significance whatever, and they sometimes do happen, so I asked this side of the House to put

the bill through and sent it over to the Senate to avoid the death which sometimes comes to good bills. There was nothing political concerning the bill; there is no particular argument except that I was approached and asked to have my bill reported out of committee I can see no occasion for the attack that was made by the gentleman on the other side I can assure the rest of the Members that I am practically non-political except when it comes down to great party principles. Now, have a good laugh on that one. So that I resent the personal attack made upon me for having sponsored this bill, I request this side of the House to put it through. I am willing to stand upon any question that might arise in the future. I thank you.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. WOODSIDE. Mr. Speaker, before addressing the House I would like to interrogate the gentleman from Clearfield, Mr. Breth.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BRETH. Mr. Speaker, I will.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the gentleman from Clearfield what now happens to his bill.

Mr. BRETH. Mr. Speaker, I am going back to my former remarks and say I don't know. I am just a rookie, and I don't know the procedure. I understand it goes to the Senate.

Mr. WOODSIDE. And does the gentleman know, Mr. Speaker, what else happens in the Senate before it becomes law?

Mr. BRETH. Mr. Speaker, it will have to be referred to Committee.

Mr. WOODSIDE. And what else, Mr. Speaker?

Mr. BRETH. Beyond that I can't say, Mr. Speaker.

Mr. WOODSIDE. Does the gentleman not know, Mr. Speaker, that in order to become a law it has to be read three times and finally passed?

Mr. BRETH. Mr. Speaker, I thought the gentleman was referring to what would happen to it in committee.

Mr. WOODSIDE. Mr. Speaker. I wonder what the gentleman thinks happened to the Senate bill in committee, and what the Committee will do with it.

Mr. BRETH. Mr. Speaker, May I interrogate Mr. Woodside?

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. Certainly, Mr. Speaker.

Mr. BRETH. Mr. Speaker, I understand the gentleman is from Harrisburg.

Mr. WOODSIDE. I am not, Mr. Speaker.

Mr. BRETH. Then, Mr. Speaker, where is the gentleman from?

Mr. WOODSIDE. Mr. Speaker, I am from the garden spot of Eden, a town by the name of Millersburg.

Mr. BRETH. Mr. Speaker, I am afraid the gentleman is way behind the times. Millersburg? I suppose there is a school down there.

Mr. WOODSIDE. That is right, Mr. Speaker.

Mr. BRETH. And supposing, Mr. Speaker, that school board wanted to locate a school in the gentleman's district, his residence, would he like to have another Senator from some other part of Dauphin County introduce a bill over his name so that his constituents could jump on him and say, "Why didn't you put that bill through?"

Mr. WOODSIDE. Mr. Speaker, if I were interested in getting anything for the people of Millersburg that I felt they were entitled to, I would do everything in my power to get it for them regardless of who is to get the credit for getting it. I have demonstrated that in my legislative career in more than one instance. I say to the gentleman if he is interested in securing for his community that for which he stands, and that is the only thing he is interested in, when this bill came out of committee, if he didn't know that the Senate had passed the bill, which he should have known, he would have moved to refer this bill back to the committee, he would have gone to the Chairman of the committee and said, "Mr. Chairman, there is a bill already through the Senate. Do not let us take a chance of getting this bill jammed through the House. There is already a bill in the Senate and a bill in the House. I don't want to put the Commonwealth to any more expense in printing this bill. I don't want to take any chance in getting this bill passed by the House, and have it lost by having it pickled in the Senate. I want to get this bill through for my community".

I would have endeavored to get the bill through the House. If the gentleman wants political credit, or wants to play politics, that's what he is doing, that's what he is talking about, that's what I have been talking about. It isn't interest in legislation, it isn't the interest of his community; it is the interest of getting political credit. That's what he is interested in. That is all he is interested in.

PERMISSION TO ADDRESS THE HOUSE

Mr. BRETH asked and obtained unanimous consent to address the House.

I think the gentleman on the other side, Mr. Speaker, was speaking more for the record than for my benefit, because I don't know much about this political game. It seems to me it is a very fine gesture of politics on a very high plane or something like that, which causes the gentleman on the other side to gesticulate and get wrought up over something that I think is pretty simple.

By passing this bill through the House and passing it through the Senate I think it increases the chances of getting something out of it. Now, that is done in all lines of business. It is done by anyone that can do it. I believe in my heart by passing this bill through the House and having it previously passed through the Senate increases the opportunity of having something come out of it to make the bill complete for the Senate and Governor to put it through.

I won't bother to take the time on the floor of this House to go into certain details which are purely local politics, but I could and on provacation I might—that is no threat, it is merely a statement because I understand this bill has passed the House. I understand it is passed by the Senate. It is perfectly O.K. and I thank you for it. I think the borough of Clearfield and the school board should be satisfied and that is all I care about.

PERMISSION TO ADDRESS THE HOUSE

Mr. ACHTERMAN asked and received unanimous consent to address the House.

Mr. Speaker, it is my desire to add a few comments to the record in reply to the gentleman from Dauphin, Mr. Woodside. Last evening I made mention of the fact that

in 1939 we had the grand example of stealing of legislation and of bills, and if there are any sinners certainly we found them and saw them in 1939.

I didn't assume for one minute that the disease had been transferred to the Senate, but apparently the Senate and certain Members thereof have been rushing around their respective districts seeking opportunities of introducing legislation beneficial to territories which, while they represent them, do not represent their home land. In other words, we have here an example of an individual Senator quite anxious to ingratiate himself in a certain territory, apparently lacking the courtesy and the decency of approaching the representative from the same town and notifying him of his intention to introduce legislation without suggesting that the Members of the House introduce it himself and offering his support in the Senate. Instead here you have a Senator attempting to grab off such honor as he might get from this particular legislation. What do you think of an individual who steps to the front and tries to justify such activities? I am saying to you members of the House, and to you Mr. Speaker, that is an example of the type of action that the Republican Party has indulged in in the past and is continuing to indulge in. I am saying that Mr. Breth was certainly justified and warranted in introducing legislation taking care of his home town, and I am saying for the gentleman from Dauphin, Mr. Woodside, that he knows, as I know, that if it becomes necessary and essential to protect this particular bill that is now in our committee, that came from the Senate, we will be in a position to pass it.

Incidentally, I think it is an excellent opportunity to find out whether the Senator who introduced this measure is sincerely and honestly interested in the particular measure. If he is, then he will certainly pass the bill that we sent to him. If he is interested in his own power and his own glory, then he will let the bill drop in the Senate and endeavor to see whether we will pass his measure. But I am saying to you Mr. Speaker and members of this House, it is conduct such as is displayed by this Senator that I term reprehensible. I am saying that he owes a courtesy and a duty to a Member of this House to notify him of his intention in introducing legislation.

Mr. WOODSIDE. Mr. Speaker, I do not want to unduly prolong this discussion, but I do want to make a few comments on what the gentleman has just said and I ask unanimous consent to address the House.

The SPEAKER. The Chair hears no objection. The gentleman will proceed.

Mr. WOODSIDE. Mr. Speaker, the majority floor leader has made two references to the session of 1937. If he has any examples of where Republicans stole any bill or any sponsorships during the session of 1937, I am sure they have never been brought to my attention or brought up on the floor of the House during the entire session, that any suggestion has been made that bills were stolen.

There may have been some instances of bills that were brought out where that was done, because those things do happen, where people get the same ideas, not even knowing what other people are doing, but they are very rare, and I am certain if they happened in the session of 1937 it was not called to my attention.

In the second place, when you talk about stealing bills or going out of our districts, here in the city of Harrisburg, in an appropriation for the city of Harrisburg, a Democratic member from another county came in and introduced the bill.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and received unanimous consent to address the House.

Mr. Speaker, I had not intended when the gentleman from Monroe last night made his statement about the session of 1939, to answer, because it seemed to me so ridiculous and so far away from the truth that it didn't warrant an answer. However, with the reiteration today of the same statement on the floor of the House it seems to me I am called upon to say that during the session of 1939 the policy of the majority party, the Republican party, was that all bills should be considered in Committee upon their merit, and not upon the question as to whether the Member introducing them was a Member of the Democratic or Republican party. I, therefore, say that any statement to the contrary is absolutely untrue. There is plenty of corraboration for what I say, and those were the specific directions on my part to every Chairman of every Committee of this House during the session of 1939.

PERMISSION TO ADDRESS THE HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish to add to the remarks of the gentleman from Delaware, Mr. Turner, for the benefit of those who were not Members in 1939, some of the other Republican activities.

I have not forgotten the occasion when he dismissed the House for a period of two weeks in order to get rid of the Democrats and make arrangements to write their own bills. I haven't forgotten that extraordinary recess of this House to permit the gentleman from Delaware, then Speaker and the then majority leader, the gentleman from Dauphin, Mr. Woodside, to gather together the Republican Members to see that they got all the bills they possibly could, to see that they got organized and to see that the Democrats were out of the way so as not to interfere in your steam rolling process. Those were the activities, and that is the manner in which you moved them. Have you ever seen anything to compare to that? Then you complain, complain because you are given an opportunity to sit in this House, given an opportunity to pass legislation and to be heard. We haven't endeavored to steam roller you and hold you back while we proceed with the work. We have given you the same opportunity every other Member of the House has had, and I am saying that if complaint should arise it should come from this side and not from the other side.

PERMISSION TO ADDRESS THE HOUSE

Mr. HARKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, as one Democrat who got two bills out of committee last year, the Session of 1939, I want to thank the Republican leadership for the courtesy they extended to me then. I had great success with those two bills. One died over in the Senate and the other the Governor vetoed. So the result was that as far as any legislation was concerned in which my district was interested, it had no legislation passed, because according to my recollection I didn't get any of those bill through. As I recollect my colleague did not get any bills out. I may be wrong in

that because I haven't checked lately. However, I think if we would take out the past histories and read down the names, as we scan the pages, if we look at the 1939 histories, we will find that the bills that stayed in committee, invariably the sponsors of those bills were Democrats. I rather think we are wasting a lot of time crying about these bills, and the way we are doing it. I rather think we are getting sort of baby-like. The committee of which I happen to be Chairman considered a bill today by a Republican. We considered the same sort of bill in 1937, and at that time we were not able to reach an agreement on the principles involved. Since that time the subcommittee acting on this particular bill today reported favorably, and we reported the bill out.

I don't see that the other side of the House has so much to complain about. When you have good legislation introduced, I think you are going to get it out, and I think if we spend our time working instead of complaining about the fellows on this side we will accomplish much more good.

PERMISSION TO ADDRESS THE HOUSE

Mr. DIX asked and obtained unanimous consent to address the House.

Mr. Speaker, it is my intention to speak somewhat on going from one person's county to another, sponsoring bills that should have been sponsored in that particular county, but before I do that I would like to make some comment on what the floor leader had to say in reference to the Republican recess of two years ago.

I remember very well that I was a Member on the committees during that recess and I want to say this, that more Republicans were sent home during that recess than Democrats, as I recall it. Furthermore, in my observation of this session of the House, I think it would be an excellent thing if the floor leader, Mr. Leo Achterman, would send the Democrats and the Republicans home and have a Democratic recess for two weeks so that we would get some legislation under way.

In regard to going into any person's territory, in order to get the records straight, I would like to say that Messrs. Munley and O'Neill went over into my county and sponsored House Bill No. 389, "Authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Farview State Hospital to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor."

I never knew that this bill was to be sponsored until after it was in Committee. Now, if there is any charge as to stealing people's bills, I think the same charge can come from the Republican side of the House. Furthermore, the price that was set on land values by Messrs. O'Neill and Munley show that they know nothing about values of land in Wayne County, and didn't know where the land was. Just to get the record straight, Mr. Speaker, I make these remarks.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 692, as follows:

An Act to amend clauses (k) and (l) and to add clause (n) to section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the leasing of Indiantown Gap Military Reservation to the United States.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (k) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby amended to read as follows clause (1) of said section as added by the act approved the sixteenth day of May one thousand nine hundred and forty (Act No 7) is hereby amended to read as follows and said section is hereby further amended by adding at the end thereof a new clause to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * *

[(k)] (1) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

[(1)] (m) To supervise the work of employes of the Pennsylvania Liquor Control Board who are employed by the board for the cleaning care preservation and protection of the Northwest Office Building and the furnishings records and other matters therein and for the operation of the mechanical plants in such building

(n) To lease the whole or any part of the Indiantown Gap Military Reservation to the Government of the United States or any branch or agency thereof upon such terms and conditions and for such periods of time as the Adjutant General may prescribe with the approval of the Governor in writing

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, I understand that House Bill 692, sponsored by Mr. Welsh and Mr. O'Neill, and the bill following it are both bills which the Department of the Adjutant General have prepared and desire to have passed, and I ask all the Members of the House to vote for them.

Mr. WELSH. Mr. Speaker, I wish to thank the gentleman on the other side for his kindly consideration of these bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. R.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, as one who has sat in the Chair on the rostrum and presided over the proceedings of this House, I feel that the Members, the employes and the visitors are being extremely unfair to the Speaker. I am confident that our Speaker is making every effort to conduct the proceedings of this House in an orderly fashion and to maintain the high standards that have been set in the past. Therefore, it seems to me that the members of this House ought to have a sense of responsibility obligation to the Speaker and some feeling for him. It is not easy to preside over this House with its large membership, where necessarily there is a certain amount of confusion, but certainly there is no good reason for the business of this House to be disturbed by the constant passage of visitors to and fro past the desks of the Members, and constant conversation on the sidelines with members. We as Members ought to do everything we can do to help the man in the Chair. As I said before, his is a difficult job to perform, and I know, and sincerely believe that he is doing the best he can to give this House the finest kind of administration. So let us do our best to prevent visitors from coming along and sitting beside us. In deference to him, you ought to ask the visitor to retire. When visitors come to the rail and want to talk to you in the rear of the House, there is a conference room provided for that purpose. Take your friends there. It is your duty to cooperate in this matter and help the Speaker, just as much as it is the Speaker's job to try to help the Members of the House.

The SPEAKER. The Chair thanks the former Speaker for his very timely remarks.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 401, as follows:

An Act to further amend section five hundred eleven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" appropriating to the Department of Military Affairs the proceeds of the sale of certain products to be expended for the Indiantown Gap Military Reservation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred eleven of the act ap-

proved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by section one of the act approved the twenty-first day of June one thousand nine hundred and thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 511 Sale and Transfer of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats live stock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or commissions or their by-products respectively Transfers may be made of such products by and between State institutions under the control and management of such departments boards or commissions

As used in this section "surplus" shall mean products meats live stock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commissions involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any department administrative board or commission without the approval of the department with which such board or commission is connected.

The proceeds of the sale of any products of the soil meats live stock timber or other materials sold by any department board or commission under the provisions of this section shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund and except that any such proceeds of sale paid into the State Treasury through the Department of Revenue by the Department of Military Affairs shall be credited to the Department of Military Affairs and may be expended by the Department of Military Affairs for the maintenance and improvement of the Indiantown Gap Military Reservation or buildings thereon or for the benefit and comfort of troops thereat or for the acquiring of additional land or trespass rights or the erection of buildings thereat and for such purposes are hereby appropriated Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats live stock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which record shall at all times be subject to audit by the Department of the Auditor General.

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made under this section

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Haberlen,	McLanahan,	Simons,
Breth,	Habbyshaw,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Moorey,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 553, as follows:

An Act to amend section twenty-two of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by providing for forfeiture of

the right to take property under the will of a murdered testator

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts That section Twenty-two of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" is hereby amended to read as follows

Section 22 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to take any part of the real or personal estate of the person killed as devisee or legatee or otherwise under the will of such person

(B) Upon petition of any interested party averring that such a person who seeks or through whom it is sought to take any property under the will of a testator was a principal or accessory in the murder of the testator either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any person to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

NAYS—205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Flaherty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 554, as follows:

An Act to amend section twenty-three of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled, "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" by providing for forfeiture of the right to inherit or take property of a murdered intestate under the said act.

Section 1 The General Assembly of the Commonwealth of Pennsylvania hereby enacts that section twenty-three of the Act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 429) entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the Orphans' Court in connection therewith and the fees therefor" is hereby amended to read as follows

Section 23 (A) No person who shall be finally adjudged guilty either as principal or accessory of murder of the first or second degree shall be entitled to inherit or take any part of the real or personal estate of the person killed as surviving spouse heir or next of kin to such person under the provisions of this act

(B) Upon petition of any interested party averring that a person who seeks or through whom it is sought to inherit or to take any property of an intestate under the provisions of this act was a principal or accessory in the murder of the intestate either in the first or second degree the Orphans' Court if it determines according to law that it is impossible or impracticable for any reason to try in a competent court of this Commonwealth and finally acquit or convict such person of the murder shall further determine whether or not such person was guilty beyond a reasonable doubt as averred in the petition and its final adjudication of guilt shall have the effect hereinbefore set forth but shall not be deemed an adjudication of guilt for any other purpose Any interested party may appeal to the Supreme Court from the decision on this question

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,

Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
D'Genova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FILE

The SPEAKER. The Chair is informed that all bills following Printer's No. 110 are now on file on the desks of the Members.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 136, as follows:

To further amend section four and to amend section nine of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" by extending the provisions thereof to certain additional cases and allowing courts to issue restraining orders in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1198) entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 302) is hereby further amended to read as follows

Section 4 No court of this Commonwealth shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case included within this act except in strict conformity with the provisons of this act nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act Exclusive jurisdiction and power to hear and determine all actions and suits coming under the provisions of this act shall be vested in the courts of common pleas of the several counties of this Commonwealth: Provided however That this act shall not apply in any case

(a) Involving a labor dispute as defined herein which is in disregard breach or violation of or which tends to procure the disregard breach or violation of a valid subsisting labor agreement arrived at between an employer and the representatives designated or selected by the employes for the purpose of collective bargaining as defined and provided for in this act approved the first day of June one thousand nine hundred and thirty-seven (P. L. 1168) entitled "An act to protect the rights of employes to organize and bargain collectively creating the Pensylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" and amendments thereto or as defined and provided for in the National Labor Relations Act approved the fifth day of July one thousand nine hundred and thirty-five Provided however That the complaining person has not during the term of the said agreement committed an act as defined in both of the aforesaid acts as an unfair labor practice or violated any of the terms of said agreement

(b) Where a majority of the employes have not joined a labor organization or where two or more labor organizations are competing for membership of the employes and any labor organization or any of its officers agents rep-

resentatives employes or members engages in a course of conduct intended or calculated to coerce an employer to compel or require his employes to prefer or become members of or otherwise join any labor organization

(c) Where any person association employe labor organization or any employe agent representative or officer of a labor organization engages in a course of conduct intended or calculated to coerce an employer to commit a violation of the Pennsylvania Labor Relations Act of 1937 or the National Labor Relations Act of 1935

(d) Where in the course of a labor dispute as herein defined an employe or employes acting in concert or a labor organization or the members officers agents or representatives of a labor organization or anyone acting for such organization seize hold damage or destroy the plant equipment machinery or other property of the employer with the intention of compelling the employer to accede to any demands conditions or terms of employment or for collective bargaining]

Section 2 Section nine of said act is hereby amended by adding thereto immediately after clause (f) a new clause to read as follows

Section 9 No court of this Commonwealth shall issue any restraining order or a temporary or permanent injunction in any case involving or growing out of a labor dispute except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath and testimony in opposition thereto if offered and except after findings of fact by the court to the effect—

* * * *

(g) That an employe or employes acting in concert or a labor organization or the members officers agents or representatives of a labor organization or persons acting for such organization have seized held or threaten to seize hold damage or destroy the plant equipment machinery or other property of the employer or engaging in a "sit-down strike" in order to compel such employer to accede to any demands conditions or terms of employment or for collective bargaining

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally

Mr. JAMES. Mr. Speaker, the history of the legislation which this bill would effect is such that it becomes immediately obvious that the present bill under consideration is designed to throw something in the way of a sop to labor, and by the same token I believe that anybody who stands here and opposes this bill may be made a martyr of Labor's displeasure. However, I sincerely believe that in proposing this legislation, those who have put it before this body have done labor a distinct disservice. I believe in many cases those men who feel that they are going to stand behind this measure recognize that fact. I feel that has been very evident in this House because of the length of time it has taken the Democratic party to call this bill up when it was on the calendar for second reading.

Last night when this bill passed second reading and was amended, it was clearly recognized then by the Democratic majority that they had made a collosal error in taking out all the legislation that the session of 1939 enacted with reference to the so-called anti-injunction law. A pathetic effort was made to soften down this measure by fooling around fiddling with the colorful and spectacular provision that the bill contained, namely the provision that had to do with "sit-down" strikes.

It was said here last night in debate that labor did not want the "sit-down" strike. I am quite willing to believe that when we consider the man who works with his hands, when we consider the man who has a job to take care of and a family to support with that job, but I am entirely unwilling still to believe that that is true of that white collar section of labor that lives not by labor but on labor.

I am particularly concerned with the amendment as it was adopted last night concerning the "sit-down" strike situation. I am concerned with other provisions of this bill which are equally iniquitous.

In the first place, I am willing to admit that in 1937 legislation such as was enacted was probably past due labor. Even so it has not beclouded dissertations on the subject to the effect that in the past labor has had a very great case before the public. It was entirely just and entirely proper in my opinion that that should be taken into consideration and remedial legislation enacted, and be it said to the credit of the Democratic party at that time, they undertook to provide a remedy for those long existing evils. But, gentlemen, that remedy was not sufficient. It was soon discovered it was not sufficient. As a matter of fact the records show that immediately upon the enactment of that 1937 legislation there was a strike jump in Pennsylvania of such colossal proportions that there is no record of its equal and probably never will be. In that year there were 344 strikes involving 196,436 persons. I do believe sincerely we can attribute that tremendous record of strikes as almost entirely due to the fact that the 1937 legislation made no provision whatever for common justice and common equality, and did not take into consideration the other side of the economic picture in the state which, of course, is industry. In 1939 proper recognition was made by the then Republican majority in this House of the need for further remedial legislation, and to our way of thinking it has been proven and born out by the fact that the 1937 legislation was amended so as not to destroy anything whatever that labor had gained, but to include also the rights of industry and the rights of capital.

That word "rights" is kicked around an awful lot by labor. Then why should there be such an outcry in recognizing too that there are rights to be observed on the other side of this economic picture?

To give an instance of what 1939 legislation may have furnished the people of Pennsylvania in the way of labor peace, there were only 176 strikes in this state, involving only 28,202 people, and in 1940 there were only 199 strikes involving only 56,435 people. I submit that as a record that does contribute something to the value of legislation which was adopted by the session of 1939, and which it is sought here now to repeal.

I have thought a little about the "sit-down" strike situation which has been, as was said last night, one half improved in the legislation that is now before us for final passage. But that leaves out of the law of Pennsylvania, if this bill is passed, some things which always are and always will be of equal importance to any thing like the sit-down strike situation. It would leave out the provision to prohibit acts which would cause a breach or violation of a valid contract, entered into in accordance with the terms of the National or State Labor Relations act. It would also leave out this vitally important thing today, where a majority of the employes have not joined a labor organization, or where two or more labor organizations are competing for membership of employes, and a course

of conduct is engaged in which is intended or calculated to coerce the employer, or to compel the workers or employes to become members of any particular labor organization.

Gentlemen of the House, on Saturday night, the 15th day of this month, the President of the United States, from Washington, brought to this entire nation and to every part of the world, a message which was unique, and which has been, I think, well understood by all of us. In that message, and in rather a flash of genius, the President came nearer, in my opinion, to securing a unity of thought and a unity of purpose throughout this land, and he made clear, as he has never done before, just where he is leading this country. He took occasion at that time, it will be remembered, to say in a very firm but somewhat guarded way, that he would expect certain things of industry, but he was no less firm and somewhat less guarded when he said what he will expect of labor.

Gentlemen, I submit we are now in a position in this country where there is nothing we can do but follow the leadership of the President of the United States, and along with that submission and following of that leadership I believe the Legislature of Pennsylvania should not withdraw from it's laws those measures which will tend to prevent and discourage what he termed unnecessary strikes.

Mr. LEONARD. Mr. Speaker, I desire to say just a few words that I left out in my remarks last night. First, I want to emphasize that the American labor movement is going to follow President Roosevelt in his program to protect this country and to protect the conditions we are enjoying today.

I want to emphasize further on the injunction question one point, and that is this; injunctions were issued against labor for one particular purpose, which of course was under cover, and that was to break down the morale of that striker, and scare him into going back to work at the bid of the management, who forced him out on strike, due to the amount of wages and the rotten working conditions under which this workman had to work. He had no hearing, no opportunity for a hearing, he knew if he opened his mouth it was jail for him under the injunction. That is the main reason why labor has always fought for a hearing the same as everybody else wants. We want to know whether or not in accordance with the principles of our government a man can be sent to jail although innocent. It is not the labor movement that is alone at fault. We have employers who are so hungry for profits that they have no respect for the livelihood of the workers. That today, gentlemen is responsible for most of the strikes that are in progress at this moment.

Mr. LEVY. Mr. Speaker, I did not want to arise in defense of this bill and I do it at this time in answer to a statement by the gentleman from Delaware referring to the men who he said lived on labor.

I say in answer to the gentleman from Delaware that the Commonwealth of Pennsylvania, in fact the entire nation, under the courageous and conscientious leadership of our great President of the United States has been made this a much happier place in which to live, because the men who have led labor in the past twenty-five or thirty years in this country are men of outstanding ability, honesty and integrity.

I would question the gentleman from Delaware when he talks of men who have lived on labor, whether he means Tom Kennedy, the former Lieutenant Governor of Pennsylvania, whether he means Phillip Murray, at present the head of one of the outstanding labor unions in America, or whether he means our own James McDevitt, the head of the American Federation of Labor in the state of Pennsylvania?

I would say to the gentleman from Delaware that he makes a grave error in believing that legislation of this type, which it is not denied is sponsored and agreed to by the foremost labor leaders in the labor movement in America to-day, and it is not denied that these men are not, as he calls it, living on labor but are men who are fighting for labor along with our great President.

Mr. WILLIAMS. Mr. Speaker, I resent the expression of the gentleman from Delaware, Mr. James, that in this piece of legislation we are throwing a sop to labor. We are only doing what we feel is due and just to labor in this particular case. All we are asking for is a hearing before the granting of an injunction in a case of labor dispute. That is all this repealer and the amendment last night amounts to in this particular bill.

I want to comment further on his remarks in which he spoke of men living on labor. I have been in the labor movement since 1919. I have never been on the payroll of labor, but I have always worked for mine. I sincerely believe in labor because I think I have received much benefit from labor. We have gotten away from the sweat shops; we have much improved working conditions, and our labor standards have been increased, and these better conditions have been due entirely to the efforts of such men as Green, McDevitt, John Phillips and Phillip Murray. I submit that these men are not living on labor but they are working for labor and are making every effort that they possibly can to better the conditions of labor, whether it be in Pennsylvania or anywhere else in the United States of America.

The gentleman mentioned how many strikes occurred in the year 1937. I will grant the gentleman from Delaware that there were many strikes in 1937, but I ask him can he point his finger to labor and say that labor was the cause of those strikes? Those strikes were caused because industry in Pennsylvania and industry in the United States of America refused to recognize the National Labor Relations Act and also our State Labor Relations Act. They were the ones who contributed to that great percentage of strikes that were in that time in existence.

The gentleman referred to the amendments that were offered in the 1939 Legislature. Yes, we had an election in 1938 and of course, the Republicans came into this House with a majority, and just as soon as they took over the work of the majority party, they were not here to do what was right, but they were here to get revenge because they thought the greater part of the men who work in the mines and the steel mills had not voted for them. I further say, Mr. Speaker, due entirely to their actions they were again ripped out of office last year upon the re-election of the President of the United States, our great leader Franklin D. Roosevelt, and when we gave to this House a Democratic majority I say they were the greatest contributors to our success. We have always said that Governor James was the best campaign manager we ever had.

I might say in 1937 there was passed through the House and Senate a labor anti-injunction bill. In 1939 we came into the Legislature and we had an anti-labor injunction bill. Now we are trying to put it back to the place where

it will be a labor anti-injunction bill. This type of legislation was much needed in our Commonwealth, as the State Police and the courts were the two greatest obstacles to freedom of speech and assemblage in our Commonwealth. They were used to stifle organizations, they were used to retard the labor movement in the state of Pennsylvania. The dreams of the working people were realized in 1937, but they were short lived, because of the fact that in 1939 they had a great portion of this particular bill taken away from them. There is no doubt in the campaign of 1938 when they spoke of the threatened bonfire, that the labor anti-injunction which turned out to be the anti-labor injunction bill was the greatest flare of all, it made the greatest blaze and it threw the greatest heat. Of course, they have felt the result of that paricular piece of legislation.

I might say in the remarks of the gentleman from Delaware, Mr. James, he mentioned coercion. I might call his attention to subsection (b) of section four where in that particular bill, simple as it looks, all an employer had to do was to leave it to the courts, and an injunction was granted immediately without a hearing. All he had to do was to form a dual organization in his particular plant. That meant if Mr. Phillips or Mr. McDevitt went down to a steel plant to organize the workers, all that an employer had to do was to get his stool pigeons together and form a dual organization. He would then run to the courts and present a petition for an injunction saying they were interfering with the production of his plant. The net result would be, injunction granted, no hearing. That is what we are trying to do here today. We are asking that labor be given a hearing in this particular case. In subsection (c) it mentions coercion. It is question as to who interprets that particular word as to what coercion might be. According to the interpretation of the gentlemen on the other side, I might say some of them believe all that coercion meant was pointing a finger at somebody while standing on a picket line at a struck plant. It might be the asking of a question of a person as to whether or not they would join a labor organization, whether or not they would cross a picket line to go to their work. They go right into court and say, "You are coercing the workers," or "You are coercing the employer," to force him to grant you your rights in this particular case.

We believe that hearings should be held in all these types of cases. Therefore, feeling that labor would be justified in this feeling that the persons who aided the leaders and who are as much interested or even a lot more interested in our democracy than some of the industrialists, I do not know why in the world anybody would come into the House in 1939 and try to strip labor of the things that are good for them.

As I stand here, I also recall the remarks of the gentleman from Armstrong, Mr. Gates, the other evening, when he talked about pressure I was anxious also to speak on that particular thing the other night, but being a first termer in 1939, I recall very vividly the vote that was taken on the amendment on work time for women, and also in this particular case of the labor anti-injunction bill. I remember very vividly there were about five gentlemen walked into this House after that particular bill had been defeated by a vote of 89 for and 90 against, when we as Members desired to walk to the rostrum, it was necessary that we get a permit, but I noticed that on this particular night these privileged gentlemen, who were not Members of the House, came in and walked up to the rostrum and asked for a recess. They also asked at that time for a caucus of the Republican Members. Of course, they took the boys up into the caucus room and they singled them out. They wanted to know why they were opposed to this particular bill. They used pressure, as the gentleman from Armstrong stated. I can recall very vividly when we crossed them up in the debate on that particular bill, after it was called back for reconsideration, when the question came before the House, there were a great many Republican Members who left their seats. Of course, they did not have 105 votes all told. I was standing at that time at this particular microphone. Our floor leader said, 'Yield the floor and ask for a roll-call.' The clerk proceeded to call the roll. He called about seven names, if I remember right, when the Speaker noticed there were not enough Members in their seats to pass the bill. He said, "Will the clerk yield. He then called the sergeant-at-arms, the page-boys and posted guards at the door so that nobody could escape. I remember very vividly the gentleman sitting over there, Mr. Fleming, trying to get out of this door at the rear of the hall. I saw that. I also noticed the gentleman from Bucks, Mr. Stockham, standing over there, and he grabbed the gentleman from Allegheny and said, "You must get back in your seat and vote on this bill." I will give you gentlemen an opportunity to deny that if you care to do so. That is the truth. We may as well have the matter over. I remember that the gentleman from Allegheny did go back to his seat and he voted for the bill. All right, they passed that bill. Now, I am telling you, gentlemen, it was always questionable with the members on this side as to whether or not they had 105 votes, but after the clerks up there sat and figured for ten or fifteen minutes, if I recall the matter correctly, they came out and said there were 106 votes while we thought there were only 101. Now we are trying to restore what was stolen in the 1939 session, and I ask all the Members of the House to vote "yea" on this particular bill.

Mr. TURNER. Mr. Speaker, I always get a great kick out of listening to my friend, Mr. Williams, from Washington County either upon the floor of the House or in Committee. I always like the thought that he is very positive and sure of himself in the first place. In the second place he always has a rather frank and good humored way of stating things.

However, we are not here, as I understand it engaged in the discussion of the 1939 session or of its idiosyncracies, failures or successes. Naturally we were able to muster a vote and get our Members in their seats, which I do not mind saying the Democrats have great trouble in doing. I remember one time Mr. Andrews, very conveniently, when the House was rather small called for a quorum. Page boys and sergeant-at-arms were sent to hotels and restaurants to get the Members back to their seats. I do not know whether that is coercion or not but it is parliamentary, legislative and political procedure.

I have been here in this House for a good many years. I have survived a lot of Democrats and they never worried me very much. You know it is just like the post man said, he could not deliver the mail if he would stop to kick at every barking dog. I always sort of feel that way too. We have tried to deliver the mail and not worry very much what the fellows on the other side said. I would

like to go on and say that some things seem to me very funny about the proceedings here today, some of the complaints and some of the statements made on the other side of the House, but that is not the issue. The issue before us today is really one of the most important things that will confront this legislature in the present crisis in which this nation is involved. I am certain that we are facing one of the most vital questions before the people of Pennsylvania, herein this great armory of the nation, here in this state where we have already been given more defense orders than any other state, here in this state where they are, as I understand it, in contact with the state officials and with our industry, pleading with them from Washington to keep things moving and to keep the ball rolling in this state, which is to meet the greatest burden of all the states on the question as to whether or not whether America shall be armed. I know the people of our country are interested in this defense program, whether they be laboring men, white collared men or whether they be professional men or whether they be others of our citizens who will live from some other source in this Commonwealth of ours, where the people have said we must lend our aid to Britain as much as it is possible to do so, where speed is of the essence of time, and where we certainly are meeting an important issue. Strikes are not the issue before us at the present moment. In the attempt to amend the 1939 act, I believe the Democratic Party is making a false attempt to woo labor, because I sincerely believe, and feel that those of you on the other side of the House who know me, realize when I say so, that I sincerely believe what I am saying, that you are not benefiting labor. I sincerely believe that you are destroying the rights which later labor will wish had not been destroyed.

Let us look at the act of 1937 about which the gentleman from Washington has spoken, and by the way, Mr. Speaker, it is rather interesting to me to note, I picked up the Journal and I saw that the last time I spoke on this bill I interrogated a gentleman who was sitting on the rostrum this morning. The gentleman from Luzerne Mr. Yourishin. Is asked him what was the necessity of this, in view of the labor relations act that had been passed, and he said, "Well, labor had the right to strike and it needed the protection." I am afraid that my young friend from Washington in his zeal, and I am amazed that some of the expert lawyers, have not taken the time to study the act of 1937 or the act of 1939, and then what are we trying to do under this bill that is before us today.

Section 6 of the Act of 1937 says:

> "No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue any restraining order or temporary or permanent injunction which, in specific or general terms, restrains or prohibits any person association or corporation from doing, whether singly or in concert with others, notwithstanding any promise, contract or agreement to the contrary, any of the following acts."

This is not to be construed as authorizing injunctions in any other case. What does that mean? In a number, of what we might say are relatively harmless situations that might arise, the courts have no power to issue a temporary or permanent injunction unless as this section says, there is some violence or fraud or something of that kind.

It is amazing to note, if you study this act, that section 7 goes on to say:

> "No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a restraining order or temporary or permanent injunction."

It then goes on to say, upon the ground that there has been violence, the very thing that in section 6 it says, unless there was violence in the case you could not issue an injunction. It goes on in section 7 to say, even if there is trouble you cannot issue an injunction.

Let us look at section 9 which you are amending, it says:

> "No court of this Commonwealth shall issue any restraining order or a temporary or a permanent injunction in any case involving or growing out of a labor dispute, except at the hearing of testimony of witnesses in open court (with opportunity for cross examination) in support of the allegations of a complaint made under oath and testimony in opposition is offered, and except at the findings of fact by the court to the effect...."

That is, the court has got to find the facts, before it can issue this restraining order, that unlawful acts have been threatened, and then it goes on with a list of things, and if the court finds those facts to be true there isn't any place where the courts can issue an injunction. You cannot find the kind of an act that the court might restrain unless the court itself violates the law. Section 6 says you can issue a restraining order if certain things are so except in certain cases. Then section 7 says you cannot do that either because if there is violence or fraud you cannot do it.

Section 9 sets up a list of specifications of fraud, and the court cannot issue a restraining order unless it finds those facts. They are so extensive and voluminous that there is no place where they can find an opportunity for a restraining order. What do you do? The gentleman from Allegheny Mr. Brown, last night offered an amendment which would relieve the section of that provision as to "sit down" strikes. I think we now know that a lot of the brothers on the other side have awakened to the fact that that was rather indefensible. I think the amendment that was put before this House is a fraud and a deception on the membership of this House and on the people of Pennsylvania. I think you men on the other side of the House were being fooled when you voted in favor of an amendment that does not mean a thing, because the amendment is section 9, and it only provides one further thing that the court has to find before the court can issue an injunction. It has to find as a matter of fact that there was a "sit-down" strike.

Now then you say before there should be an order issued you ought to have an opportunity to be heard. On the other hand, you say you are opposed to the "sit down" strikes, that labor is opposed to them. All right. What is the procedure in the courts in an injunction proceeding? You go in by affidavit. The court makes you file a bond. The court generally does not issue immediately a preliminary injunction. It generally gives notice to the other side that it will be heard tomorrow or the day after, depending upon the circumstances presented to the court. But suppose the court did issue this restraining order, saying that you are restrained from a "sit down" strike. If you are not having the "sit down" strike you are not hurt in any way. You are being restrained from something you are not doing. If you are having a "sit down" strike, to which you are opposed, there would arise a situation where you ought to be restrained. Therefore, the intent of what you are

trying to do really is not sincere. If you say you are against "sit down"strikes then there is no reason for the amendment that has been introduced except to throw up a smoke screen to try to fool the people. I am sure that you are against "sit down" strikes, and I am sure that labor is against "sit down" strikes.

Let me repeat that again, because I have had some difficulty in getting some of my colleagues to understand what I mean. If there is a restraining order what would the courts be restraining? Would it be a "sit down" strike or violence or damage done to the plant? If labor is not doing any damage to the plant a restraining order cannot hurt it. If labor is doing damage by a "sit down" strike, and you say you are opposed to it, therefore the net result is the same, so why this amendment?

This amendment is worse than that. This amendment does not do what the gentleman from Allegheny, Mr. Brown has said. This is not a half loaf that was taken away. This says before the court can issue any kind of a restraining order, it not only has to find the fact that there is a "sit down" strike but it has to find every other provision enumerated in section nine of the acts of 1937. In the 1939 session we tried to be fair; we tried to amend this act in such a way that it would be fair to both labor and the employer, as we believed there should be justice on one side as well as on the other. If labor makes that mistake and tries to gain some advantage for themselves they will have nobody to blame but themselves because it will mean that pendulum eventually swings back hard on the other side.

What did we do under the 1939 act? We permitted the court to issue an injunction with certain limitations. In fact there were four cases mentioned which would cause a breach or violation of a valid contract entered into in accordance with the terms of either the national or state labor relations act. The state labor relations act permitted them by collective bargaining to enter into a contract with an employer. Don't you think it is fair both to labor and to the employer to say that you can have an injunction to prohibit the conditions which would cause a breach or violation of a valid contract? Certainly we are going to stand by our contract.

The act of 1939 provides as follows:

> "Where a majority of the employes have not joined a labor organization, or where two or more labor organizations are competing for membership of the employes and any labor organization or any of its officers, agents, representatives, employes, or members engages in a course of conduct intended or calculated to coerce an employer to compel or require his employes to prefer or become members of or otherwise join any labor organization...."

Certainly that is not protection of labor. It does not want to coerce an employer into favoring one particular labor organization against another. Labor ought to have free opportunity to compete in any industry. Certainly you cannot object to an injunction to restrain that.

The act of 1939 further provides in section (c) as follows:

> "Where any person, association, employee, labor organization, or any employe, agent, representative, or officer of a labor organization engages in a course of conduct intended or calculated to coerce an employer to commit a violation of the Pennsylvania Labor Relations Act...."

Labor sought in Pennsylvania the Labor Relations Act, and this would permit the restraining of an employer and would permit the restraining of someone engaged in a course of conduct intended to coerce an employer to commit a violation of that act. Certainly it seems to me that is for the protection of labor. It does not want the employer certainly to violate those acts which they sought so hard to have passed and which have become a part of the law of the land.

Mr. Speaker, I am having some difficulty in being heard. If I could talk well enough to keep the members quiet, I would not plead with the Chair for the opportunity to discuss this matter, but as I see it the problem is of so much importance in this present situation that we ought to have the opportunity of saying it in the best way it possibly can be said. I wish this morning that I had greater powers than I have of expression. I have seen a few times in the history of the House where I felt I would like to say things to the Members in a far better way than it is possible for me in my humble capacity to say them, but I am going to attempt to say to you men some of those things that are close to me this morning.

I studied this proposition since last night, and I listened very attentively to the gentleman from Allegheny, Mr. Brown, in his proposal. I tried to follow him, and I tried to follow the gentleman from Washington in his proposed amendment. I was not quite clear just exactly what the gentleman meant. This morning as I sat in my office and endeavored to study this act I began to see the picture and to see that the offering of these amendments was not a sincere attempt to provide those things to prevent "sit-down" strikes, but that the members on the other side were being very much fooled by what had been said to them, and by what labor was attempting to say to them, and what some of the leaders of labor were attempting to say to them. I have watched with a great deal of interest the course of this debate in the last few hours and I have been convinced that some of the leaders of labor are likely to lose for labor that legislation which they have gained in the last few years. I have watched the course of events and the gentleman from Delaware, Mr. James, referred to what the President of the United States said the other day. I have watched the course of events until I have been convinced that the day is not distant when the President of the United States will force upon labor some of those things it does not want. I believe the rank and file of labor generally, as the gentleman from Allegheny, Mr. Leonard has said, is sincerely a patroit. I believe that the rank and file of labor is not so much interested in all of the "isms" and in the terms and provisions which are written in the name of labor as they are in the desire to have a job, to have some place to work, and to put every effort behind this national defense program. Any man is a fool who believes that the mothers and fathers of this country are going to send their sons into military training, and those who are already there, giving up their lives and giving up every opportunity and subjecting themselves to discipline and regimentation of army life, that those men are going to tolerate a condition that shall prevent or stop or delay the national defense program. I think somebody here on the floor this morning said something about strikes that had occurred. We have a strike in the Bethlehem Steel Plant where two thousand men are saying they won't work, they are going to create a strike, because sixteen thousand men or some part of them are holding some kind of an

election. Is that the kind of a labor dispute that the people of America are going to protect? Is that the kind of labor dispute that the men on the other side of the House want to protect with reference to the national defense program in a national emergency such as we have? I cannot believe it. I say to you frankly that labor, when it sacrifices one right, when it sacrifices almost all those benefits and special privileges which they have gained in the past, that labor itself will find that those are the stepping stones upon which dictatorships have been built on the other side, which have destroyed the rights of labor, which have reduced men to a position of serfdom, such as we have not known in all history, in the one hundred and fifty years of struggle by labor during which time labor has made tremendous advance, which gains have been thrown away by the inconsistency and by the unbridled efforts of certain labor leaders to gain control at the same time at the expense of the present emergency. That is the reason why I am so deeply concerned with this act today. That is why I am so deeply concerned with the manner in which you men on the other side of the House handle this matter. It is not a question of Democrats or Republicans, it is a question of labor or somebody else. We have no right in the present emergency under the guidance of the President to set up any class, that is asking for a special privilege and to put them outside the limits of the law? We are subject to a temporary injunction, we are subject to a restraining order. Free men must have a court to which they can go to protect their interests, and labor above every body else should realize that.

This is no time for class, this is no time for party. It is time that we put forth every effort. We have not awakened to it yet. You men have been here now for three months considering a lot of inconsequential legislation.The time may not be long in coming when we may not be able to recognize our present form of government, when in a few years our present conditions will look like a holiday. Let us not, therefore, be bickering here over the question of labor and employer. Let us not be here bickering over the question of whether labor gets its rights. Let us stand upon the fundamental principles that every citizen must have his right before our courts, and that labor should not get any advantage that the other citizens do not have.

Mr. HOLLAND. Mr. Speaker, the talk here this afternoon was always with the thought in mind that if the defense program of the United States fails it fails only due to labor. I want to stand here and say to you that if the defense program fails, it will not be through any fault of labor.

The gentleman spoke of a "sit-down" strike. Do you mean to tell this House that every industralist that goes down to Washington with his grip or his brief-case goes down simply for the reason that he wants to protect America? He is the one who is pulling on the "sit-down" strike until he gets from the government the price which he wants for the material that he is giving to our boys to shoot in the guns that we are now using. You say labor is holding up the defense program. I am telling you that one of your greatest automobile factories in the United States was the first to defy the President of the United States. I mean the Ford Motor Company. They were the first not to agree to go along with the defense program. It was not labor. When you wave this flag of patriotism, and, by the way, I think I can wave it too because I have applied for my commission back in the army which I held in the last world war and I hope to be in the service after the session closes, but if you wave that flag, don't wave it with the thought in mind that only the industralists of the United States are Americans. The industralists of the United States today have started more "sit-down" strikes against the government and the government's defense program than any labor union has in the United States. It is due to the propaganda that is now being fed to Americans in our press, and I say to you the time is now ripe for us not to be one sided. We are not one sided. We are going to see the side of labor as well as the industralists, who through their propaganda are trying to sell the people of the United States on the proposition that all labor disputes are caused by labor, when if we went behind the fence, we would find that most of the labor disputes were caused by thick-headed industralists, who want to go back to the dark ages which were wiped out after 1932.

Mr. LOVETT. Mr. Speaker, I just want to answer some of the remarks and assist my able attorney on the other side, Mr. Turner. As I said here last night, the intelligentsia have finally found themselves in a position where they don't know what to do next, especially in this particular act. The attorneys have told me it is a fake, it has always been a fake, there is sufficient law to govern these things without this particular law. Now, it is time that we come down to earth and not try to kid the people.

I have pleaded in this House with the members of this House to try to protect the form of government we have. Who has failed? The courts have failed. They were granted under the law the power of injunction. They abused that power because they saw dollar signs. It was proven that they were found on the preferred list. For years and years and years the white collar man has lived on the back of industry and bathed in the sunshine of Florida, while the workers were denied the right in this country up until 1932 of even organizing into organizations for their own protection.

Now, those are the facts, gentlemen that we must face in this issue. I say to you that the President of the United States in the last week or so, did not only say to labor but he said to industry, "You must cooperate in order to protect the form of government we now have". He did not emphasize one side or the other. Industry has just as much responsibility as labor. That is the reason why we say to you today that we should repeal the acts that gave the courts the power that they misused in the past. You men do not deny that. You know there were times when injunctions were granted and when men were clubbed on the head when it was unnecessary. Those are the things that we are facing today in fighting for legislation, to give back to the people of the country the right to be guided.

My friends, I say to you we haven't any right to expect labor to do any more than we ask industry to do, and that is the reason we are repealing these acts, because the courts have failed in the powers that were handed to them for the protection of the people, but they protected only the almighty dollar.

I say to you, give labor the right to stand up on its own feet; let us go along with the President of the United States without being hamstrung by the courts or by anybody else. This is the day when men must march in the interest of their country and in the interest of their form of government, and I ask you to support this bill and tear down any obstacles in the way of labor or anybody else in this country. I thank you.

Mr. DIX. Mr. Speaker, I would like to address the House for a few minutes on this bill. It was not my intention to say anything in regard to this bill but certain statements have been made in reference to labor and in reference to the bill itself which I feel called upon to answer. I would like to read an editorial and make some remarks in regard to this so-called injunction bill. I have heard the name of President Roosevelt mentioned here several times, and I want to say as far as injunctions are concerned President Roosevelt has issued the largest and most drastic injunction in the history of all times. He has issued an injunction to four million young men to appear in the army barracks at one dollar per day, while another four million are able to pickup the profits from that labor. I have had a great many people come to me and say, "Dix why don't you say something in the House in regard to the boys and girls working for one dollar a day, and these fellows working in the barracks for five, ten, fifteen, or twenty dollars a day?" I said to them I could probably say something in the House but before we could get a bill through the House the barracks would be built and the men would have the money.

I understand that up to date in Indiantown Gap, for instance, in a great many instances before a man can get any job he had to pay some walking delegate or some labor leader twenty-five or fifty or seventy-five dollars. Nobody seems to know why, and an investigation might be in order. Nobody seems to know how much they will have to pay, but I do not believe there is a man in this House who feels that is just as far as the unions are concerned. I believe they did very good work up until five or six years ago. Then they became arrogant, many of them just the same as the capitalists became arrogant. There were just as arrogant labor leaders as there were capitalists. In my own business, in the mechanical department, my men were members of the union for a great many years. I encouraged them to join a union, so that I am not opposed to labor unions. But I am opposed to arrogant labor leaders, I am opposed to grafting labor leaders; I am opposed to unions who permit their men to collect twenty-five, fifty or seventy-five dollars for the privilege of working on a government project.

In that connection, Mr. Speaker, I would like to read some editorials which I have. Here is an editorial from a democratic newspaper. I believe it is the Harrisburg Patriot. The article in that paper reads as follows:

> Congressman Smith of Virginia last week lost his fight to make it possible for an American to help defend his Country without paying an initiation fee to a labor union, but he did not lose his determination to bring the issue home to Congress at every opportunity.
>
> "American workingmen will some day thank Congressman Smith for his battle for free and equal opportunity to work without paying tribute to anybody. Alluding to the twenty-three dollar union admission fee which common laborers must pay in some instances to work on Government defense contracts, saying nothing of the fifty and one hundred and fifty dollar charges imposed up the scale the Virginian declared——"

POINT OF ORDER

Mr. RUSH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. RUSH. Mr. Speaker, the gentleman is not discussing the question before the House.

Mr. DIX. Mr. Speaker, I am discussing it as well as anybody else has discussed it.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the question before the House.

Mr. DIX. Mr. Speaker, I think I am discussing it as well as anybody else has.

Mr. Speaker, alluding to the twenty-three dollar union admission fee, I will continue on with the editorial;

"Alluding to the twenty-three dollar union admission fee which common laborers must pay in some instances to work on government defense contracts, saying nothing of the fifty and one hundred and fifty dollar charges imposed up the scale, the Virginian declared"——

POINT OF ORDER

Mr. RUSH. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. RUSH. Mr. Speaker, I still insist that the gentleman is not discussing the question before the House.

The SPEAKER. The Chair has been very lenient during the discussion on this bill, and would ask the gentleman from Wayne to confine himself to the subject before the House.

Mr. DIX. Mr. Speaker, I think both the Republican and the Democratic sides of the House have wandered pretty much all over the earth, and they finally got back to the subject of injunction, and if you will permit me I will get back to the subject of injunction very shortly.

The editorial from that Democratic paper goes on to say:

"No man ought to be compelled to join any organization in order to work for his country. Just how sound that statement is may occur to some workmen in the light of what would happen should the Communists, the Nazis or the Facists get the upper hand in this country."

Here is another article along the same line, which goes to back up the statement that I have just made. It is from the New York Herald Tribune of the issue of February 27, 1941 which says:

> "The House Judiciary Committee had before it on Tuesday a witness named R. B. Wickiser, who had been employed as a steam shovel foreman in the construction of an Army camp in California until discharged for failure to pay further installments on his initiation fee to Local 12, of the International Union of Operating Enginners, A. F. of L. He had paid thirty dollars, he told the committee, on filing his application to join the union, but, on finding that he was supposed to pay two dollars a week until the total reached sixty-three dollars and eighty-five cents, he refused. The contracting company, his employer, urged him to make peace with the union, he said, but when he failed to do so fired him. Asked who was paying his expenses to appear before the committee he replied that the boys on the job had made up a purse to which union members had contributed. These men, he declared, want some protection against this continual buying of a job. . . . If the government is going to make them join the union it ought to protect them."

POINT OF ORDER

Mr. LEVY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. LEVY. Mr. Speaker, I do not know what the Chair's interpretation of the word "lenient" is, but the gentleman from Wayne is not speaking on the subject or upon any-

thing relevant to the subject. We are discussing a bill that has to do with one act of the General Assembly and an amendment thereto, and the gentleman is reading from an editorial concerning union dues. I believe, Mr. Speaker, that is not relevant to the subject.

The SPEAKER. The point of order is well taken. The gentleman from Wayne will confine himself to the question before the House. The Chair has been very lenient with the gentleman from Wayne, and the gentleman from Wayne should respect the ruling of the Chair, and confine himself to the subject before the House. The gentleman will proceed in order.

Mr. DIX. Mr. Speaker, do I understand in regard to injunctions that the gentleman from Philadelphia wishes to issue an injunction against free speech here.

The SPEAKER. Freedom of speech also involves obedience to all the rules of the House in debate. The gentleman will proceed.

Mr. DIX. Mr. Speaker, free speech is a constitutional perogative too.

The SPEAKER. So are the rules of the House. The gentleman will proceed.

Mr. DIX. Mr. Speaker, I wish to say in regard to this injunction, since I have been cut off from free speech, that I feel that the cart has been placed ahead of the horse. I am in favor of labor having its day in court, and I am in favor of labor having free speech, which the gentleman from Philadelphia denies me. I am in favor of injunctions being prohibited to a certain extent, but I believe that an injunction should be permitted before damage is done and before sabotage can be committed and before destruction of property has occurred. The hearing should take place after that and not before, and for that reason and for that reason alone, Mr. Speaker, I will not vote for this bill.

Mr. WILLIAMS. Mr. Speaker, I would like to answer the remarks of the gentleman from Delaware.

Speaking of the strike at the Bethlehem Steel Corporation, he claims that two thousand employes out of sixteen thousand are causing it. I might say in this particular case the Bethlehem Steel Corporation must assume responsibility for this particular action. The Bethlehem Steel Corporation has defied every law of the land. The Bethlehem Steel Corporation has set itself up as being something bigger than the government of the United States. I believe it is time that they be brought within the jurisdiction of the law. The Bethlehem Steel Corporation has defied the Wagner Labor Relations Act, they have defied the Walsh-Healey Act. They have even defied the Labor Standards Act, and therefore I feel that the members . . .

POINT OF ORDER

Mr. DIX. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. DIX. The gentleman is not speaking on the bill.

The SPEAKER. The point of order is well taken.

Mr. WILLIAMS. Mr. Speaker, I feel I am speaking on the bill. I am answering the gentleman from Delaware who raised the question.

The SPEAKER. For the information of the gentleman, the only question before the House is on this bill. The point of order has been raised, and the Chair rules it is well taken.

Mr. WILLIAMS. Mr. Speaker, as I was saying, in answer to the gentleman from Delaware, I am happy to hear the admission of Mr. James from Delaware, who has finally told us that the minority has submitted to the leadership of the President of the United States; second, the admission of the other gentleman from Delaware, Mr. Turner, that he is delivering all the mail on the other side of the street. We have received no letters from him as far as labor legislation is concerned. We also know in every nation where labor has been abused, whether it be by injunction or otherwise, that nation has fallen. We have seen the conflagration in Europe, we have heard the reports concerning the propoganda in those particular nations. We know now that in Europe the last bulwark of democracy exists in England and in England alone, where labor has been given a fair opportunity and protection by the government. We know that labor in America will be the one who will save our democracy in spite of anything that the Bethlehem Steel Corporation or other violators might care to do

POINT OF ORDER

Mr. DIX. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Wayne will state his point of order.

Mr. DIX. Mr. Speaker, the gentleman certainly is not speaking on this bill any more than I was.

The SPEAKER. The Chair has been trying to be fair to both gentlemen. Both have been ruled out of order.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, it has always been customary, as far as possible, when important measures are being considered to allow as much latitude as possible in debate, always, of course, trying to keep from getting too far afield.

It seems to me the gentleman from Delaware, Mr. Rush, was a little over zealous in his point of order and perhaps he is now making it inconvenient for the gentleman from Washington. It seems to me the question should be determined by the Chair now whether we are going to debate the bill or whether we are going to debate all these extraneous questions that arise under the bill. If we are going to debate the bill, we ought to be confined to the questions pertaining to the bill. If we are going to debate other questions which arise with reference to labor disputes, let us have a general free for all on that question and let everybody talk.

Mr. WILLIAMS. Mr. Speaker, as I was saying my remarks are confined to the effect upon the moral fibre of the working people of Pennsylvania and in this nation through injunction. That is what I was trying to get around to. I say that these things are all relevant to in the remarks I made.

The gentleman from Delaware, Mr. Turner, in his remarks raised the question of the strike at Bethlehem Steel Corporation and I was only trying to give an answer, that that corporation has defied every labor standard and every law of this land. They were setting themselves up as being something greater than the government of the United States. Having laws on our statute books and then having an employer defy the law of the land, how can the workers of this nation and of this Commonwealth have the moral

fibre to carry on when they see ruthless acts of this kind. I want to answer the gentleman because of the fact that he raised this question.

He also made a remark concerning "sit-downs." I might ask who was sitting down in the aluminum industry when the government was asking for priorities of orders? I might ask who was sitting down in industries when they were going to be restricted to eight percent profit? I question the sincerity of a large part of industry in this entire set up, because of the fact that the only thought of a great many of them is profit in dollars and cents. They come back here and say "Why should we raise the question of labor disputes?" Labor is very much interested and labor is not going to listen to the propoganda of industry which uses the national defense program to stifle organized labor whether it be in Pennsylvania or the nation. Labor is only asking what it feels is justly due them. Therefore, I again ask the members to vote for this bill.

Mr. BROWN. Mr. Speaker, I know the time is growing late and we are exceedingly restless. I never consume more than ten minutes on the floor of this House and I do not intend to consume that much at this time. I believe we should come back to the issue. I believe there is hopeless confusion in this House as to what these amendments purport to do and what the amendments that were offered to this bill purport to do.

I think we are in hopeless confusion as to what constitutes a labor dispute and what does not constitute a labor dispute. The anti-injunction act was passed both by the national Congress and throughout the several states of the union to take care of matters involving labor disputes. I read to this House last night the opinion of the Chief Justice of the United States Supreme Court who said that "sit-down" strikes in matters of violence did not constitute a labor dispute. Therefore, it is my firm conviction that we are making a terrible mistake. We are misleading labor, we are misleading ourselves, misleading the people of our Commonwealth and the people of this nation when we try to make a labor dispute illegal. To begin with that has nothing in the world to do with labor disputes. To show whether or not courts have been fair to labor, whether or not courts have protected labor, I will refer my friend to the case of Thornhill versus Alabama reported in 310 U. S. page 88 which was decided in 1940, a case in which the Supreme Court of the United States struck down a statute of the State of Alabama.

This case held where regulations of the liberty of free discussion are concerned, there are special reasons for observing the rule, it is the statute, and not the accusation or the evidence under it, which prescribes the limits of permissible conduct and warns against transgression.

It discusses the conduct prohibited by the statute. It is apparent that one or the other of the offenses comprehends every practicable method whereby the facts of a labor dispute may be publicized in the vicinity of the place of business of an employer.

It says the statute is invalid on its face as an invasion of freedom of speech and of the press; gives the "clear danger of substantive evils" test. The opinion in that case was handed down by Justice Murphy. In the case of Carlson versus California, 370, U. S. page 106, the court followed the same line of reasoning. I therefore say to the gentleman from Allegheny, Mr. Leonard, when he speaks of strikes, when he speaks of the right of labor to bargain, when he speaks of those things which have been written into the law and which is the Magna Carta of labor and which is the fundamental right of labor, it was labor's right before the enactment of legislation, before Congress enacted the Labor Relations Board Act.

On this question of sit-down strikes, on this question of the destruction of property, on this question of taking property without due process of law, I agree whole-heartedly with the gentleman from Delaware, Mr. Turner that the minute we start this business of giving priority or certain exemptions, or trying to favor certain people while other people have to abide by the law, you are breaking down the fundamental principles upon which this government rests. I say to you if you and the rest of us should attempt to take this Hall away from the people of the Commonwealth, who sit down here without being duly elected, the court could come in by injunction and throw us out. Why can't they take labor out? If labor is violating the law, or if labor has destroyed property, I say in every case that is not a labor dispute, labor should have no preference but should stand like every other person and like every other organization in this Commonwealth and in this nation.

Mr. REUBEN E. COHEN. Mr. Speaker, I talked last night on the amendment and I had my say with reference to the legal concept of this particular amendment. I do not think I have as yet disagreed on the floor of this House with my colleague from Allegheny, Mr. Brown, but I intend to say something concerning the statement which Mr. Turner made on the legal concept of the particular amendment. I want to reiterate what I had to say last night in reply to what was said here today. One of the fundamental principles of the law governing equity procedure in our courts, which has been the fundamental law of equity from the old English law, and became a part of our system of law, and is incidentally that system of law under which an injunction is granted, is that you cannot grant an injunction for something that has not happened as yet. The four examples that were read out of the act by the gentleman from Delaware to my recollection, although I cannot use the exact phraseology, because I do not have that kind of a memory, but if those things would happen and intended to produce a certain result an injunction might be granted. That is precisely what equity is, but jurisdiction should not be invoked in favor of everything which might happen. Tha is precisely the question here, if such and such a thing might happen, if a petitioner comes into court and says he needs an injunction to prevent it from happening, a great injustice might be done. We want to bring this question of "sit down" into the category of proper judicial determination by saying if you are to have your injunctive relief you shall proceed as anyone else shall proceed, and that is to prove your facts before you get your remedy, and not get your remedy first and produce your facts later. If you have a condition that needs remedying, you should take your evidence and present it to the court and let the evidence be produced first upon which you are seeking relief. Don't put your relief first and then have your headache. In our courts we must first prove our facts before the courts will give us any remedy. I disagree with the gentleman who says that this particular injunction is injurious. It is plainly in so many words a restatement of equitable

principles. It is based upon the law of the land. I ask you to give due consideration to this bill and I ask the members of the House to vote for this bill.

Mr. LEVY. Mr. Speaker, I also find myself in utter disagreement with the gentleman from Delaware and with the gentleman from Allegheny. I am not going to attempt to attack this measure or defend it on legal grounds. I say that in all seriousness because I believe this problem should not be attacked or defended on those grounds. The fact remains, Mr. Speaker, and members of the House, that we are attempting to amend an act of 1939 which deals with "sit-down" strikes. The gentleman from Delaware made the assertion that the Democratic party is attempting to fool labor, and fool the people of the Commonwealth of Pennsylvania.

I say to you, Mr. Speaker and members of the House, I personally resent that statement. The Democratic party by this measure is neither attempting to fool the people of Pennsylvania nor labor nor anyone else concerned with this piece of legislation. I find myself in agreement in part with the gentleman from Allegheny when he read the last decision of the Supreme Court of the United States relative to the Alabama case, in which Justice Murphy issued the decision.

I say to you, Mr. Speaker, if some of our state courts were made of the same fiber as the Supreme Court of the United States, if some of the characteristics were in the state courts of Pennsylvania that we find in the Federal courts, especially the Supreme Court of the United States today relative to liberalization, I would say then we do not need a stop-gap piece of legislation of this kind. But it is only in the instance where we have in Pennsylvania a situation where an employer's lawyer holds a star chamber conference with the jurists in the state court and by the wave of his hand he says, "There is a "sit-down" strike in a particular plant or factory," It is in that instance where we on the Democratic side of this House say to the membership and say to labor and say to the people of this Commonwealth that labor then deserves and should have a hearing before an ex parte injunction is issued.

I say to you, Mr. Speaker, there have been statements made on this floor this afternoon with utter regard for their honesty. I say to you, Mr. Speaker, that this bill comes from the heart and the soul of Americans who are of the same type as we have in any city of this Commonwealth.

I say to you, Mr. Speaker, this piece of legislation is humane, this piece of legislation does not, as the gentleman from Allegheny says, give the priority to a certain class in Pennsylvania. It does, however, set up a safeguard and it does say to our courts in Pennsylvania that they must give due consideration and due deliberation to the rights of labor in cases of this kind.

Mr. MORAN. Mr. Speaker, I move the previous question.

Mr. TURNER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

PARLIAMENTARY INQUIRY

Mr. TURNER. To a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, is it possible, before the vote is taken on the previous question to ask permission to make a statement with reference to the question before the House?

The SPEAKER. A motion for the previous question has been made. It is not debatable. There is nothing in order now but the determination by the Chair as to whether the previous question shall now be put. The only procedure to permit debate is for the gentleman to withdraw his motion for the previous question.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Is it permissible, Mr. Speaker, to ask to interrogate the gentleman from Allegheny, Mr. Moran, for the purpose of requesting him to withdraw his motion for previous question?

The SPEAKER. The Chair will inquire of the gentleman from Allegheny whether he desires to withdraw his motion for the previous question temporarily.

Does the gentleman from Allegheny wish to withdraw his motion temporarily?

Mr. MORAN. Yes, Mr. Speaker, on one condition, and that is that the gentleman from Delaware confine the remarks he is going to make to the question before the House.

The SPEAKER. The gentleman withdraws his motion for the previous question, and the Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker, I will certainly confine my remarks to the question before the House. I realize too we have gone rather far afield, yet I cannot but believe that the debate here this afternoon even though my colleagues have gone far afield and I think that is true on both sides, has been a useful debate under all the circumstances that we have at the present time. I know there have been a whole lot of questions raised which I hoped would not be raised. I am sorry that the gentleman from Allegheny, Mr. Holland, sought to raise a question as to manufacturers and others. I have no defense for anyone who by their conduct, whether they be laborer or whether they be employer, have anything to do with the obstruction of the defense program. I cannot, however, but feel that what I said in some degree was rather futile because two lawyers on the other side of the House have misunderstood what I said, and do not yet, it seems to me, understand the provisions of the bill. I would like to add that I thought I made it plain that I felt the great mass of labor was just as patriotic as any other group of our citizens; I thought the great mass of labor wants to do its part. Labor contributed to the public opinion under which the Lease Lend Bill was passed. That bill could not have passed without great public sentiment back of it, and there was no line of cleavage in producing that public sentiment in this country. I do not think this is a time to raise issues. Mr. Brown said it is not a question of strikes. We all must believe in the laws regarding "sit down" strikes and collective bargaining. Collective bargaining is something which we all now recognize. We all recognize the rights of labor that are given to them by the law. This is something else. Therefore, I would like to interrogate, Mr. Speaker, the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. REUBEN E. COHEN. I shall Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Cohen, whether he is in accord with the sentiment expressed on the floor of the House last night that the Supreme Court decisions have outlawed "sit down" strikes and that labor itself is opposed to 'sit down" strikes?

Mr. REUBEN E. COHEN. Mr. Speaker, I believe so.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman if the court issued a preliminary injunction in a labor dispute, alleging a "sit down" strike, what would the court restrain?

Mr. REUBEN E. COHEN. Mr. Speaker, I would be rather hesitant to answer that. I cannot make a prediction as to what some judge will do in any of the sixty-seven counties of the State. What I am most fearful of is in making a restraining order is that the court might not interpret the law as freely as it should and some damage might be done in its enforcement before it would come within the terms of the particular order.

Mr. TURNER. Mr. Speaker, that is not responsive to the question I asked the gentleman. I will define it a little more fully. If the prayer of the petition alleged a "sit down" strike, and that is the only question before us, what would the order of the court do, what would it restrain?

Mr. REUBEN E. COHEN. Mr. Speaker, I presume the order of the court would restrain persons in the plant from engaging in what is alleged to be a "sit down" strike, and all the other things that go with it.

Mr. TURNER. All right now, Mr. Speaker, if you had a hearing on that question and labor produced evidence to show it was not a "sit down" strike, would labor then be injured by the preliminary injunction?

Mr. REUBEN E. COHEN. On the strict answer to a rather confining question, Mr. Speaker, I would say that labor would not be injured on the particular facts at issue before the court.

Mr. TURNER. And if the court found, Mr. Speaker, that there was a "sit down" strike, then would labor be harmed?

Mr. REUBEN E. COHEN. Mr. Speaker, if the court found that there was a "sit down" strike and the order was to restrain persons who were engaged in the "sit down" strike from so doing, then labor would not be harmed.

Mr. TURNER. Mr. Speaker, that comes back again to what I repeated on Monday, when I attempted to make an explanation, make the matter a little clearer, to the members of the House. In other words, if labor is opposed to the "sit down strike,—and I take it for granted they are, and I feel certain they are, not only from the statements made by them, but from what I know of labor generally, if labor is opposed to the "sit down" strike, if the order of the court restrained a "sit down" strike in a plant, restraining those people from doing damage, no one could complain. If there was no "sit down" strike and no damage was done, how is labor harmed? They are not restraining anything that labor is doing. If there is a "sit down" strike and labor is opposed to "sit down" strikes, and labor says it is unlawful and the courts say it is unlawful, then the restraining order, of course, was proper and still no harm has been done to labor. Therefore it seems to me that from that standpoint, if this is the principle on which the argument was based the other night, I believe this is not sincere; this is only fooling the members of the House to pass an amendment to permit evils, feeling that in some way labor will be harmed unless they have a hearing. If there is no "sit down" strike, they cannot be harmed, whether there is a hearing or no hearing, no matter what evidence is adduced,—if there is no "sit down" strike, nobody is being restrained. But if there is a "sit down" strike and labor says, "We are opposed to the 'sit down' strike" and the law says, "We are opposed to the 'sit down' strike," then the order of the court in the first instance will be the same order as in the second instance, and they will be restrained. However, this amendment does not do that. This amendment comes under section 9, and it says that not only must the court find that there is a "sit down" strike, but it must find a, b, c, d, e, and f, which is already in the act; it must find that all of those things exist, every one of them. It doesn't say, "or." Read it carefully, and you will find that there is no "or" there. It doesn't say if they do "a" or if they do "b," or if they do "c," or if they find this in section g, but it does say they must find everything from "a" to "g" to exist before they can issue an order on that basis. I say this is not attempting to say that a "sit down" strike you can issue a restraining order, because the other sections make it almost impossible for any court to find any instances under which they can find all of those things.

Mr. REUBEN E. COHEN. Mr. Speaker, I want briefly to answer the statement of the gentleman from Delaware because I think it was predicted upon his interrogation of me.

I answered his questions as I did in order to give him a legal answer to a legal question. I think that was the basis of the controversy. I think we have got to look a little bit further than the legal implication. As I started to say in one of my answers, I would not be certain of how any one of the courts of the sixty-seven counties would interpret that provision as to what they might do in respect to an Order of Court issued in such cases in any of the sixty-seven counties of the state. Labor history has shown us in many years gone by, before we had the Labor Relations Act and other legislation, at that time when labor disputes took place we had a lot of Coal and Iron Police, deputy heriffs and vigilantes, going around clubbing men into submission, and inquiring about what they did later. I say we should have very careful consideration of every decent proposal before any injunction is issued in any so called "sit down" strike; we want to be careful we do not get different interpretations from the various judges which will allow these deputies and others to go out with a piece of paper in one hand and a club in the other hand and forget to read the piece of paper, but swing the club anyway. That is what I want to prevent, and that is what the amendment would do.

Mr. TURNER. Mr. Speaker, I want to thank the gentleman from Philadelphia. He has illustrated perhaps in a far better way than the matter has been illustrated in this whole debate. That is exactly what I meant when I said I do not think this is a good provision for labor itself. It could be possible under the terms of this act, that some

court would issue an injunction and the people were doing exactly what he says they would do, and they went out and unlawfully proceeded, exceeded the terms of the injunction, if labor went into court then and tried to get a restraining order, labor would have to wait the period during which all the evidence could be taken and all the delays that might come in a court, which might be extended over a period of thirty days or more, during which time violence might be done on the laboring people. So you can see that you cannot benefit one side and not cut back on the other side in some circumstances that might arise. You cannot foresee all the circumstances, and if labor prohibits any injunction from being issued until a full hearing is had, if they too are the victims of some excessive power that is being waged by some employers or some particular group of people, they will be cut by the same sword because they will have to wait until a full hearing can be had, and in the meantime their rights are being violated.

Mr. MORAN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Harmuth, Rausch, Rosenfeld, Marks, O'Mullen, Finestone, Hering, D'Ortona, Hersch, Boies, Verona, DiGenova, Melchiorre, Shaw, Reynolds, Cochran, Matthew J. Welsh, Schwab, Malloy, McLane, Corrigan and others.

On the question,

Shall the main question be not put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. MORAN, HEATHERINGTON and COCHRAN asked for a verification of the roll.

The roll was verified and was as follows:

YEAS 132

Achterman,	Gates,	McDermott,	Reynolds,
Baker,	Gerard,	McFall,	Rooney,
Balthaser,	Gryskewicz,	McGrath,	Rose, S.,
Baugher,	Haberlen,	McIntosh,	Rosenfeld,
Bentley,	Haines,	McLanahan,	Rush,
Bentzel,	Hamilton,	McLane,	Sarraf,
Boies,	Harkins,	McMillen,	Scanlon,
Boney,	Harmuth,	McSurdy,	Schwab,
Bradley,	Harris,	Melchiorre,	Shaffer,
Breth,	Heatherington,	Mihm,	Shaw,
Brown,	Helm,	Modell,	Sorg,
Brunner, P. A.,	Hering,	Monks,	Stank,
Burns,	Herman,	Mooney,	Stine,
Chervenak,	Hersch,	Moran,	Tarr,
Chudoff,	Hirsch,	Moul,	Tate,
Cochran,	Holland,	Munley,	Thompson, E. F.,
Cohen, R. E.,	Jefferson,	Nagel,	Verona,
Cordier,	Keenan,	Nunemacher,	Vincent,
Corrigan,	Kenehan,	O'Brien,	Vogt,
Croop,	Kline,	O'Connor,	Voldow,
Cullen,	Kolankiewicz,	O'Mullen,	Watkins,
Dalrymple,	Komorofski,	O'Neill,	Weiss,
Dennison,	Krise,	Owens,	Welsh, E. B.,
DiGenova,	Leonard,	Petrosky,	Welsh, M. J.,
Dolon,	Lesko,	Pettit,	Wilkinson,
D'Ortona,	Levy,	Polaski,	Williams,
Duffy,	Leydic,	Polen,	Wolf,
Early,	Longo,	Powers,	Woodring,
Elliott,	Lovett,	Prosen,	Wright,
Falkenstein,	Malloy,	Rausch,	Yester,
Finestone,	Marks,	Readinger,	Young,
Finnerty,	Maxwell,	Reese, R. E.,	Kilroy,
Flynn,	McClanaghan,	Regan,	Speaker.
Gallagher,			

NAYS 66

Auker,	Gillan,	Lyons,	Sollenberger,
Boorse,	Gillette,	McClester,	Stambaugh,
Bower,	Greenwood,	McDowell,	Stockham,
Bretherick,	Gyger,	McKinney,	Taylor,
Brunner, C. H.,	Habbyshaw,	Muir,	Thompson, R. L.,
Cadwalader,	Hall,	O'Dare,	Trout,
Cook,	Hare,	Rank,	Turner,
Cooper,	Hewitt,	Reagan,	Van Allsburg,
Dix,	Huntley,	Reese, D. P.,	Voorhees,
Eckels,	Imbrie,	Rhea,	Wagner,
Elder,	James,	Riley,	Weingartner,
Ely,	Jones, G. E.,	Royer,	Winner,
Fisher,	Knoble,	Sarge,	Wood, L. H.,
Fiss,	Lee, E. A.,	Serrill,	Wood, N.,
Fleming,	Lee, T. H.,	Simons,	Woodside,
Fletcher,	Leisey,	Snyder,	Yeakel,
Foor,	Lichtenwalter,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr. BROWN filed the following reasons for his vote:

I am in accord with deleting sub-section A page 3; subsection B page 4 and sub-section C page 5 and while I oppose deleting sub-section D page 5 as my remarks will show, I vote in the affirmative on House Bill 136 believing that future legislature will correct the amendments inserted in this session.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, as follows:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the Public schools for two years beginning June first one thousand nine hundred and thirty-nine and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-nine" providing for a deficiency in the appropriation to the Department of Property and Supplies for the fiscal biennium ending May thirty-first one thousand nine hundred forty-one providing for payment out of revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one and preventing lapsing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventy thousand dollars ($70,000) or as much thereof as may be necessary for deficiencies in the appropriation made to the Department of Property and Supplies by the act to which this is a supplement is hereby specifically appropriated to the Department of Property and Supplies for the cost of alterations furnishings equipment books and necessary improvements on space in the main Capitol building now occupied or to be occupied by the Senate the House of Representatives and the Legislative Reference Bureau The deficiency appropriation hereby made may be paid out of the revenues of the fiscal biennial period beginning June first one thousand nine hundred forty-one

Section 2 Neither this appropriation nor the unexpended balance of the appropriation for said purposes made by the act to which this is a supplement shall lapse until such purposes are fully completed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 204

Achterman,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan,	Sarge,
Baugher,	Gillan,	McClester,	Sarraf,
Bentley,	Gillette,	McDermott,	Scanlon,
Bentzel,	Greenwood,	McDowell,	Schwab,
Boies,	Gross,	McFall,	Serrill,
Boney,	Gryskewicz,	McGrath,	Shaffer,
Boorse,	Gyger,	McIntosh,	Shaw,
Bower,	Habbyshaw,	McKinney,	Shepard,
Bradley,	Haberlen,	McLanahan,	Simons,
Breth,	Haines,	McLane,	Snyder,
Bretherick,	Hall,	McMillen,	Sollenberger,
Brown,	Hamilton,	McSurdy,	Sorg,
Brunner, C. H.,	Hare,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Harkins,	Mihm,	Stank,
Burns,	Harmuth,	Modell,	Stine,
Burris,	Harris,	Monks,	Stockham,
Cadwalader,	Heatherington,	Mooney,	Tarr,
Chervenak,	Helm,	Moran,	Tate,
Chudoff,	Hering,	Moul,	Taylor,
Cochran,	Herman,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley,	Thompson, R. L.,
Cook,	Hewitt,	Nagel,	Trout,
Cooper,	Hirsch,	Nunemacher,	Turner,
Cordier,	Holland,	O'Brien,	Van Allsburg,
Corrigan,	Huntley,	O'Connor,	Verona,
Croop,	Imbrie,	O'Dare,	Vincent,
Cullen,	James,	O'Mullen,	Vogt,
Dalrymple,	Jefferson,	O'Neill,	Voldow,
Dennison,	Jones, G. E.,	Owens,	Voorhees,
DiGenova,	Jones, P. N.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
Foor,	Lyons,	Rose, W. E.,	Kilroy, Speaker

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons and to make uniform the law with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Reciprocal Agreements The Department of Public Assistance subject to the approval of the Attorney-General is hereby authorized to enter into reciprocal agreements with corresponding state agencies of other states regarding the interstate transportation of poor and indigent persons who do not require institutional care because of physical or mental infirmity and to arrange with the proper officials in this state for the acceptance transfer and support of persons receiving public aid in other states in accordance with the terms of such reciprocal agreements provided that this state shall not nor shall any political subdivision of this state be committed to the support of persons who are not in the opinion of said Department of Public Assistance entitled to public support by the laws of this state

Section 2 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 3 Short Title This act may be cited as the Uniform Transfer of Dependents Act

Section 4 Time of Taking Effect This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
entzel,	Gillette,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy, Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 481, Printer's No. 116, was passed over at the request of Mr. LEVY.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 653, as follows:

An Act to add clause eighteen A to section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" authorizing cities of the second class to impose and collect charges for the care and treatment at municipal hospitals of persons who are financially able to pay the expenses of such care and treatment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of article nineteen of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended by adding thereto immediately after clause eighteen a new clause to read as follows

Section 3 Every city of the second class in its corporate capacity is authorized and empowered to enact ordinances for the following purposes in addition to the other powers granted by this act

* * * *

XVIII-A To impose and collect charges covering all or any portion of the cost of care or treatment at municipal hospitals where the persons receiving such care or treatment are financially able to pay all or any portion of the cost of such care or treatment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boles,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Hackyshaw	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy,

Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 616, as follows:

An Act to amend section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" providing for admission to bail by committing magistrates and coroners in cases involving manslaughter by automobile

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 427) entitled "An act to Consolidate Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings" is hereby amended to read as follows

Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder coroner or alderman where the offense charged has been committed except such persons as are precluded from being bailed by the constitution of this Commonwealth Provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the supreme court or one of the judges thereof or a president or associate law judge or a court of common pleas And provided further however That persons accused of manslaughter by automobile unless such persons were found under the influence of intoxicating liquor or failed to stop and render assistance may be admitted to bail by the coroner or the committing magistrate alderman or justice of the peace Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the supreme court the court of common pleas or any of the judges thereof or a mayor or recorder of a city

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Herman,	Munley,	Thompson, R. L.,
Cook,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Corrigan,	Holland,	O'Connor,	Verona,
Croop,	Huntley,	O'Dare,	Vincent,
Cullen,	Imbrie,	O'Mullen,	Vogt,
Dalrymple,	James,	O'Neill,	Voldow,
Dennison,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
	Lyons,	Rose, W. E.,	Kilroy,
			Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 57

Mr. ACHTERMAN. Mr. Speaker, I desire to call up House Resolution No. 57, Printer's No. 120.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 19, 1941.

Whereas Newspapers have carried reports concerning the operation of certain state hospitals within the Commonwealth of Pennsylvania which if true show an extremely reprehensible situation existing in such state hospitals and

Whereas There have been charges made that certain trustees and supervisory officials have committed criminal acts and

Whereas Certain state hospitals have lost their official standing and rating with the American Medical Association and

Whereas The conduct of certain trustees of state hospitals has resulted in unfavorable criticism of the operation of said hospitals and

Whereas If these charges are true the situation calls for immediate attention by the legislative branch of the government to remedy such a condition therefore be it

Resolved (if the Senate concur) That the Speaker of the House of Representatives appoint a committee of three members of the house and the President pro tempore of the Senate appoint a committee of three members of the Senate to act as a legislative committee to investigate the maintenance operation and conduct of all state hospitals within this Commonwealth and be it further

Resolved That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee and to produce such books papers records and documents as the committee may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases and be it further

Resolved That the said committee because of the urgency of the situation report to the General Assembly as speedily as possible with appropriate recommendations

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for its concurrence.

RESOLUTION NO. 58

Mr. TARR. Mr. Speaker, I desire to call up House Resolution No. 58, Printer's No. 121.

The resolution was read by the Clerk as follows:

In the House of Representatives, March 19, 1941.

It has long been a custom in the United States and in other countries throughout the world to observe the first day of May as May Day and to mark such observances by various kinds of celebrations which sometimes have taken the form of demonstrations against our established democratic form of government.

Almost a decade ago the American Legion organization in Fayette County inaugurated a new and more appropriate observance of the first day of May by staging a parade and celebration in the name of Americanism

The first day of May has since been annually observed and celebrated as Americanism Day by patriotic societies veterans' organizations and other groups both in Fayette County and throughout the Commonwealth and it has been the custom of the Governor of the Commonwealth to issue his proclamation signifying the observance of Americanism Day

The present world crisis constitutes a serious threat to those American principles of life and government which were established with such great sacrifice and which have since been maintained and protected so valiantly thus making particularly significant and appropriate the observance of May first as Americanism Day in the year of 1941 now therefore be it

Resolved by the Members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania that a committee of five members be appointed by the Speaker to arrange appropriate ceremonies at the hour of 12 o'clock noon on April 30 1941 in anticipation of the observance of May first as Americanism Day and be it further

Resolved That the Governor his cabinet the Members of the Senate of the Commonwealth of Pennsylvania the officers of the American Legion Post No 51 and Veterans of Foreign Wars Post No 47 of Uniontown Fayette County and the State officers of the various other veterans' and

patriotic organizations throughout the Commonwealth be invited to attend such ceremonies and be it further

Resolved That the Governor of the Commonwealth is hereby urged to issue his proclamation signifying May 1 1941 as Americanism Day and calling upon all patriotic veteran fraternal and civic organizations to hold celebrations of this day in such a manner as will bring to the people of the Commonwealth the full realization of the benefits privileges and blessings that come to them through the continuance of our American form of government and be it further

Resolved That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania further urges all persons in the Commonwealth of Pennsylvania to join in a real American celebration of May 1 1941 as Americanism Day

On the question,

Will the House adopt the resolution?

It was adopted.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Constitutional Amendments, Wednesday, March 26 at 11:30 a. m. in Room 327.

Dairy Industries, Wednesday, March 26 at 10 a. m. in Room 329.

Fisheries, Wednesday, March 26 at 10:30 a. m. in Room 324.

Municipal Corporations, Tuesday, March 25 immediately after adjournment.

Professional Licensure, Wednesday, March 26 at 11 a. m. in Room 246.

Public Utilities, Tuesday, March 25 immediately after adjournment.

State Government, Wednesday, March 26 at 10 a. m. in Room 326 (Old House Caucus Room).

Townships, Wednesday, March 26 at 10:30 a. m. in Room 328.

Workmen's Compensation, Wednesday, March 26 at 11:30 a. m. in Room 522.

Caucus Meeting, Democratic Members of Allegheny County, in Main Caucus Room immediately after session on Tuesday, March 25.

ANNOUNCEMENTS

The members of the Committee on State Government are urged to attend a meeting on Interstate Stream Pollution measures at 10 a. m. Wednesday, March 26th in the Old House Caucus Room, Room 326.

The Philadelphia Democratic First Term Members of the House will have breakfast tomorrow morning (March 26) at the usual place.

ADJOURNMENT

Mr. PAUL A. BRUNNER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 26, 1941, at 12 m.

The motion was agreed to, and (at 4:46 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, MARCH 26, 1941. No. 27.

SENATE

WEDNESDAY, March 26, 1941

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Our Gracious God, Whose only is the Kingdom and the Power and the Glory, yet Who has ordained human government for the control of Thy children, grant and continue unto us legislators and executives schooled in the ideals of Thy Kingdom, endowed with Thy power that Thy glory may be the ultimate objective of all human endeavor.

So erroneous may our concepts of government become and so warped our personal ideals of spiritual integrity that we need to keep so close to Thee that these wrong ideals and concepts be precluded from our common endeavors. Show us Thy light shining in the midst of darkness and make plain Thy truth in the midst of error. Let unrighteousness be supplanted by righteousness and personal desires subjugated to the common good.

May we constantly be governed in this our service not by what may be expedient but by what would be right. May this be the criterion of Divine judgment upon our acts for this will be pleasing unto Thee.

Upon all in authority over us grant Divine wisdom and guidance for this one day. For Jesus' sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TYLER and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Farrell asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 26, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

Miss Bessie A. Thomas, Wilkes-Barre, March 27, 1941.

PHILADELPHIA COUNTY

James Ryan, Jr., Phila., 3305 North Front Street, March 30, 1941.

Miss Lillie A. Donovan, Phila., 842 Land Title Bldg., April 12, 1941.

LEHIGH COUNTY

Harry L. Silverman, Allentown, April 13, 1941.

YORK COUNTY

H. M. Findley, Delta, April 13, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Julia D. Baker, Pittsburgh, 133 South 19th St.

S. F. Bubarth, O'Hara Twp., Box 7824, Sharpsburg.

Walter R. Dassdorf, Pittsburgh, 30th and Smallman Streets.

Fred P. Fuller, Pittsburgh, Room 407, 6101 Penn Avenue.

W. J. McGreevy, Pittsburgh, 507 Investment Building.

DELAWARE COUNTY

Lawrence G. Kilpatrick, Haverford Twp., 1316 Darby Rd., Brookline, Upper Darby.

INDIANA COUNTY

R. E. Walbeck, Homer City.

LANCASTER COUNTY

Mrs. Violet M. Eshleman, Quarryville.

NORTHUMBERLAND COUNTY

Miss Stella M. Bridy, Mt. Carmel.

PHILADELPHIA COUNTY

Levy Anderson, Phila., 1010 Liberty Trust Building.
Mrs. Irene M. Wilson, Phila., 105 North Fifth St.

SNYDER COUNTY

Fred M. Machmer, Selinsgrove.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,	Ealy,	McCreesh,	Stiefel,
Bartlett,	Edmonds,	McGinnis,	Tallman,
Becker,	Farrell,	McQuiddy,	Thomas,
Carr,	Frey,	Miller,	Tyler,
Cavalcante,	Haluska,	Mundy,	Wade,
Chapman,	Heyburn,	Reed,	Walker,
Coleman,	Kephart,	Ruth,	Watkins,
Cox,	Lanius,	Scarlett,	Wilson, H. I.,
Crider,	Letzler,	Shapiro,	Woodward,
Crowe,	Mallery,	Snowden,	Ziesenheim,
Deitrick,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESOLUTION OPPOSING HOUSE BILL NO. 367

The PRESIDENT. The Chair by request lays before the Senate a communication from the Methodist Ministers' Meeting in Philadelphia, dated March 24, 1941, which will be spread upon the Journal.

THE METHODIST MINISTERS' MEETING
In Philadelphia

Wheras, There has been introduced in the General Assembly at Harrisburg, Pa., measures, which, if enacted into law, would be injurious to the economic, moral and spiritual welfare of our Commonwealth, Therefore

Be it resolved, That the Methodist Ministers' Meeting in Philadelphia, register its protest against the passage of such legislation and calls upon the General Assembly to defeat these bills.

Resolved, That we go on record as opposed to House Bill No. 367, that proposes to legalize Sunday bowling, all day Sunday, without giving the people the right to vote on this measure.

The foregoing resolution adopted at the regular weekly meeting of the Methodist Ministers' Meeting in Philadelphia, held on Monday, March 24, 1941. A copy of this resolution to be sent to the Speaker of the House of Representatives and Senate President respectively, and a copy to the Governor of the Commonwealth.

(Signed)

(Rev.) D. RAY MEIXELL, Secretary,
Methodist Ministers' Meeting in Philadelphia.

The PRESIDENT. The resolution is referred to the Committee on Law and Order.

REPORTS FROM COMMITTEES

Mr. EDMONDS, from the Committee on Education, reported as amended, Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphans' home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges.

Mr. KEPHART, from the Committee on Highways, reported as committed, Senate Bill No. 32, entitled:

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at Irwin in Westmoreland County, the western terminus of the turnpike heretofore constructed by said commission, to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Mr. REED, from the Committee on Highways, reported as committed, Senate Bill No. 344, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551), entitled "An act relating to roads, highways, and bridges," as amended, by making the maximum width of a public road two hundred feet.

Mr. SCARLETT, from the Committee on Highways, reported as committed, Senate Bill No. 342, (House Bill No. 366), entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing

for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Mr. LETZLER, from the Committee on Highways, reported as committed, Senate Bill No. 401, entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

BILLS INTRODUCED

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 429, entitled:

An Act giving a bank or trust company the option to refuse payment of a check or other demand instrument presented one year after date.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 430, entitled:

An Act to amend Subsection 3 of Section 9 of the act, approved the sixteenth day of May, one thousand nine hundred and one (P. L. 194), entitled "An act relating to negotiable instruments," by making further provision with respect to when instruments are payable to bearer.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 431, entitled:

An Act fixing the liability of a bank or trust company to its depositor for payment of forged, altered, or raised checks.

Which was committed to the Committee on Banking.

He also read in his place and presented to the Chair Senate Bill No. 432, entitled:

An Act fixing limitations on revocations, countermands of payments and stop payment orders relating to the payment of checks or drafts against bank accounts.

Which was committed to the Committee on Banking.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 433, entitled:

An Act to amend section eight hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class," to provide for contracts to be awarded to the lowest responsible bidder; for published notice to contain certain information; and for rejection of contract on protest of taxpayers.

Which was committed to the Committee on County Government.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 434, entitled:

An Act making an appropriation to the Department of Forests and Waters for the maintenance and improvement of Fort Washington Park.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 435, entitled:

An Act providing for a Legislative Controller, and for his election and removal by the General Assembly; defining his powers and duties; authorizing the employment of assistants by the Legislative Reference Bureau for the use of the Legislative Controller; imposing certain duties and responsibilities upon the executive and administrative departments, and agencies of the State government, and upon agencies receiving State appropriations; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 436, entitled:

An Act regulating harness and hunt meeting racing with wagering on the results thereof; creating a State Harness and Hunt Meeting Racing Commission in the Department of State; imposing powers and duties on the State Harness and Hunt Meeting Racing Commission; providing for the licensing of race track riders, trainers, steward, and officials for such racing; requiring the proceeds accruing under this act to be turned over to the State Department of Revenue and then into a special fund of the Department of Agriculture, and allocating such moneys in such fund; imposing penalties and repealing inconsistent legislation.

Which was committed to the Committee on Agriculture.

Mr. DENT. Mr. President and members of the Senate, in presenting this bill legalizing harness horse racing, I wish to put before the Senate certain arguments for my action.

In the first place, the bill will be a blessing to the horse breeders of Pennsylvania. Under present conditions there are no inducements for the Pennsylvania horse breeders and farmers to specialize in the breeding of blooded stock. Although I may say in passing that Pennsylvania has within its confines two of the largest and best equipped breeding farms in the United States. Many persons do not know the true facts pertaining to Pennsylvania's place in the horse racing picture. Pennsylvania is one of the leading states in the Union in breeding prize pacers and trotters. Pennsylvania horse owners have placed first in the Hambletonian time and time again.

A Philadelphian owns the present championship two-year-old pacing team "Saratoga and Times Scarce." And yet, these horses must race for the benefit of horse loving people of other surrounding states, and Pennsylvanians are denied the privilege of seeing them, except at some big fairs, such as the "York and Reading fairs."

Speaking of fairs brings to mind the plight of the struggling County fairs in this State. Although the legislature tries by a half-way appropriation measure to help the fairs. Everyone connected with a fair association knows how difficult it is to get prize money from the State. Under this bill the fairs will receive along with other Agricultural shows the entire returns from the races held.

The races will be held entirely for the benefit of the Farmers who will then have a reasonable inducement to take a more active interest in Agricultural prize competitions.

Practically every fair association in the State is in the red. This bill in operation will taken them out of the red and place them in the financial standing they deserve to be in.

It is true that the fairs do hold race meetings, but the simple truth remains that because of the lack of sufficient prize money out of State, breeders seldom send their

horses on expensive trips into Pennsylvania except perhaps to the very largest meetings.

Another truth apparent to all who take an interest in Fairs is that because of the law against pari-mutual betting there is a lack of interest on the part of the general public. Of course, there is betting at the tracks but it is illegal and bootleg bookies can't always be trusted to be there if your horse wins. Many prominent persons in Pennsylvania including members of the General Assembly travel many miles to neighboring States to see horse races but never take the time to see them at the Fair Grounds. Why? I'll let you answer the question.

How many men in this Senate have stopped to consider that Pennsylvania stands alone in its position on legal harness racing. A barren spot, as it were, in a forest of liberality. The roll call of States includes, New York, New Jersey, Ohio, West Virginia, Maryland and others too numerous to mention. Certainly, the people of these states are no different than our own.

Harness horse racing is the cleanest of racing sports. There are few thrills to compare with a close heat coming down the home stretch. Give our citizens this opportunity to indulge in a wholesome sport and they won't be looking for other opportunities to spend their time and money.

Sometime when you have time, go to the races in Maryland, and count the number of Pennsylvania cars parked at the race grounds. I'll venture you will come away convinced that Pennsylvanians want the Sport of Kings. I would stake my political future on a referendum allowing the people to vote for or against an out and out horse racing bill.

In my county one of the most attractive steeplechase courses in the country draws thousands of citizens from all over the Country to its annual races. We spend thousands of dollars through our Department of Commerce trying to draw tourists to our State. Ten race meetings will bring in more cash spending tourists than all the money spent by the Department. This bill will help hotel operators, restaurant keepers, gasoline dealers, railroads and in a general sense will benefit the entire State. It will save the taxpayers money in many ways, especially in taking up the appropriations to the tourist propaganda Department and the County Fair Associations. Before this Session is over I hope to get copies of a magazine called "Hoof Beats" in order that the Members of the Senate will get an inside picture of how great a State Pennsylvania is in the harness horse breeding field. Let me quote an article of interest to Pennsylvanians, "Down in the southeastern section of Pennsylvania, not far from the Maryland line and the city of Baltimore, is the little city of Hanover, and near this little city is located the stock farm which has made the name Hanover something of a household word throughout this land. Products of the Hanover Shoe Farms have been returned winners of practically all of the leading harness horse stakes of the Grand Circuit such as the Hambletonian, the Kentucky Futurity, the Walnut Hall Cup, the Championship Stallion Stake, the Matron Stake. You will find Hanovers winning at the leading tracks of the Pacific coast; in the mid-west, on the Grand Circuit; up in the potato country of Maine—in fact, anywhere that the harness horse is raced, representatives of the great breeding farm in Pennsylvania will be found topping summaries."

Three of the winners of the Hambletonian, the outstanding harness race meet in the world, were products of this great stock farm. Another great breeder is the well-known Village Farm at Langhorne, Penna. In passing, I might mention that the Harrisburg Horse Sale is becoming the outstanding event of its kind in America. All we need in this State to make Pennsylvania the Capitol of Harness Horse Breeding and Stock raising is the passage of this bill.

For years, these owners and others have fought an uphill battle but now with Delaware, New York and New Jersey joining the ranks of the legalized racing States it becomes imperative for the welfare of this Industry in Pennsylvania to get a fair appraisal of the situation in the General Assembly. In order that there is no question raised upon the Senate introduction of this bill it will be introduced in the House also. At some later date I'll give this body figures and facts about this industry that will surprise if not amaze the membership.

In a world of constant change, Pennsylvania cannot forever stand still. I first introduced a racing bill in 1935 and in spite of pressure and criticism, I found a great deal of sentiment for this bill amongst the real people of Pennsylvania.

I close by including for the record an editorial by Frank L. Wiswall on the New York experience, quote "THE GUINEA PIG." We feel that the United States Trotting Association, with due modesty, may claim credit of authorship and much of the credit for the passage of the Article of the New York State Pari-Mutual Law governing harness racing. At the General Election in the autumn of 1939, the people of the State of New York ratified a resolution adopted by two successive Legislatures of the State amending the Constitution legalizing pari-mutuel betting at the tracks upon horse races in the State of New York. The provision of the Constitution thus adopted was not self-executing and it became necessary for the Legislature of 1940 to enact legislation governing the method and manner to be employed and the conduct of pari-mutuel betting within the state. While the Constitution legalized such a system of betting, only by statute could it be regulated, and since the principal argument in favor of the amendment of the Constitution was made upon the basis of the revenue to be derived by the state from a tax imposed upon the betting to be conducted under the amendment, legislation was necessary to regulate the manner and form of betting and also to provide for the amount of tax and the manner and method of its collection.

The law finally passed provided for a separate commission to be appointed by the Governor with the consent of the Senate which commission should have exclusive jurisdiction over harness racing within the State of New York at meetings to be licensed by it at which pari-mutuel betting could be indulged in. The act provided that pari-mutuel betting should be authorized at fairs.

The statute provided that not more than seven harness race meetings at which pari-mutuel betting might be conducted should be licensed by the commission in any one year and that the commission should make rules governing the betting and supervise the same, although the Tax Commission of the State was charged with the act of the financial administration of the betting pursuant to the law and the rules of the Harness Racing Commission so that both the Tax Commission and the Harness Racing Commission at all times have power of access to and examination of the equipment relating to such betting.

The Commission fixes the hours and dates of the meet-

ings and under the law appoints the officials who shall serve and fixes their compensation, although it is provided that such officials must be licensees of the United States Trotting Association. The law also provided that the Commission may adopt the rules and regulations of the United States Trotting Association and carry into effect the provisions of the statute and that they shall have power to fix the minimum and maximum admission charges, etc. It is further provided by law that what is commonly called the "take," in other words, deduction from the total bet, to be fifteen percent plus the "breaks" which are the odd cents over any multiple of five cents calculated on the basis of $1.00 and of that fifteen per cent, five per cent and half of the breaks shall be paid to the State Tax Commission as a tax for the privilege and the remaining ten per cent, plus half the breaks may be retained by the track.

Because of the fact that heretofore harness racing in New York State has consisted almost entirely of racing at the County Fairs with the exception of the State Fair and the two Goshen meetings, the fact that the Legislature was about to adopt a statute in reference to harness racing furnished an opportunity to right a wrong of long standing. For many years in the State of New York there has been an appropriation by the state for aid to the County Fairs. In latter years the sum appropriated has been $250,000 per annum, although previously it had been larger. Under the statute existing before 1940, the sum of $250,000 was used to reimburse each county, town or agricultural fair for the premiums which it paid for the exhibition of cattle, swine, sheep, poultry, farm produce, domestic arts, etc., up to ninety per cent of the amount of such premiums it being provided, however, that no one fair should be paid an amount in excess of $5,000. During practically all of the years that fairs have been in existence, it may be reasonably stated that they have been built around a race track and that the oldest attraction at the fairs and the one which has stood the test of time and which today furnishes the greatest portion of the public entertainment is harness racing. The improvement of the breed of harness horses and their dependence upon agricultural pursuits of this nation is one of the most outstanding exhibitions which any fair provides. Notwithstanding the importance to agriculture and to the fair of the harness horse, the law in New York had ever denied reimbursement of the purses or premiums for which harness horses competed on the fair grounds track. The 1940 statute, recognizing the long existing injustice, provided that in addition to the other objects hereinbefore enumerated the State should grant reimbursement for harness race premiums and purses at the fairs to the extent of 90 per cent thereof and the appropriation was increased from $250,000 to $400,000 and the amount which could be paid to any indivinual fair increased from $5,000 to $8,000. It may, therefore, be fairly stated that through the efforts of the United States Trotting Association each of the fairs in the State of New York gained in 1940 $3,000 additional state aid.

Under the law which has been briefly summarized, the Governor of the State of New York appointed as the Harness Racing Commission, Elbridge T. Gerry, a member and one of the underwriters of the United States Trotting Association, J. C. Newton, one of the directors of the United States Trotting Association, and Benjamin W. Downing, for many years connected with one of the state's oldest county fairs. The appropriation made by the Legislature was inadequate to defray all the expenses of the Commission's activities. In order to aid in the work, somewhat experimental in character and so important that it may point the way to similar procedure in other states rather revolutionizing the sport of harness racing, and at the solicitation of the Commission, the Executive Vice-President and Secretary of the United States Trotting Association has given his service at $1.00 a year as Secretary to the Commission throughout its activities.

The racing under the new law in New York developed something entirely new in this country so far as harness racing is concerned. The Commission by its rules provided for barrier starting, saliva tests and many new features and further provided that the minimum purse to be raced for in any heat or dash should be $250. Two thirty-day meetings were licensed by the Commsision, or it might be more correct to say thirty night meetings, as the racing was conducted under lights. At the Westbury meeting over $70,000 was paid in purses, free hay and straw furnished, and while the entrance fee was fixed at two per cent, transportation adjustments and allowances were made which in reality made the entrance one per cent. So it may fairly be said that the horsemen raced for thirty nights for approximately $63,000, none of which was their own money. This in itself was nothing less than remarkable in the light of previous harness racing experience in the United States.

The Commission carefully sought to avoid any conflict of the pari-mutuel meetings with the County Fairs to the detriment of the latter, and in cases where dates conflicted and some of the fairs were short of horses, through the influence of the Commission, horses were actually sent from the mutuel meetings to fill out the fair programs.

In the efforts of the United States Trotting Association to secure an improvement in racing conditions a beginning had to take place somewhere. In 1940 the situation in New York State afforded the vehicle and we might say in the popular language of the day, the new system in New York became the guinea pig in experiment for the benefit of the entire nation. Our association was not in a position to attack the problem elsewhere in exactly the same manner that it did in New York by reason of unusual circumstances which there existed. It is the purpose and desire of the United States Trotting Association to assist in every manner possible in bringing into fruition and extension through other sections of the country what appears to have been a highly successful experimental venture and which is believed to have been proven and demonstrated to be a boon to the breeders, owners and trainers of harness horses as well as the patrons of the sport.

While the accomplishments which we have enumerated did not come about as easily and smoothly as the language here used might indicate, we feel certain that each and everyone of those who labored and struggled to attain the ends mentioned, feels amply rewarded by what has already transpired as the fruits of the effort and is inspired to believe that the future holds greater and richer rewards of satisfaction for a good service."

I wish every Member of this Senate would read it carefully. The time has certainly arrived when this matter should receive conscientious treatment by the Members of the General Assembly. I also include an article ap-

pearing in the Harrisburg Patriot which gives a clear cut picture of the plight of our County Fairs.

"MANY COUNTY FAIRS IN RED." State Association Urges Larger Subsidies—Secretary Light, Ross Speak. The county fair has a real place in agriculture, John H. Light, State Secretary of Agriculture, yesterday told members of the Pennsylvania State Association of County Fairs meeting here for their twenty-ninth annual convention.

Speaking during the afternoon session, Secretary Light said that the county fair has come to be regarded as an educational institution. He emphasized the point that the State Farm Show does not replace the county fair and never was intended to do so.

Light pointed out that during the past year eighty-four county fairs have received financial aid from the State and that this year, "three or four more" would come within this classification. He predicted that within a few years, the figure woul damount to "close to 100."

Sixty Fairs in Red. Charles S. Swoyer, secretary of the association, told the gathering that financial losses beset sixty of the 103 fairs in Pensnylvania last year but that the total cash receipts for paid admission in 1940 were $6874 more than in 1939. Last year's paid admission jumped 49,438 over the previous year, Swoyer said.

The secretary urged adoption of a resolution requesting the Secretary of Agriculture to have a deficiency bill passed in the Legislature for $29,500 owing fairs for 1939 and 1940. Swoyer also recommended that the agriculture department budget not less than $135,000 for the State appropriation to fairs for this year and next year.

Other speakers during the afternoon session included H. C. Fetterhoff, of the State Department of Public Instruction; Dr. G. E. Brandow, of the Pennsylvania State College, and Frank L. Wisall, executive vice-president and secretary of the United States Trotting Association.

Officers Elected. At the business session William Brice, Jr., Bedford was re-elected president of the association. Vice-presidents elected were Harry B. Correll, Bloomsburg; John H. Rutter, York, and M. H. Beary, Allentown, Charles W. Swoyer was re-elected secretary-treasurer.

J. I. Ferguson, of Butler and Joseph McGraw, of Washington, Pa., were elected to membership in the executive committee to succeed Charles H. Barnhart and R. L. Munce. It was voted to hold next year's convention in Allentown. A banquet last night in the Penn-Harris Hotel at which time F. Clair Ross, State Treasurer, was the guest speaker, concluded the two-day convention. The invocation was given by State Senator Frank W. Ruth of Berks County, Governor James, one of the scheduled speakers at the banquet was unable to attend. Ross declared that as a result of the national defense project now under way throughout the country, county fairs will benefit from increased industrial payrolls which will mean better attendance, and in the increased number and variety of foodstuff entries resulting from increased production.

Pointing to the Commonwealth's interest in fairs, Treasurer Ross said: "Your annual exhibits represent more than a community holiday. The State Department of Agriculture finds in them a barometer of agricultural activity and production and the lawmakers have taken cognizance of this service by making an appropriation to reimburse associations for premiums paid in certain classes."

I have not read the editorial in full, but, I hope, Mr. President, the members of the Senate will take time to read the editorial because it covers the situation very thoroughly.

Mr. President, take the plight of New York when they had to go before the people on a constitutional change and after passage by the people of the constitutional amendment they had to go before the people on a referendum and before it was through the issue went before the people of New York on three different occasions and each time the people of the State of New York returned an overwhelming majority in favor of legalizing harness horse racing.

I therefore at this time, Mr. President, present a bill covering legalized horse racing.

The PRESIDENT. If there is no objection, the editorial referred to by the gentleman from Westmoreland will be spread in full upon the Journal.

Mr. WOODWARD. Mr. President, I moved from my seat over to the Democratic side in order not to miss any of the address by the gentleman from Westmoreland, but I listened in vain to hear any reference to Mr. Annenberg, who is a martyr to this cause and did his best to remove the inconvenience of betting on the ponies in Pennsylvania, and look what happened to Mr. Annenberg.

Mr. DENT. Mr. President, in the same vein I might say if Mr. Annenberg and others of his kind would have helped to pass this kind of legislation he would not be where he is today.

The PRESIDENT. The bill is referred to the Committee on Agriculture.

Mr. McGINNIS. Mr. President, while we are on this matter I would like to congratulate the gentleman from Westmoreland, Mr. Dent, for his boldness in offering this bill. Mr. President, I used to own horses and drove them myself. I have driven harness horses, trotters and pacers at nearly every fairground in Pennsylvania.

The PRESIDENT. At the York Fair?

Mr. McGINNIS. Yes, Mr. President. I do not feel in this automobile age when the horse is being pushed out of existence that Pennsylvania should remain like a desolate island, with all the states around having these grand horse races, and the grandest horse flesh on earth.

To think that our children, Mr. President, young boys and girls, cannot see these races without going to other states, to me is wrong. I have heard many a man say that a boy or girl who does not love a horse will never amount to anything and I think a good way to find out whether our boys and girls are going to amount to anything, is to determine whether we are going to have horse racing so that those boys and girls can go and see horse flesh at its best.

QUESTION OF PERSONAL PRIVILEGE

Mr. MILLER. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Luzerne will state his question of personal privilege.

Mr. MILLER. Yesterday in the Senate, Mr. President, we were privileged to listen to an address by our colleague from Allegheny, Senator Walker, in which he extolled the patriotism of the great county of Allegheny and that of the American Legion, pertaining particularly to the youth of Pennsylvania.

I was very much impressed by the remarks made by the gentleman, because I too am interested in the youth of

Pennsylvania, and I feel that they should not be forced to view with fear and insecurity the future, and I feel definitely these Americanism programs are the proper form of patriotism to effect this result. Mr. President, I am privileged and really feel honored to call to the attention of this Senate a newspaper article appearing in the Wilkes-Barre Record of the great county of Luzerne, and I desire to read a portion of it into the record for the information of the Senators.

It is captioned "SCHOOLS OF CITY TEACH AMERICANISM TO 15,000. Tots as well as adolescents enjoy citizenship training and show they understand it."

The article is as follows:

Wilkes-Barre school officials' program to inculcate in some 15,000 pupils an appreciation of the blessings of our form of government as guaranteed by the Constitution and its amendments covers the little tots as well as the upper grade and high school students, it was revealed last week when visitors watched the nine-year old pupils of the third grade of South Main Street school stage the weekly exercises in the American Citizenship course.

Most significant feature of the program was the manner in which the youngesters changed into their own simple words the ideas suggested by the Sixth and Seventh Amendments, guaranteeing a speedy and just trial to criminals and trials by juries in civil cases, distinguishing between the two. Arline Jayne Moore, soft-spoken teacher obviously devoted to her pupils, set the pace with a few leading questions and the tots entered into the discussion with great spirit.

As is the case in every classroom in the city, the South Main Street third-graders put fervor in their daily pledge of allegiance and salute to the flag. The weekly program, presented by Superintendent Allen Bacon and his assistants in mimeographed form for all buildings graded according to ages, stressed poems to bring out the teachings so pertinent to conditions today.

Impressively recited was the following verse:

"There is lots to do for our land and flag,
Without any fighting or fuss or brag;
And it's up to me and it's up to you,
To just quit talk and begin to do."

Asked to explain it in their own way, the pupils did an excellent job. One curly-haired boy, suffering from a cold in the head but well able to reason, said: "If people are hungry we should quit talking and help them get something to eat."

Contrast with totalitarian forms of government was stressed during the discussion, the youngsters explaining that in America, the people are not "afraid of their rulers." A little girl made it clear, during the exchange of questions and answers, that "We vote for our rulers and if we don't like them, we put them out."

The history of the flag and Betsy Ross's contribution to the first one had made a deep impression on the third-graders. In the general discussion that followed their flag game, one tiny girl explained that women in Betsy Ross's day "wore lots of petticoats and that's where they got the cloth for the flag."

Adding to their vocabulary, the pupils offered sentences with "courage, truth, salute, land and color." One girl said: "Our mothers have courage to work for us." The boy next to her promptly raised his hand and said: "Our fathers have courage to earn money to feed and clothe us."

Another boy explained "salute" by saying: "When the flag passes by, we salute by putting our hats over our hearts."

Several songs were sung by the youngsters, who put on a drill in good order but the most fun for them appeared to come when Mrs. Moore called for their favorite song "Yankee Doodle."

John J. Maguire, district principal, and Harold Llewellyn, principal of South Main Street building, complimented the pupils on their fine performance.

A special committee of Rotary Club has been cooperating with Superintendent Bacon and his assistants in promoting the American citizenship course. Rotarians have been asked to take turns visiting the buildings every Friday to observe how thoroughly the boys and girls of all grades have entered into the spirit of the program.

Mr. President, I desire to commend the Board of Education of the Wilkes-Barre School District and likewise the Rotary Club of that city, which has cooperated in this program.

Just in closing, Mr. President, I would like to say Wilkes-Barre in the great County of Luzerne joins with Allegheny County in sponsoring this great patriotic effort or noteworthy endeavor with the hope that out of their action many other school districts will follow in this patriotic Americanism program.

QUESTION OF PERSONAL PRIVILEGE

Mr. EDMONDS. Mr. President, I rise also to a question of personal privilege.

The PRESIDENT. The gentleman from Montgomery will proceed.

Mr. EDMONDS. Mr. President, I think we all listened with keen enjoyment to the presentation of the gentleman from Allegheny yesterday, Mr. Walker, and I think we were all impressed with what the gentleman from Luzerne, Mr. Miller, has said today.

Unquestionably the teaching of patriotism is urgent at the present time and I want to make the suggestion that we are trying in our own community what I am inclined to think might be of some value to the other Senators.

The first Sunday in May has been set apart as Citizenship Sunday. That is being sponsored in large measure by the General Federation of Women's Clubs and all over the land there will be citizenship meetings on that day. I attended one in Montgomery County last year.

I was very much impressed with a custom they have over in France. Nothing impressed me over in France more keenly than the fact that when the day came that a new class was taken into the army it was a day of civic celebration everywhere. In the villages they got together with the young men going into the army and it was a sort of a holiday, everybody doing their level best to impress upon those young men that they were representing the community. It was a fine thing.

I have the feeling that we in America ought to take our young people who are under twenty-one years of age, that class of young people who are too old for school celebrations, and yet at the same time they should be impressed that they are entering into the most valuable civic duty under our American way of life, that is being entrusted to them, and I think at these local celebrations we ought to impress upon the boys and girls who have

become twenty-one years of age, we ought to do our level best to make them feel the duty entrusted to them is an important duty and that the community iself appreciates the fact they have now become citizens.

I might say by way of historical reference, Mr. President, that years ago the famous speech of Woodrow Wilson that contained the phrase "Too proud to fight" was delivered in Philadelphia at the Convention Hall, and was delivered at such a citizenship meeting. In the preceding year there had been four thousand aliens naturalized in the Philadelphia courts and the Chamber of Commerce and other civic bodies got together and made a general arrangement for the reception of those four thousand aliens, at which Woodrow Wilson was to deliver the principal address. That was one of the greatest meetings ever held in Philadelphia; ten thousand people were present, including these four thousand aliens who had just received the right of citizenship.

It happened that two or three days before that meeting the Lusitania was sunk and consequently there was the keenest possible anxiety to know what President Wilson would say and that was the occasion, in his welcome to those four thousand aliens, when he made use of the famous phrase: "There is such a thing as being so right that you do not need to fight in order to prove it; if I may say so there is such a thing as being too proud to fight."

That was a famous speech on a famous occasion and I think that occasion ought to be reproduced in every section of our State on Citizenship Sunday, and with particular reference to the band of young people who must take on the burden and an immense burden it is, of participation in government at the present time; they ought to feel this fact they have now become voting citizens is regarded by their neighbors as one of the great achievements of their lives, and I think we can do that in a Statewide way by taking advantage of this celebration that is to take place on the first Sunday in May.

BILL INTRODUCED

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 437, entitled:

An Act making an appropriation to the Allegheny General Hospital, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

RECALLING SENATE BILL No. 198, PRINTER'S No. 32 FROM THE GOVERNOR

Mr. TALLMAN offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 26, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 198, Printer's No. 32, entitled "An act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION REQUESTING DEPARTMENT OF PUBLIC ASSISTANCE TO RAISE MAXIMUM AMOUNT OF INSURANCE CARRIED BY A RELIEF RECIPIENT

Mr. HALUSKA. Mr. President, I wish to offer a resolution and I would first like to make a brief statement regarding same.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, on February 3, I introduced a resolution pertaining to the abolition of the procedure carried out by the Department of Public Assistance with reference to the cancellation of life insurance policies.

As all my colleagues know I have spoken on the subject quite a number of times. Yesterday in this chamber a colleague of mine, the gentleman from Cumberland, Mr. Wade, introduced a similar resolution, two schools of the same thought, with two different teachers, of course. So, Mr. President, after attending two meetings yesterday afternoon, one in the afternoon held by the Chairman of the Committee on Public Assistance and one last night conducted by the Chairman of the Committee on Insurance, Mr. Edmonds, I believe we have reached a medium whereby the introduction of this resolution might bring about the thought I had in mind.

This resolution, Mr. President, I want to make it clear, is not as I would like it to be but as I think the gentleman from Somerset told me, half a loaf is better than none. To me it is half a loaf. However, it does appease the thousands and thousands of persons who have been called upon to sign away their life insurance policies before relief might be granted to them.

Mr. President, I would like to have this resolution read at this time and possibly will then speak on it, after it has been read. I might also state this resolution has been sponsored jointly by the gentleman from Cumberland and myself.

Messrs. HALUSKA and WADE offered the following resolution which was twice read:

Whereas, The Department of Public Assistance has and is at the present time compelling all persons that apply or are receiving Public Assistance cancel any Life Insurance Policy whether held by the relief recipient or by any member of his family in excess of $500.00, and

Whereas, Many persons have paid premiums on such Life Insurance Policies for as long as thirty-five years and now are compelled to cancel these policies at a great loss and thereby depriving their dependents from any recovery after death in excess of $500.00, therefore be it

Resolved (if the House concur), That the Department of Public Assistance be requested and notified to at once raise the maximum amount of Insurance permitted to be carried by a relief recipient or by any or all members of his or her family directly affected from $500.00 to not less than $1000.00 in policy or policies either paid up or in premium paying period, and be it further

Resolved, That the Department of Public Assistance is requested to notify its various County Boards of Assistance of this request and resolution immediately upon its passage.

MOTION TO SUSPEND RULE 39

Mr. WADE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

The PRESIDENT. Apparently the Senator from Cumberland has found the correct definition of the word "plagiarism."

Mr. WADE. Mr. President, I have looked in the dictionary and at the Chair's invitation I will state to the members of this honorable body that I have found several definitions. The first was the definition of "plagiarism" which said, in my dictionary "To purloin a work of art or contribution of literature." I went further, Mr. President, and looked up the word "purr" which means "the contented sound of a kitten or cat." It is not necessary, I suppose, to say anything further regarding the word "loin" which means portions of meat of an animal for human consumption.

The gentleman from Butler, Mr. Carr, very willingly gave me this contribution:

"A plagiarist is a guy who steals
Another's right to earn his meals
By taking the product of his toil
Acquired by burning of midnight oil,
Who diverts to uses of his own
What belongs to its author, to him alone.
To being one I do not plead;
I have brains of my own and do not need
To steal the product of any man
Who can think no better than what I can."

Mr. REED. Mr. President,—

The PRESIDENT. Will the gentleman from Cumberland yield to the gentleman from Washington.

Mr. WADE. I would like to continue, Mr. President.

Mr. REED. Mr. President, I desire to interrogate the gentleman from Cumberland.

Mr. WADE. I would like to continue if I may for a moment, Mr. President.

The PRESIDENT. The gentleman from Cumberland will proceed.

Mr. WADE. Mr. President, I would like to further state a third definition was to borrow without any intention of returning.

Mr. REED. Mr. President, I just wanted to inquire whether this resolution was a Senate resolution, a joint resolution or a concurrent resolution.

The PRESIDENT. It is a Senate concurrent resolution.

Mr. WADE. To continue, Mr. President, if I may. This resolution which has been presented by the gentleman from Cambria is a joint resolution, jointly sponsored and also it is a concurrent resolution; he and I have come to the understanding there should be a ceiling put on its limit and secondly, after he and I attended the meeting of the Committee on Public Assistance and also after, later in the evening, we had rather an extended discussion on this matter before the Committee on Insurance, at which where present both the chairman of the Committee on Public Assistance and the chairman on the Committee on Insurance, we heard the Honorable Matthew H. Taggert discuss the very thing we are dealing with in these resolutions, and now in this third joint resolution. We feel there is a very distinct need for notification to the department along this line and I am therefore going to ask, Mr. President, for unanimous consent to consider the resolution at this time.

POINT OF INFORMATION

Mr. WALKER. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will state his point of information.

Mr. WALKER. Mr. President, I would like to have that portion of the resolution read that deals with the very delicate invitation issued to the Department of Public Assistance to put this so-called ceiling into effect.

The PRESIDENT. The Clerk will re-read the resolution slowly and distinctly.

(The Clerk re-read a portion of the resolution.)

Mr. WALKER. Mr. President, I think that will be enough for my purpose. I think I still have the floor, Mr. President.

The PRESIDENT. The gentleman from Allegheny will continue.

Mr. WALKER. Mr. President, I would like to call to the attention of the gentleman from Cumberland, as well as to the attention of the gentleman from Cambria, the delicate language used in the resolution that "The Department of Public Assistance be requested," and I would like to invite the attention of the gentleman from Cumberland and also the gentleman from Cambria to the fact that back in 1939 we requested the Department of Public Assistance to stop using those bonds and our request was ignored through a technicality, but which still is very irritating. I am not quarreling with the resolution, Mr. President, and will vote for it but I must say it is a very delicate type of request to the Department and we might be in very grave danger, they would ignore it the way they did the other request, through another technicality, and I think the use of the word is too mild; I think the Department should be directed so that there is no misunderstanding as to the feeling of the Senate and the House in this matter.

Mr. EALY. Mr. President, the gentleman from Allegheny interrupted the reading of the resolution at a point where I desired to hear the resolution read.

The PRESIDENT. The Clerk will continue with the reading of the resolution.

(The Clerk continued to read the resolution.)

Mr. EALY. To me, Mr. President, it is apparent from a reading of the resolution, instead of putting a ceiling on the amount of this insurance it has, as the gentleman from Allegheny has just suggested, put a floor on it and I think the words "less than a thousand" should be changed to "not over a thousand dollars."

On the question,

Will the Senate agree to the resolution?

Mr. GELTZ. Mr. President, I object to immediate consideration of this resolution. I do not believe in accordance with the wording as set forth that the resolution will accomplish what it is intended to accomplish. This resolution as stated now would seem to make it compulsory for all those on relief who, if they have $500 of insurance or $750 of insurance, to carry at least a thousand dollars insurance, and that certainly is not the intention.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. GELTZ. I will, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the

gentleman from Allegheny to say this would compel relief recipients to carry a policy up to one thousand dollars?

Mr. GELTZ. That is what I understand from the word ing of this resolution, Mr. President, and that certainly is not the intention of the gentleman from Cambria.

Mr. HALUSKA. Mr. President, for the information of the gentleman from Allegheny may I state the resolution speaks for itself. It is self-explanatory, and it just means any person may carry a policy up to the extent of one thousand dollars face value.

Now, Mr. President, in the event the Department of Public Assistance should find some person who has a fifteen hundred dollar policy—as they pointed out themselves through Dr. Bowman yesterday—they have the right in this provision to sit down and make their own terms with that man. He said they had many applicants—they are compelled to deal with each case individually and it is for that reason we give them that right, that in the event they find a condition where they must deal with it, they can not be hampered by saying "not over one thousand dollars." He may have borrowed on the policy.

They also stated yesterday in the committee meeting, which I was privileged to attend, that any person who has a policy in excess of five hundred dollars and sees fit to continue same regardless of the amount, may assign that policy to this Commonwealth—it shall become the beneficiary if the applicant sees fit to continue that policy, hoping someday he may be in a position to redeem that policy. They are willing to negotiate such terms and so, Mr. President, I think for the benefit of the policyholder who might have a two thousand dollar policy he should automatically make the Commonwealth the beneficiary of a thousand dollars, with the thought in mind that someday he might be in a position to repay the Commonwealth and once again redeem the full value of that policy.

I think we should encourage that, Mr. President, and give that man that possible chance of some day redeeming that policy. I see no harm in doing it, Mr. Geltz.

Mr. GELTZ. Mr. President, I am in complete agreement with the purpose desired to be accomplished by the gentleman from Cambria but I still do not believe this resolution is what he intends, because it says not less than one thousand dollars instead of not over one thousand dollars. If the purpose, as I understand it, is to take care of the poor person who is up against it—there are many workers in this Commonwealth who have so-called industrial insurance in amount possibly of three hundred, five hundred and seven hundred fifty dollars, and I believe under this resolution it would be necessary for that individual to increase his policy up to not less than one thousand dollars, thereby maybe working further hardship.

I do not see any sense, Mr. President, in continuing this discussion and argument here, particularly in view of the fact we have an important hearing scheduled for this afternoon at one o'clock. I can see no harm in this resolution being referred to committee and having the wording set up properly in the resolution so that when it comes out we can put it through and get some action.

Mr. REED. Mr. President, I desire to interrogate the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. REED. Mr. President, I want to ask the gentleman from Cambria whether he intends to follow this resolution, if it passes, by the introduction of a bill.

Mr. HALUSKA. I might state, Mr. President, if my colleagues feel it might be necessary to enact legislation, specific legislation, I shall be only too happy to do so.

Mr. REED. I might state from my study of this problem, Mr. President, passage of this resolution in itself will not correct the ill that the Senator from Cambria is aiming at. It might create some sentiment in favor of his proposition but I think he will have to follow this by introducing a bill correcting the law as passed at a former session.

Mr. HALUSKA. Mr. President, I might answer my good friend from Washington by saying to the best of my knowledge we have no law governing this procedure. The law does state, however, that the Department of Public Assistance shall have the right and power and its duty shall be to make its own rules and regulations and therefore we are going to point out to them one of the rules we shall dictate and by this joint resolution I think we are pointing very specifically which rule we wish to dictate.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WOODWARD. Mr. President, I rise on a brief parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. WOODWARD. As I understand, Mr. President, a joint resolution must be concurred in by both houses.

The PRESIDENT. That is correct.

Mr. WOODWARD. The reading clerk announced this as a joint resolution and the gentleman from Cambria spoke of it as a concurrent resolution.

The PRESIDENT. The Chair understands it is a concurrent resolution and must go to the House for concurrence.

Mr. WOODWARD. What then, Mr. President, is the difference between a concurrent and a joint resolution.

Mr. CAVALCANTE. Mr. President, a concurrent resolution requires the approval of the Governor.

Mr. WOODWARD. There are resolutions which do not have to be submitted to the House. What do you call them?

The PRESIDENT. For the information of the gentleman from Philadelphia a joint resolution does not require approval by the Governor.

Mr. CAVALCANTE. A joint resolution does not require the approval of the Governor, Mr. President, but a concurrent resolution does.

Mr. WOODWARD. Thank you.

Mr. WADE. Mr. President, I would like to correct a statement attributed to me by the gentleman from Allegheny and also the gentleman from Somerset, regarding the wording of the resolution. This resolution as worded does not require that insurance be brought up to one thousand dollars; on the other hand it makes this statement in very clear language, that the Department of Public Assistance be requested and notified to at once raise the maximum amount of insurance from five hundred dollars to not less than one thousand dollars; it does not require that they carry one thousand dollars.

Mr. SHAPIRO. Mr. President, I do not think it would strengthen this resolution at all if we changed the wording

that they "be requested" to "be directed"; I do not think you can make a law by resolution that is effective. You must remember that the Department under existing law has the right to make rules and regulations not inconsistent with the purposes of the act and therefore all we can do is to request.

I am afraid, Mr. President, we may find ourselves in the position very soon, in view of the regulations that have been made or complaints that are being made against regulations enacted by many departments, of requiring that the Legislature either stay in session continuously to approve those rules or to appoint a standing committee which will have authority to supervise the rules and provide that no rules shall be adopted without its consent.

This resolution, Mr. President, in its present form is a proper resolution. I confess I am responsible for the addition of the words "at least for a very definite reason."

This resolution does not say a recipient of relief shall have so much insurance but it provides where they do have it the department shall permit them to have at least a thousand dollars of insurance. If you want to say no more than a thousand dollars you put the situation back again in its original position. Suppose a man has eleven hundred dollars of insurance and it is very important in the opinion and the reasonable judgment of the department he shall have eleven or twelve hundred dollars of insurance; it would be much better for him to maintain twelve hundred dollars of insurance and to cancel the overplus. Why tie the hands of the department? This resolution does not say everyone shall keep more than a thousand dollars; it says the minimum shall be at least one thousand dollars. I heard from the secretary himself that in certain cases they permit the carrying of twelve hundred dollars or even fifteen hundred dollars of insurance, where they have deemed it to be the advantage of the department and the relief recipient to permit that.

Here, Mr. President, you have a plain resolution which may not say that you shall do it, but even though it does not, or it did, it would not make any difference, because it is still within the realm and jurisdiction of the department.

This is merely the joint expression of the House and the Senate that it is the opinion of the House and the Senate that the rule now in existence and being enforced is not to the best interest of everybody concerned and we therefore place ourselves on record in requesting that the department shall adopt a rule which will allow insurance to be carried up to at least one thousand dollars.

The only way this can be enforced, Mr. President, is by following it up, if the department does not carry out our suggestion, by enacting a law and if you enact a law for that you might just as well begin enacting laws for every regulation with which you disagree and it seems to me the way to handle this is to send it over merely for what it is worth and all it can be worth is a suggestion or expression of opinion by both the Senate and the House and I see no reason why it should not be passed.

Mr. WOODWARD. At the risk of being discourteous Mr. President, I suggest that we have in the Senate a rule whereby a speaker may only speak twice on the same subject and when you come to details such as are being discussed in connection with this resolution I think they ought to be debated in committee because I would like to vote on the bills on the Calendar. We have given a lot of time to this very detailed question and without being discourteous I think perhaps we might be limited to speaking twice.

RESOLUTION REFERRED TO COMMITTEE

The PRESIDENT. There has been objection to immediate adoption of the resolution and there is only one thing the Chair can do, refer the resolution to committee, which is hereby done.

The resolution is referred to the Committee on Insurance.

Mr. SHAPIRO. Mr. President, I want to record my objection to this resolution being referred to the Committee on Insurance. I have been afraid it is an insurance bill but really it is a public assistance matter and I think it should be referred to the Committee on Public Assistance.

The PRESIDENT. The Chair was of the same opinion and if there is no objection it can be withdrawn from the Committee on Insurance and re-referred to the Committee on Welfare, Public Assistance and Pensions.

Mr. EDMONDS. The last resolution on this subject, Mr. President, introduced by the gentleman from Cumberland, was referred to the Committee on Insurance and considered by the committee but last night when the committee was in session it was the general feeling of the committee it should be referred to the Committee on Welfare, Public Assistance and Pensions, it would probably find its lodgment in its logical destination, so that there would be no objection on the part of the Committee on Insurance to this resolution being re-referred to the Committee on Welfare, Public Assistance and Pensions.

RESOLUTION RE-REFERRED

The PRESIDENT. The resolution is re-referred to the Committee on Welfare, Public Assistance and Pensions.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 41, as follows:

An Act to further amend section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency

thereof every State depository and every debtor or creditor of the Commonwealth" by allowing interest on refunds due from the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred and three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by section two of the act approved the seventh day of June one thousand nine hundred and thirty-five (P. L. 283) and section one of the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 261) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys with interest at the rate of two per centum per annum from the date when such moneys were paid into the State Treasury to the date of the refund thereof out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund with the amount of the refund and interest thereon at the rate of two per centum per annum from the date on which such moneys were paid into the State Treasury to the date of the issuance of the order granting the refund in the nature of a credit All such petitions must be filed with the board within two years of the payment of which refund is requested except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be led within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by the court of final jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board shall be filed within five years of the payment of which a refund is requested But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment

(b) To hear and determine any petition for the remission of penalties imposed and paid for failure to file any tax or bonus report within the time specified by law If the board be satisfied that the failure to file the report was not wilful that the report was actually filed within thirty days after it was due and that the amount of tax or bonus exclusive of penalty admitted to be due was paid to the Commonwealth within thirty days after the date when payment of the tax or bonus became due it may allow the petition and refund the amount of the penalty or any part thereof out of any appropriation or appropriations made for the purpose with interest at the rate of two per centum per annum from the date when such moneys were paid into the State Treasury to the date of refund thereof or credit the account of the person association corporation body politic or public officer by whom or which the penalty was paid with the amount of the refund and interest thereon at the rate of two per centum per annum from the date on which such moneys were paid into the State Treasury to the date of the issuance of the order granting the refund in the nature of a credit but no such petition shall be considered unless it be filed within two years after the penalty was paid

(c) To hear and determine petitions for the remission of penalties imposed but not paid for failure to file any tax or bonus eport within the time specified by law If the board be satisfied that the failure to file the report was not wilful that the report was actually filed within thirty days after it was due and that the amount of tax or bonus exclusive of penalty admitted to be due was paid to the Commonwealth within thirty days after the date when payment of the tax or bonus became due it may strike off the penalty or any part thereof but no such petition shall be considered unless it be filed within two years after the penalty was imposed

(d) All petitions filed under this section shall be in such form as the board shall prescribe

(e) The action of the board on all petitions filed under this section shall be final

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. EDMONDS. Mr. President, this is the last of four bills recommended to the General Assembly by the Pennsylvania Bar Association after very careful study. All these bills provide for is interest upon refunds, obtaining from the time the refund is due; the interest is fixed at two per cent. There was a question as to how much this would cost the Commonwealth and an inquiry was made

of the Department of Revenue and they replied that in their best judgment they did not think it would cost fifty thousand dollars and if that is the case, if a private citizen has overpaid taxes and is entitled to a refund, it seems to me in all justice there should be some interest and I hope therefore the members of the Senate will favor this bill.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Letzler,	Stiefel,
Bartlett,	Ealy,	Mallery,	Tallman,
Becker,	Edmonds,	McGinnis,	Taylor,
Carr,	Farrell,	McQuiddy,	Thomas,
Cavalcante,	Frey,	Miller,	Wade,
Chapman,	Geltz,	Reed,	Walker,
Coleman,	Haluska,	Ruth,	Watkins,
Cox,	Heyburn,	Scarlett,	Wilson, H. I.,
Crider,	James,	Shapiro,	Wilson, T. B.,
Crowe,	Kephart,	Snowden,	Woodward,
Deitrick,	Lanius,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and applicants to become citizens of the United States.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Monroe state whether it is his intention by this bill to alter or change the law of this Commonwealth on the subject of employing non-citizens on the public works of this Commonwealth and the municipal divisions of this Commonwealth? Is it his intention to change the law so as to make it easier for non-citizens to become employed?

Mr. CROWE. No, Mr. President, that is not the intention.

Mr. CAVALCANTE. Is it the intention, Mr. President, of the author of the bill to strengthen the laws as they now stand upon the statute books.

Mr. CROWE. That is the idea, Mr. President.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Luzerne.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, the gentleman from Luzerne is the author of amendments to this bill. Will the gentleman from Luzerne state whether it is his intention by the amendments to weaken the present laws on the statute books dealing with this subject?

Mr. MILLER. Mr. President, I do not know of any present laws on the statute books, but it is not the intention of the amendment to weaken any law.

Mr. CAVALCANTE. Since we have the intentions of both the sponsor of the bill and the gentleman from Luzerne who has introduced amendments, I wish to call to the attention to this body certain statutes that are now on the statute books.

The first one, Mr. President, is the act of June 25, 1895, P. L. 269, found in 43 Purden's Pennsylvania Statute, Section 151, which reads as follows:

"None but citizens of the United States shall be employed in any capacity in the erection, enlargement or improvement of any public building or public work within this Commonwealth, provided that apprentices for a trade or profession who may be under twenty-one years of age shall not be subject to the provisions of this act, provided that the provisions of this act shall not apply to a public work where the cost thereof is paid in whole or in part from assessments or benefits."

I also wish to call the attention of this body to section 1202 of the school code of this Commonwealth which reads as follows:

"Every teacher employed to teach in the public schools of this Commonwealth must be a person of good moral character, must be at least eighteen years of age and must be a citizen of the United States; provided, however, that citizenship may be waived in the case of exchange teachers not permanently employed and teachers employed for the purpose of teaching foreign languages."

Now, Mr. President, the bill that is before us, as amended, contains a provision that no department, bureau, commission, or office of the Commonwealth of Pennsylvania or of any city, borough, township, school district, or of any other political subdivision shall employ any person who is not a citizen of the United States or who has not duly filed his application for certificate of arrival or preliminary form for declaration of intention or preliminary form for petition for naturalization directed toward becoming a citizen of the United States; provided, however, that citizenship may be waived in the case of exchange teachers not permanently employed and teachers employed for the purpose of teaching foreign languages."

This bill before us merely, as far as teachers are concerned, restates the law as is now provided in section 1202 of the school code but the first part of this bill which deals with the employment of non-citizens changes the existing law by permitting the employment of non-citizens simply upon showing that they have filed an application for a certificate of arrival.

Mr. President, at this present time every refugee that is being disembarked on the shores of these United States of America carries a certificate of arrival with him as soon as he is accepted and permitted to land in these United States; he carries with him his passport issued to him by the Department of the United States of Amer-

ica and has no difficulty whatsoever of obtaining a certificate of arrival. He can get it right then and there when he arrives, while the poor devil who has been in this country for twenty or thirty years and who lost track of the ship on which he landed in the United States and whose arrival can not be proven, that gentleman is put in a more difficult position than we put the refugees that are being unloaded on our shores today.

This act changes the existing law to a point that whereas the law as it now stands includes non-citizens, this act will permit the employment of a non-citizen merely upon showing he has duly filed his application for certificate of arrival and preliminary forms for declaration of intention, which is one and the same petition, or a preliminary form of petition for naturalization.

Now, members of this Senate, there is no question that this bill weakens the present law as it is because it contains section three which says, "All acts and parts of acts inconsistent herewith are hereby repealed," and the act of 1895, P. L. 269, which provides that only citizens will be employed, will be ditched, will be repealed, and the law will be changed and replaced with the bill before this Senate, a bill which does not strengthen the laws as they exist but weakens them to the point as I have already indicated, which will permit under this bill employment of non-citizens whereas the statutes as they now exist will not permit the employment of a non-citizen; whether he has filed his application for a certificate of arrival or whether he has filed his preliminary application for naturalization, the present law will not permit him to be employed, but if you pass this bill, Mr. President, he will be permitted to be employed and so I question very seriously whether or not the amendments placed in this bill are actually consistent with the intentions of the sponsor of the bill, intentions that were honest and sincere and intended to bring about a strengthening of the law and not a weakening of the present law and I say that this bill is bad and is no good and ought to be defeated because its ultimate purpose as it is now before us is to make more easy the employment of refugees who are coming to our shores at this very moment.

Mr. MILLER. Mr. President, before the gentleman from Fayette spoke it was my intention to ask that this bill go over in its order. After noting the remarks of the gentleman from Fayette I will very frankly say I believe there is some merit in them.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I move that Senate Bill No. 50, Printer's No. 75, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except city of the first and second class), borough, town, township, school district (except school district of the first and second class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL No. 125

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 125, passed second reading.

The PRESIDENT. How did the Senator vote?:

Mr. MALLERY. Mr. President, I voted "aye."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which the title was agreed to.

Mr. EDMONDS. Mr. President, I second the motion.

And the question recurring, "

Will the Senate agree to the title?

Sections from one to ten inclusive of the bill were severally reconsidered.

The first section of the bill was read as follows:

Section 1 All penalties and interest imposed on delinquent county city (except cities of the first and second class) borough town township school district (except school districts of the first and second class) and county institution district taxes for the tax year one thousand nine hundred and forty and all previous years and all penalties and interest imposed on such taxes for the years aforesaid assessed and levied against any parcel or parcels of real estate and on delinquent poll taxes levied for any of such years are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of the installment system of payment provided by this act ten per centum or more of the delinquent taxes due for the year one thousand nine hundred and forty and for all previous years shall be paid on or before the first day of November one thousand nine hundred and forty-one and the balance due on such delinquent taxes in payments of ten per centum or more of such delinquent taxes Provided however That the final payment shall be made on or before the first day of November one thousand nine hundred and forty-five And provided That the respective current taxes on such parcel or parcels of real estate and on delinquent poll taxes levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provide then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payment required to be paid under this act during that year which delinquent payment and said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this act If such sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, I move to amend section 1, page 1, line 4, by striking out the words "and second;" amend section 1, page 2, line 7, by inserting after the word "provided" the following: "unless the authority levying the tax shall notify the county treasurer within thirty days after this act becomes effective, that the taxing authority has rejected by a majority vote, the provisions of this act.

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows,

An Act abating certain tax penalties and interest on county city (except cities of the first and second class) borough town township school district (except school borough town township school district (except school districts of the first and second class) and county institution district taxes prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

On the question,

Will the Senate agree to the title of the bill?

Mr. MALLERY. Mr. President, I move to amend title, page 1, line 4 of title, by striking out the words "and second."

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 172 on third reading, entitled

An Act to amend section eight hundred one and nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying; revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies, and further defining the duties of the Secretary of the Commonwealth with respect to nomination petitions, certificates and papers.

be recommitted to the Committee on Judiciary General for the purpose of discussing amendments.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, at the risk of having my patriotism challenged and being classified as a traitor to my country, as I have said, I would like to move that Senate Bill No. 172 be rereferred to the Committee on Judiciary General for the purpose of discussing the amendments presented by the gentleman from Philadelphia, Mr. Shapiro.

I might say in defense of the committee that the amendments suggested by the gentleman from Philadelphia were suggested to the committee after the meeting of the committee was over and the committee had adjourned.

Very frankly, Mr. President, it is my personal opinion—I am not speaking for the committee—it is my personal opinion the amendments offered by the gentleman from Philadelphia, while they are on the same subject matter as the amendments placed in the bill during the committee meeting yesterday, are much better than the amendments placed in the bill by the committee originally.

It is the very earnest desire of both sponsors of the bill to have a clear cut bill. I might also state, Mr. President, this matter has been discussed with the Attorney General and in his opinion, if I may quote him, these amendments are perfectly satisfactory to him.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I object to the motion and I want to speak on it.

The PRESIDENT. The gentleman from Fayete will proceed.

Mr. CAVALCANTE. This makes about the third time this bill has been recommitted and I think it is absolutely unfair at this time for many reasons. If the gentleman from Philadelphia, Mr. Shapiro, has any amendments to make there should be no objection to allowing the whole membership of this body to know what the amendments are and to discuss them here on the floor of the Senate so that every member of this Senate may have an opportunity to say whether those amendments ought to be put in this bill or not.

It is very unfair, Mr. President, to ask that the bill be sent back to committee, where only a limited number of the members of this body will pass upon the amendments before they are inserted in the bill, and I wish to oppose sending this bill back to committee for that reason and for the additional reason that every member of this body has been furnished with the amendments suggested by the gentleman from Philadelphia; they are on our desks and we can consider them right here and if they are proper amendments we can make them right here on the floor of the Senate. I do not like it and I do not think the bill should be recommitted for the purpose of considering what we now have before us.

Mr. SHAPIRO. Mr. President, when this bill first came before the Senate I suggested that the bill was defective, in that it did not provide for any procedure in order to protect the interests of all parties concerned in such a drastic change in the law. The gentleman from Fayette, you will all recall, spoke about the fact there are other sections in this bill and those other sections provide the procedure.

I made the suggestion when this bill first came up, the same suggestion I am now making, that the keeping of those petitions off the ballot should be done by more than one person, that a procedure should be set up clearly stated so that those who are interested will know their rights and their responsibilities.

The bill lingered here for some time, we had a public hearing and nothing was done about it and after the

meeting I was informed for the first time when I came here this week that there was to be an amendment and on Monday I saw the amendment and yesterday I began working on a new amendment and when I got to the committee meeting I found that the meeting had—it had not adjourned as the gentleman from Allegheny inadvertently said, but I found the committee had already considered the bill before I got there and was considering a number of other bills and at the close of the meeting I suggested the amendments I had prepared and left them with the committee. There were not enough members of the committee left at that time to act upon the matter and the procedure I suggested and I said I would follow it up when I got out of the committee meeting and the Senate had convened.

Now, Mr. President, I have prepared I think fifty copies of these amendments and they were placed on the desks of most of the Senators; probably there were a few short but I know they are available to the majority of the Senators and they have been on their desks for a half hour or three-quarters of an hour.

I do not care whether the gentleman's procedure is followed or not but I think in a bill of this importance it should not be followed because— I may be wrong about this—I prefer to have the matter fairly discussed and carefully examined; as a matter of fact, between yesterday and today I found that I had to correct my amendment on the question of time because of the amount of time involved in the filing of papers, so that it is not a matter you can consider in two or three minutes or even a half hour's time. There is no rush about this. The hordes are not at our doors now and we can take this matter and give it careful consideration, which will be much better than what we have done with Senate Bill No. 50. We heard the sponsors of Senate Bill No. 50 answer interrogations by the gentleman from Fayette, whereby they stated it was not their intention to weaken the law and yet section three of this bill—and so does section three of every bill—provide that so far as an amendment is concerned it changes the existing law where it is inconsistent and now we are having Senate Bill No. 50 on our Calendar again and we are going to amend it again and again and unless we give these matters careful consideration and study you get nowhere. I think this bill is entitled to careful study and I think we should give the matter very careful study. I have spent two weeks studying the amendments and I do not expect anybody can agree with me in a half hour's time.

As a matter of fact, Mr. President, I discussed the amendments with the Attorney General this morning and I asked him to give them careful consideration because I thought the bill was worth that and he said to me at first blush he did not think there was any harm in it.

Mr. McGINNIS. Mr. President, I do not like to interrupt the gentleman from Philadelphia but I would like to observe that in this Senate Chamber, as I understand it, at one o'clock there is to be a public hearing at which witnesses will be present who have come from all over this state. I think Mr. President, the proper thing is to allow this bill to go back to committee because we do not have time to discuss these amendments on this floor at this time and I therefore do not think it is proper to discuss it any longer.

Mr. SHAPIRO. May I proceed, Mr. President? I think I am in order; I am discussing the proposed motion to recommit this bill. I think that is debatable.

The PRESIDENT. The motion is to recommit the bill, but debate on the substance of the bill is not in order.

Mr. SHAPIRO. Mr. President, I am not debating the substance of the bill; I am debating the procedure of re-referring it to committee. I am simply suggesting that the amendments are of such size that they can not be discussed here. I am not discussing the merits of the amendments, Mr. President; I am simply urging that this bill ought not to be amended on the floor of this Senate.

On the question,

Will the Senate agree to the motion to recommit Senate Bill No. 172.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—43

Barr,	Edmonds,	McGinnis,	Taylor,
Bartlett,	Farrell,	McQuiddy,	Thomas,
Becker,	Frey,	Miller,	Tyler,
Carr,	Geltz,	Mundy,	Wade,
Chapman,	Haluska,	Ruth,	Walker,
Coleman,	Heyburn,	Scarlett,	Watkins,
Cox,	James,	Shapiro,	Wilson, H. I.,
Crider,	Kephart,	Snowden,	Wilson, T. B.,
Crowe,	Lanius,	Stevenson,	Woodward,
Dent,	Letzler,	Stiefel,	Ziesenheim,
Ealy,	Mallery,	Tallman,	

NAYS—2

Cavalcante,	Reed,

So the question was determined in the affirmative.

The PRESIDENT. The motion prevails and Senate Bill 172 is re-referred to the Committee on Judiciary General.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 300, as follows:

An Act to further amend subsection (h) of section one hundred two of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (h) of section one hundred two of the act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" as amended by the act approved the seventh day of May one thousand nine hundred and twenty-three (P. L. 140) is hereby further amended to read as follows

Section 102 Duties

* * * *

(h) The Department of Forests and Waters shall plan

and put into effect as rapidly as convenient a system of fire towers observation stations and a system of telephone lines which shall cover the regions subject to forest fires and for such purposes may purchase the necessary material and equipment to build and maintain such towers stations and lines and hire the necessary labor for the installation of such systems In maintaining systems of telephone lines the department is authorized to buy or lease any existing lines The department may permit the attachment of telephones of persons firms and corporations on such lines under such conditions and for such rental as may be agreed upon with the approval of the Governor The department may also sell or lease any telephone lines or parts thereof that are no longer required for the use of the department or can be supplanted by more efficient and economical telephone service on such terms and for such consideration as it shall deem proper All moneys received hereunder shall be paid into the State Treasury through the Department of Revenue and shall be added to and become a part of the current appropriation to the Department of Forests and Waters and is hereby appropriated for the extension maintenance and upkeep of such telephone lines and for the purchase of such telephone service. Provided That there shall be no competition by the Department of Forests and Waters in telephone service with any commercial telephone company

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Ealy,	McGinnis,	Tallman,
Bartlett,	Edmonds,	McQuiddy,	Taylor,
Becker,	Farrell,	Miller,	Thomas,
Carr,	Geltz,	Mundy,	Tyler,
Cavalcante,	Haluska,	Reed,	Wade,
Chapman,	Heyburn,	Ruth,	Walker,
Coleman,	James,	Scarlett,	Watkins,
Cox,	Kephart,	Shapiro,	Wilson, H. I.,
Crider,	Lanius,	Snowden,	Wilson, T. B.,
Crowe,	Letzler,	Stevenson,	Woodward,
Deitrick,	Mallery,	Stiefel,	Ziesenheim,
Dent,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 343, on third reading, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weight, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations", by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

It was agreed to.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 24, on second reading, entitled:

An Act defining and prohibiting unfair sales or transfers providing remedies for violations thereof, and establishing penalties therefor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 51, on second reading, entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 205, on second reading, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 242, on second reading, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to

establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I missed the play around left end. Did Senate Bill 242 go over in its order.

The PRESIDENT. It did.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 301, on second reading, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled, "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 197, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 228, entitled:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not enrolled in the armed forces of the United States pursuant to any selective service act, or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 232, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid city and school taxes in cities of the first and second class and school districts of the first class, and on poll, poor district, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 329, entitled:

An Act to amend clause (a) of section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," fixing the time of day that the open season shall begin for charr, commonly colled brook trout and any species of trout except lake or salmon trout.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Monday, March 31, 1941, at 4:30 o'clock, p. m.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:57 o'clock, p. m., until Monday, March 31, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 26, 1941

The House met at 12 m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL, offered the following prayer:

Almighty God, thou hast encouraged us in thy holy word to pour out our hearts before thee, and through the medium of prayer, to make known unto thee our requests and supplications with thanksgiving. We thank thee for the work of Thy Spirit in our hearts, and beseech thee to lead us not into temptation but deliver us from evil. May we meditate daily on thy holy will and fatherly goodness that our minds may be purified of all thoughts that are unworthy. Help us, O God, to think on things that are honorable and true, lovely and pure, and let no guile be found in our mouths.

As word has come to this House of another member having undergone a serious operation, we ask thy special blessing upon Representative Skale of Philadelphia. May he put his trust in Thee and in due season may he be returned to this House. Bless every person within the sound of my voice. We pray it in Thy Name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. LEYDIC, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. HOLLAND. HOUSE BILL No. 980.

An Act to amend subsection (c) of section four hundred seventeen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," prohibiting payment and receiving of compensation for serving as watchers or for performing any other work at any polling place on any election day.

Referred to the Committee on Elections.

By Mr. COOPER. HOUSE BILL No. 981.

An Act authorizing the abatement of certain interest charges, expenses and fees added to county, city, borough town, township, school district or poor district water rates or charges and claims imposed or assessed for improvements, or for the abatement of nuisances; prohibiting the sale of real property for the nonpayment of such claims for a certain period; preserving the liens of such claims, and providing for the extension thereof.

Referred to the Committee on Municipal Corporations.

By Mr. ROSENFELD. HOUSE BILL No. 982.

An Act to amend article twenty-three of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by establishing social service clinics in the Department of Welfare.

Referred to the Committee on State Government.

By Mr. ROSENFELD. HOUSE BILL No. 983.

An Act Providing that the failure of a person operating a motor vehicle to see or avoid a defect in any highway shall not be deemed negligence as a matter of law.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 984.

An Act providing that when new trial is granted upon grounds that damages are inadequate or excessive, the new trial shall be confined to that question and not to liability.

Referred to the Committee on Judiciary General.

By Mr. ROSENFELD. HOUSE BILL No. 985.

An Act making the insurer of defendant in an action in tort involving the operation of a motor vehicle a proper party defendant with the defendant; and providing for the effect of such joinder.

Referred to the Committee on Judiciary General.

By Mr. TARR. HOUSE BILL No. 986.

An Act to amend section two thousand one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by fixing the minimum compensation for patrolmen in such cities.

Referred to the Committee on Cities-Third Class.

By Mr. BENTLEY (By Request). HOUSE BILL No. 987.

An Act to further amend section five hundred two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors; street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of

vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by further limiting the use of manufacturers', jobbers' and dealers' registration plates.

Referred to the Committee on Motor Vehicles.

By Mr. LICHTENWALTER. HOUSE BILL No. 988.

An Act to further amend sections two hundred twenty and two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and authorizing the use of the money derived from such increase for the acquisition by lease or purchase of public fishing rights in the waters of the Commonwealth, together with the rights of ingress and egress to and from such waters.

Referred to the Committee on Fisheries.

By Mr. LEVY. HOUSE BILL No. 989.

An Act to amend section four hundred and eighteen of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by allowing certain exemptions to be waived in favor of labor unions.

Referred to the Committee on Insurance.

By Messrs. HERMAN and SHAFFER. HOUSE BILL No. 990.

An Act to amend section one hundred and eight of the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining the term "occupational disease."

Referred to the Committee on Workmen's Compensation.

By Mr. BAKER. HOUSE BILL No. 991.

An Act to add section 435 to the act approved June second, one thousand nine hundred fifteen (P. L. 736), entitled, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," providing that hospitals, institutions, physicians, surgeons and others furnishing medical, dental or nursing services, hospital treatment, artificial appliances, medicines and supplies for which the employer is liable, shall be deemed parties in interest to present claims and to enforce awards in Workmen's Compensation proceedings.

Referred to the Committee on Workmen's Compensation.

By Mr. REGAN. HOUSE BILL No. 992.

An Act invalidating clauses in deeds or other instruments affecting real property, whereby the owner of minerals or other portions beneath the surface, is released from liability for damages for injury to persons or property on the surface caused by mining or other operations underground.

Referred to the Committee on Judiciary General.

By Messrs. HIRSCH and FINNERTY. HOUSE BILL No. 993.

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students; prohibiting advertising of prices by registrants; requiring all barber shops to be registered; transferring the administration of certain provisions of said act to the State Board of Barber Examiners; and prescribing additional penalties.

Referred to the Committee on Professional Licensure.

By Mr. IMBRIE. HOUSE BILL No. 994.

An Act authorizing courts to admit evidence of the alcoholic content of the defendant's blood upon the trial of any person charged with the commission of involuntary manslaughter while intoxicated or charged with the operation of a vehicle while intoxicated; and prohibiting the admission, against the defendant, of evidence of his failure to have a blood test made.

Referred to the Committee on Judiciary General.

By Mr. BAUGHER. HOUSE BILL No. 995.

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by eliminating the duty of filing a copy of the auditor's report with the Department of Public Instruction by the auditors in school districts of the third and fourth classes.

Referred to the Committee on Education.

By Mr. HARKINS. HOUSE BILL No. 996.

An Act to further amend section six hundred and twenty of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedes-

trians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further defining the phrase "under the influence of intoxicating liquor," and evidence relative thereto.

Referred to the Committee on Motor Vehicles.

By Mr. HARKINS. HOUSE BILL No. 997.

An Act to amend subsection (e) of section three hundred and one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by allowing common law actions in certain cases.

Referred to the Committee on Workmen's Compensation.

By Mr. SARRAF. HOUSE BILL No. 998.

An Act to protect the public health; defining and providing for the licensing of bakeries and regulating the inspection, maintenance and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of bakery products, prohibiting the establishment of bakeries in basements, establishing uniform and standard weights, requiring the publication of weights and ingredients upon products; prohibiting rebates, discounts and special allowances; conferring powers on the Department of Agriculture; creating a Commissioner of Bakeries and inspectors under him, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. FALKENSTEIN. HOUSE BILL No. 999.

An Act to amend clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by reducing the age limit for and fixing the amount of old age assistance subject to approval of the electors; and providing for an election thereon.

Referred to the Committee on Welfare.

By Mr. SCANLON. HOUSE BILL No. 1000.

An Act to further amend section five hundred two of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by changing the procedure whereby local option elections may be initiated.

Referred to the Committee on Liquor Control.

By Mr. SCANLON. HOUSE BILL No. 1001.

An Act to further amend section five hundred one of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by suspending elections on local option during any national emergency.

Referred to the Committee on Liquor Control.

By Messrs. HERMAN and SHAFFER. HOUSE BILL No. 1002.

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing practice and rules of evidence; defining earning power after accident, authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; changing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees

to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act.

Referred to the Committee on Workmen's Compensation.

By Messrs. JEFFERSON and DUFFY.

HOUSE BILL No. 1003.

An Act making an appropriation to the Moore Institute of Art, Science and Industry formerly Philadelphia School of Design for Women at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. JEFFERSON and DUFFY.

HOUSE BILL No. 1004.

An Act making an appropriation to the Bereau Manual Training and Industrial School.

Referred to the Committee on Appropriations.

By Mr. LEVY. HOUSE BILL No. 1005.

An Act to add section six hundred ninety-nine and six-tenth of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it unlawful for unauthorized persons to buy or exchange Federal food order stamps for currency and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. LEVY. HOUSE BILL No. 1006.

An Act to add section six hundred ninety-nine and seven-tenth to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Comomnwealth," making it unlawful for any person to accept Federal food order stamps for other than food or surplus food as defined by the United States Department of Agriculture; and providing penalties.

Referred to the Committee on Judiciary Special.

By Mr. BENTZEL. HOUSE BILL No. 1007.

An Act proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen.

Referred to the Committee on Constitutional Amendments.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 377. (HOUSE BILL No. 1008).

An Act validating certain proceedings and elections of counties, cities, boroughs, school districts or other municipalities or incorporated districts, had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Referred to the Committee on Municipal Corporations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. CHUDOFF and MODELL.

RESOLUTION No. 63.

In the House of Representatives, March 25, 1941.

Whereas, It is one of the postulates of a living and growing democracy that the health of its citizenry is both a national asset and a stimulating safeguard of spiritual buoyancy; and

Whereas, In the wake of recent depressions and resultant unemployment, there came a lowering of standards that sapped the health of an alarmingly substantial part of our population; and

Whereas, The Department of Public Assistance of the Commonwealth of Pennsylvania is charged, inter alia, with the duty of extending medical help to the needy and unemployed; and

Whereas, The formula heretofore adopted by the Department of Public Assistance for the compensation of physicians attending recipients of public assistance is based upon prorating of an amount computed on the basis of an allowance by the Department of Public Assistance of twenty cents (20c) per month for each person receiving assistance; and

Whereas, Said monthly amounts are tangibly reduced by priority payments to pharmacists who are exempt from prorating; and

Whereas, With the decrease of the number of recipients of public assistance the monthly amount available for prorating will shrink while the number of persons who are mostly in need of medical assistance and belong to the irreducible stratum of assistance-recipients, to wit, old-age pensioners, blind and assisted mothers, will remain stationary; and

Whereas, In addition to the paucity of their fees, the physicians rendering medical assistance to the needy and unemployed encounter needless delays in receiving said fees from the Department of Public Assistance; and

Whereas, An equitable revision of the formula for computation of the pro rata fees now paid by the Department of Public Assistance to physicians attending needy and unemployed would ensue in higher standards of medical assistance; now be it therefore

Resolved, That the House of Representatives of Pennsylvania request the Secretary of Public Assistance to equitably revise the determinants guiding the prorating of fees payable to physicians attending recipients of assistance as well as expedite the payments of amounts now due to such physicians.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

LIQUOR LICENSES

A resolution from the Commissioners of South Fayette Township, Allegheny County, filed by Mr. Harmuth, requesting that the Commonwealth return to local municipalities liquor license fees now held by the Commonwealth for the years 1940 and 1941.

Referred to the Committee on Appropriations .

OATH OF ALLEGIANCE

A communication from Central-Pittsburgh Reformed Presbyterian Church, addressed to the Speaker, urging defeat of House Bill No. 601, requiring public school teachers to take the oath of allegiance.

SCHOOL BANDS

A communication from McDanel Refractory Porcelain Company, Beaver Falls, addressed to the Speaker, urging

defeat of House Bill No. 497, relating to high school bands and orchestras.

Referred to the Committee on Education.

JUVENILE COURT

A communication from The Philadelphia Home For Infants, addressed to the Speaker, urging refeat of House Bill No. 18, providing for the repeal of laws which raised the age limit of juvenile courts to eighteen years.

Referred to the Committee on Judiciary General.

EMPLOYES OF LIQUOR LICENSES

A telegram from members of the Perrysville Avenue Methodist Church, Pittsburgh, protesting passage of House Bill No. 550, repealing the barmaid act of 1878.

LIQUOR LICENSES

Petitions from citizens of the Thirty-eight Ward, Philadelphia, favoring passage of legislation to extend hours for the sale of intoxicating beverages by liquor licensees.

Referred to the Committee on Liquor Control.

VETERANS

A communication from East Harrisburg Post, No. 1718, Veterans of Foreign Wars, Progress, addressed to the Speaker, favoring passage of House Bill No. 639, establishing a Twenty-eighth Division Shrine at Boalsburg.

A communication from the Department of Pensylvania, Disabled American Veterans of the World War, addressed to the Speaker, protesting recommitting House Bills, endorsed by the Joint Veterans Legislative Committee.

Referred to the Committee on Military Affairs.

MOTOR VEHICLES

Telegrams from Arthur F. Morrison and Frank J. Barrett, salesmanager Parkway Oil Company, and communications from Mrs. Catherine Klitsch, A. N. Henson and O. F. Zurn, Company, all of Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 690 increasing maximum rates for motor vehicles.

Referred to the Committee on Motor Vehicles.

WORKMEN'S COMPENSATION

A communication from W. E. Neihenke, Boswell, urging modification of Workmen's Compensation Law.

Referred to the Committee on Workmen's Compensation.

REPORTS FROM COMMITTEES

Mr. O'CONNOR, from the Committee on Municipal Corporations, reported as committed, House Bill No. 708, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

Mr. LONGO, from the Committee on Municipal Corporations, reported as committed, House Bill No. 895, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Mr. CORDIER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 758, entitled:

An Act to further amend sections four and nine of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," including incinerators for rubbish and garbage as projects.

Mr. CADWALADER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 666, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D., one thousand nine hundred thirty-two, entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

Mr. WILKINSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 657, entitled

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

Mr. DOLON, from the Committee on Fisheries, reported as committed, House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

Mr. LEVY, from the Committee on Professional Licensure,, reported as committed, House Bill No. 462, entitled

An Act providing for and regulating the state licensing and registration of nurses of several classes, the biennial recording of licenses, regulating nursing; imposing penalties; and repealing certain existing laws.

Mr. LEVY, from the Committee on Professional Licensure, reported as committed, House Bill No. 707, entitled:

An Act to further amend section nine of the act approved March thirtieth, one thousand nine hundred seventeen, (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith"; and further regulating advertising by optometrists.

Mr. LEVY, from the Committee on Professional Licensure, reported as committed, House Bill No. 685, entitled:

An Act to protect the public against advertising or offering for sale at fixed prices eyeglasses, spectacles, etc. and filling prescriptions for the same similar to the restraint upon professions licensed by the State to prescribe eyeglasses and spectacles fixing a penalty for violations of this act and investing the courts with jurisdiction to prevent and restrain violations of this act.

Mr. LEVY, from the Committee on Professional Licensure, reported as committed, House Bill No. 684, entitled:

An Act to further amend sections six and nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained, and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," further regulating the granting, suspension and revocation of the licenses of optometrists.

Mr. LEVY, from the Committee on Professional Licensure, reported as committed, House Bill No. 675, entitled:

An Act providing for and regulating the State Licensing and registration of nurses of several classes the biennial recording of licenses regulating nursing imposing penalties and repealing certain existing laws.

Mr. RONALD L. THOMPSON, from the Committee on Townships, re-reported as committed, House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising consolidating, and changing the law relating thereto by providing for the compensation paid to township commissioners

Mr. SCHWAB, from the Committee on Public Utilities, re-reported as amended, House Bill No. 203, entitled:

An Act to amend section two, and to further amend sections three, four, nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construction, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by defining the term "commission"; by changing the method by which notice of the formation of a municipal authority shall be made public; and by limiting the power of an authority to engage in the acquisition or operation of a public utility, by requiring approval of the Public Utility Commission.

Mr. RUSSELL E. REESE, from the Committee on Workmen's Compensation, re-reported as committed, House Bill No. 364, entitled:

An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" amplifying the provisions thereof as to persons entitled to such payments.

PARLIAMENTARY INQUIRY

Mr. BENTLEY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BENTLEY. Mr. Speaker, I wish to inquire as to the numbers of the House Bills which have been reported. Due to the frequent interruptions, I have been unable to follow and I would ask the Chair to have the Clerk repeat the numbers of the bills that have been re-reported from Committee.

The SPEAKER. The Chair will gladly comply with the gentleman's wishes. The Clerk will again read the numbers of bills reported from Committee.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Shaffer for Mr. GOODWIN on account illness.

MR. GERARD IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 236, entitled:

An Act protecting the rights of students in colleges, universities and other educational institutions to credits represented to be obtainable at the time of commencing work therefor; imposing penalties; and providing for equitable relief.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act prescribing presumptions of authority and rules of evidence, where payments are made on account of the principal of mortgages in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 165, entitled:

An Act to further amend subsection six and to repeal subsection seven of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 919, entitled:

An Act to amend subsections two, five and six of section seven hundred and twenty-four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the killing of elk or bear destroying property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 383, entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 325, entitled

An Act, authorizing boards of school directors to permit the use of vehicles used for transportation of pupils; for educational trips and other school activities

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 868, entitled:

An Act, to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (one thousand nine hundred thirty-seven, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation, with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; further defining the powers of and procedure before the board making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board, and making the Administration Fund subject to certain charges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinance of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Allegheny, Mr. Gerard, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 158, entitled:

An Act to further amend sections two hundred two and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employes Retirement Board from the Department of State to the Treasury Department.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 159, entitled:

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employes' Retirement Board from the Department of State to the Treasury Department; and transferring certain appropriations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection House Bill No. 367, Printer's No. 117, was passed over at the request of Mr. Baker.

There being no objection House Bill No. 487, Printer's No. 116 was passed over at the request of Mr. Levy.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 596, as follows:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Fairmount Park Commission shall classify the Park Guards and their officers as follows and there shall be no other classification

Park Guards first class (and shall include those guards in the employ of the Commission for one year or less)

Park Guards second class (and shall include those guards in the employ of the Commission for not more than two years and not less than one year)

Park Guards third class (and shall include those guards in the employ of the Commission for two years or more)

House Sergeant

Duty Sergeant

Lieutenant

Superintendent

Section 2 The salaries to be paid to the Fairmount Park Guards and their officers shall be fixed by the Council of the City of Philadelphia at a sum per annum not lower than contained in the following schedule

Park Guards first class who have been in the employ of the Park Commission for one year or less $2,100

Park Guards second class who have been in the employ of the Park Commission for two years but not less than one year 2,300

Park Guards third class who have been in the employ of the Park Commission for two full years or more 2,500

House Sergeants 2,700

Duty Sergeants 2,850

Lieutenant of Park Guards 3,200

Superintendent of Park Guards 3,800

Section 3 The Park Commission shall pay minimum salaries as established by the Council of the City of Philadelphia as aforesaid in Section 1 hereof

Section 4 This Act shall become effective December 15 1941

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Marks,	Rosenfeld,
Auker,	Gallagher,	Maxwell,	Royer,
Baker,	Gates,	McClanaghan,	Rush,
Balthaser,	Gerard,	McClester,	Sarge,
Baugher,	Gillian,	McDermott,	Sarraf,
Bentzel,	Gillette,	McDowell,	Scanlon,
Boies,	Greenwood,	McFall,	Schwab,
Boney,	Gross,	McGrath,	Serrill,
Boorse,	Gryskewicz,	McIntosh,	Shaffer,
Bower,	Gyger,	McKinney,	Shaw,
Bradley,	Habbyshaw,	McLanahan,	Shepard,
Breth,	Haberlen,	McLane,	Simons,
Bretherick,	Haines,	McMillen,	Snyder,
Brown,	Hall,	McSurdy,	Sollenberger,
Brunner, C. H.,	Hamilton,	Melchiorre,	Sorg,
Brunner, P. A.,	Hare,	Mihm,	Stambaugh,
Burns,	Harkins,	Modell,	Stank,
Burris,	Harmuth,	Monks,	Stine,
Cadwalader,	Harris,	Mooney,	Stockham,
Chervenak,	Heatherington,	Moran,	Tarr,
Chudoff,	Helm,	Moul,	Tate,
Cochran,	Hering,	Muir,	Taylor,
Cohen, R. E.,	Herman,	Munley,	Thompson, E.,
Cook,	Hersch,	Nagel,	Thompson, R.,
Cooper,	Hewitt,	Nunemacher,	Trout,
Cordier,	Hirsch,	O'Brien,	Turner,
Corrigan,	Holland,	O'Connor,	Van Allsburg,
Croop,	Huntley,	O'Dare,	Verona,
Cullen,	Imbrie,	O'Mullen,	Vincent,
Dalrymple,	James,	O'Neill,	Vogt,
Dennison,	Jefferson,	Owens,	Voldow,
DiGenova,	Jones, G. E.,	Petrosky,	Voorhees,
Dix,	Keenan,	Pettit,	Wagner,
Dolon,	Kenehan,	Polaski,	Watkins,
D'Ortona,	Kline,	Polen,	Weingartner,
Duffy,	Knoble,	Powers,	Weiss,
Early,	Kolankiewicz,	Prosen,	Welsh, E. B.,
Eckels,	Komorofski,	Rank,	Welsh, M. J.,
Elder,	Krise,	Rausch,	Wilkinson,
Elliott,	Lee, E. A.,	Readinger,	Williams,
Ely,	Lee, T. H.,	Reagan,	Winner,
Falkenstein,	Leisey,	Reese, D. P.,	Wolf,
Finestone,	Leonard,	Reese, R. E.,	Wood, L. H.,
Finnerty,	Lesko,	Regan,	Wood, N.,
Fisher,	Levy,	Reynolds,	Woodring,
Fiss,	Leydic,	Rhea,	Woodside,
Fleming,	Lichtenwalter,	Riley,	Wright,
Fletcher,	Longo,	Rooney,	Yeakel,
Flynn,	Lovett,	Rose, S.,	Yester,
Foor,	Lyons,	Rose, W. E.,	Young,
	Malloy,		Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 597, as follows:

An Act to amend section two of the article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An Act for the better government of cities of the first class of

this Commonwealth" by classifying employes and officers of the Bureau of Police and Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire all in the Department of Public Safety for the purpose of fixing minimum salaries fo reach classification and payment of at least such minimum salaries to all persons within the said classifications

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 2 of Article 5 of the Act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws 581) entitled "An Act for the better government of cities of the first class of this Commonwealth" is hereby amended to read as follows

Section 2 (a) The director of public safety shall have the power to appoint an assistant director who in the absence or incapacity of the director to act shall possess all the powers and perform all the duties of the director until the new director is appointed and qualified as hereinbefore provided The director shall also appoint such other officers and employes as may be provided for by ordinance Provided however that employes and officers of the Bureau of Police Bureau of Fire and certain employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire all in the Department of Public Safety shall be appointed and classified or if now employed in the aforesaid Bureaus to be classified for the purpose of fixing minimum salaries and they shall receive at least the minimum salaries for such classifications as is set forth in subsection (b) (4) (B) (5) and (b) (6) hereof and there shall be no other classifications

(b) (1) Employes and officers employed in the Bureau of Police in the Department of Public Safety shall be classified for the purpose of fixing and paying at least the minimum salaries as follows

Patrolmen second grade or second class comprising those over sixty years of age and those under that age declared incapaciated except by injuries sustained in line of duty

Patrolmen Class A that is those serving their first year

Patrolment Class B that is those serving their second year

Patrolmen Class C that is those serving their third and subsequent years

House Sergeant

Street Sergeant

Captain

Inspector

Assistant Superintendent

Superintendent

Detectives

Sergeant of Detectives

Lieutenant of Detectives

Captain of Detectives

Inspector of Detectives

Captain Band Master

(b) (2) Employes and officers employed in the Bureau of Fire in the Department of Public Safety shall be classified for the purpose of fixing and paying at least the minimum salaries as follows

Second grade or second class hosemen and laddermen comprising those over sixty years of age and those under that are declared incapaciated except by injuries sustained in line of duty

Class A hosemen and laddermen that is those serving their first year

Class B horsemen and laddermen that is those serving their second year

Class C hosemen and laddermen that is those serving their third or subsequent years

Lieutenants

Captains

Battalion Chiefs

Deputy Chief

Chief Engineer

Fire Boat Pilots

Marine Engineers

Marine Firemen

Fire Dispatchers

(b (3) Some employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire Department of Public Safety shall be classified for the purpose of fixing and paying at least the minimum salaries as follows

Battery Men

Fire Alarm and Test Operator

Assistant Chief Operator

(b) (4) Employes and officers of the Bureau of Police in the Department of Public Safety thus classified shall receive at least the minimum salaries set forth hereafter

Patrolmen second grade or second class one thousand eight hundred twenty-five dollars ($1825) per annum

Patrolmen Class A two thousand one hundred dollars ($2.100) per anum

Patrolmen Class B two thousand three hundred dollars ($2.300) per annum

Patrolmen Class C two thousand five hundred dollars $2,500) per annum

House Sergeant two thousand seven hundred dollars ($2,700) per annum

Street Sergeant two thousand eight hundred fifty dollars ($2.850) per annum

Captain three thousand two hundred dollars ($3,200) per annum

Inspector three thousand five hundred dollars ($3,500) per annum

Assistant Superintendent four thousand five hundred dollars ($4,500) per annum

Superintendent seven thousand five hundred dollars ($7,500) per annum

Detectives two thousand eight hundred dollars ($2,800) per annum

Sergeant of Detectives three thousand dollars ($3000) per annum

Lieutenant of Detectives three thousand one hundred fifty dollars ($3,150) per annum

Captain of Detectives four thousand dollars ($4,000) per annum

Inspector of Detectives four thousand two hundred dollars ($4,200) per annum

Captain Band Master two thousand seven hundred dollars ($2,700) per annum

(b) (5) Employes and officers of the Bureau of Fire in the Department of Public Safety thus classified shall receive at least the minimum salaries as follows

Second grade or second class hosemen or laddermen one thousand eight hundred twenty-five dollars ($1,825) per annum

Class A hosemen and laddermen two thousand one hundred dollars ($2,100) per annum

Class B hosemen and laddermen two thousand three hundred dollars ($2,300) per annum

Class C hosemen and laddermen two thousand five hundred dollars ($2,500) per annum

Lieutenants two thousand seven hundred dollars ($2,700) per annum

Captains two thousand eight hundred fifty dollars ($2,850) per annum

Battalion Chiefs three thousand three hundred dollars ($3,300) per annum

Deputy Chief four thousand five hundred dollars ($4,500) per annum

Chief Engineer seven thousand five hundred dollars ($7,500) per annum

Pilots fire boats two thousand five hundred fifty dollars ($2,550) per annum

Marine Engineer two thousand six hundred dollars ($2.600) per annum

Marine firemen two thousand dollars ($2,000) per annum

Fire dispatchers two thousand two hundred dollars ($2.200) per annum

(b) (6) Some employes of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire in the Department of Public Safety shall receive at least the minimum salaries as follows

Battery Men one thousand nine hundred dollars ($1,900) per annum

Fire Alarm & Test Operators two thousand two hundred dollars $2,200) per annum

Assistant Chief Operator two thousand seven hundred fifty dollars ($2,750) per annum

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 All the provisions in this act shall be considered as severable If any section or portion thereof shall be declared to be unconstitutional it shall not invalidate any other section portion or remainder of the said act

Section 4 The provisions of this act shall become effective December 15, 1941

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns.	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon.	Kline,	Polen,	Weiss,
D'Ortona,	Knoble.	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski.	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Le , T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Fin-stone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yeater,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy, Speaker
Foor,	Malloy,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the third fourth fifth and sixth classes to acquire by lease purchase or condemnation land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions and authorizing appropriations for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto after section four hundred ninety-three a new section to read as follows

Section 494 Airdromes and Aviation Landing Fields in Counties of the Third Fourth Fifth and Sixth Class—(a) Any county of the third fourth fifth and sixth class is authorized to acquire by lease purchase or condemnation proceedings any lands within the limits of the county for the purpose of establishing and maintaining thereon airdromes and aviation landing fields whenever the county commissioners of the county by resolution duly adopted deem it advisable so to do

(b) Proceedings for the condemnation of lands and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by the act to which this is an amendment for the condemnation of lands for county purposes The title acquired by virtue of any such condemnation shall be a title in fee-simple

(c) Any county acquiring land hereunder is authorized to lease the same or any part thereof to any individual or corporation desiring to use the same for the purpose of landing or starting airplanes or other aviation purposes upon such terms and conditions and subject to such regulations as the county commissioners thereof may provide Any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for use for aviation mail service or other aviation purposes upon nominal rental or other consideration

(d) Any county acquiring any land for such purpose may enter into a contract with any city or borough for the operation of any land acquired by the county or owned by it as a joint city or borough and county aviation field or airdrome upon such terms and conditions as may be agreed upon in writing between the corporate authorities of the city or borough and the county commissioners

(e) Any county acquiring any land for such purpose may by resolution of the board of commissioners appropriate such funds as are necessary for the engineering design surveys and construction of such an airport either wholly by themselves or in cooperation with State Federal or other public agencies supplying a portion of the necessary funds for said work

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Ac terman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,

Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy, Speaker
Foor,	Malloy,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 107, Printer's No. 104, was passed over at the request of the Speaker.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 251, as follows:

An Act to amend section eleven of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund

The General Assembly of the Commonwealth of Pennsylvania hereby enact as follows

Section 1 Section eleven of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2532) entitled "An act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof" is hereby amended to read as follows

Section 11 (1) A valid claim for compensation or installments thereof heretofore or hereafter made pursuant to the Workmen's Compensation Law which has remained or shall remain due and unpaid for sixty days by reason of default after the effective date of this act by an insolvent carrier shall be paid from the proper fund in the manner provided in this act Any person in interest may file with the commissioner an application for payment of compensation from the proper fund on a form to be prescribed and furnished by the commissioner a certified copy of the award must accompany the application The commissioner shall thereupon certify to the State Treasurer such award for payment according to the terms of the same whereupon payment shall be made by the State Treasurer on warrant of the Auditor General and on requisition of the commissioner

(2) Payment of an award from either fund shall not give the commissioner of such fund any right of recovery against the employer

(3) An employer may pay an award or a part thereof in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or other party in interest against such fund to the extent of the amount so paid

(4) The commissioner shall be entitled to recover the sum of all liabilities of such insolvent carrier assumed by such stock or mutual fund from such carrier its receiver liquidator rehabilitator conservator or trustee in bankruptcy employer and all others liable under any of the terms of the Workmen's Compensation Law and may prosecute an action or other proceedings therefor All moneys recovered in any such action or proceedings shall forthwith be placed to the credit of the stock or mutual fund which has assumed such liability by the State Treasurer to reimburse the stock or mutual fund which has assumed such liability to the extent of the moneys so recovered and paid If and when all liabilities of all stock or of all mutual carriers for workmen's compensation losses in this Commonwealth shall have been fully liquidated distribution shall be made to all contributing stock companies or to all contributing mutual carriers of the remaining balance of such funds in the proportion in which each carrier made contribution to its respective fund Provided however That an insolvent carrier shall be entitled to share in the said distribution of its respective fund only to the extent that its distributive share of said fund is in excess of any losses paid out of said fund for its account by the treasurer in accordance with the terms of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hare,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,

Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yoder,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy, Speaker
Foor,	Malloy,	Rosenfeld,	

NAYS—0

The majority having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, in line with my request yesterday to the Members to help the Speaker, I think the Speaker is placed in a particularly difficult position when two members of his own party, and the representative of the Democratic party on the National Committee violate the rules. They ought to help out the Speaker of their own accord.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 50, as follows:

An Act to amend section four hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" relieving school directors of the duty of visiting schools and of making reports thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 408 The board of school directors shall exercise general supervision over the schools of their respective districts [and shall except in districts having district superintendents or supervising principals by one or more of their number visit every school in the district at least once a month and shall cause the report of such visit to be entered on the minutes of the board]

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. O'CONNOR. Mr. Speaker, House Bill No. 50, Printer's No. 122, as originally introduced repealed section 408 of the school code. There were many members of this House as well as many school directors in Pennsylvania who felt that by the repeal of section 408, we would take from the school directors the power which is as follows:

"The Board of School Directors shall exercise general supervision over the schools of their respective districts",

Therefore, I had that bill amended so as to leave that power vested in the school boards of Pennsylvania, and the bill as it is now before the House for action simply takes from the school directors their duty to visit all the schools in their district once a month and makes a report thereon. Since under the present law that section or provision applies only to fourth class school districts, I ask the House to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	French,	Marks,	Royer,
Auker,	Gallagher,	Maxwell,	Rush,
Baker,	Gates,	McClanaghan,	Sarge,
Balthaser,	Gerard,	McClester,	Sarraf,
Baugher,	Gillan,	McDermott,	Scanlon,
Bentley,	Gillette,	McDowell,	Schwab,
Bentzel,	Greenwood,	McFall,	Serrill,
Boies,	Gross,	McGrath,	Shaffer,
Boney,	Gryskewicz,	McIntosh,	Shaw,
Boorse,	Gyger,	McKinney,	Shepard,
Bower,	Habbyshaw,	McLanahan,	Simons,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.	Hare,	Mihm,	Stank,
Brunner, P. A.	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chervenak,	Helm,	Moul,	Taylor,
Chudoff,	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,

DiGenova,	Keenan,	Pettit,	Watkins,
Dix,	Kenehan,	Polaski,	Weingartner,
Dolon,	Kline,	Polen,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Early,	Komorofski,	Rank,	Wilkinson,
Eckels,	Krise,	Rausch,	Williams,
Elder,	Lee, E. A.,	Readinger,	Winner,
Elliott,	Lee, T. H.,	Reagan,	Wolf,
Ely,	Leisey,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leonard,	Reese, R. E.,	Wood, N.,
Finestone,	Lesko,	Regan,	Woodring,
Finnerty,	Levy,	Reynolds,	Woodside,
Fisher,	Leydic,	Rhea,	Wright,
Fiss,	Lichtenwalter,	Riley,	Yeakel,
Fleming,	Longo,	Rooney,	Yester,
Fletcher,	Lovett,	Rose, S.,	Young,
Flynn,	Lyons,	Rose, W. E.,	Kilroy, Speaker
Foor,	Malloy,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

LYKENS HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House the Senior class of the Lykens High School. The members of this class are the guests of the Republican floor leader, the gentleman from Dauphin, Mr. Woodside, and also the gentleman from Dauphin, Mr. Habbyshaw.

FORMER MEMBER OF HOUSE WELCOMED

The SPEAKER. The Chair notices the presence this afternoon of the famous team, the gentleman from Philadelphia Mr. O'Brien and the gentleman from Philadelphia Mr. Donohoe.

The Chair requests the gentleman from Philadelphia, Mr. O'Brien to escort the gentleman from Philadelphia, Mr. Donohoe, to the rostrum.

The Chair presents to the House the gentleman from Philadelphia, Mr. Donohoe, long a member of this House.

PERMISSION TO ADDRESS THE HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I rise at this time in order to clarify the record with reference to the Bethlehem Steel Strike referred to by the gentleman from Delaware, Mr. Turner, in the session yesterday. I think this record can be clarified no better than by reading into this record an editorial that appeared in the Philadelphia Record as of March 26, 1941. The editorial follows:

"Bethlehem Steel Corporation, as one of the chief armament firms in the United States, occupies a peculiar position of power—and responsibility.

"Bethlehem Steel has used the power, evaded the responsibility.

"The growing importance of armaments over the last several centuries has enriched many men, including the men who run Bethlehem Steel. But it has also placed Bethlehem Steel in the position in which mercenary troops found themselves when armies began to grow more important.

"Capriciousness and private selfishness can be tolerated in armorers no more than in armies.

"Refusal of Bethlehem Steel to recognize its responsibility, and failure of the Government to enforce such responsibility upon Bethlehem Steel, are the underlying causes of the present strike at Bethlehem which is slowing down necessary work on defense.

"Bethlehem Steel, which has a semi-public status because of its huge defense contracts—and the huge Government subsidies it has received in the form of excess profits—over a long period of years, has defied even those Federal laws which apply to private citizens.

Here is a part of Bethlehem Steel's background in relation to this strike:

"1. It has succeeded in obtaining Government contracts in spite of the Walsh-Healy Act, which forbids Government contracts to firms with unfair labor practices. The Walsh-Healy Act is not meant to be merely an aid to labor organization. It is based in part on the idea that Government contracts should be filled on schedule . . ."

Filled on schedule, gentlemen, for national defense, an item that is today pertinent to the National Defense of the country. Continuing with the editorial:

"—and that firms with unfair labor practices will sooner or later be tied up with strikes.

"Had the Walsh-Healy Act been rigidly enforced as to Bethlehem, no defense contracts would be tied up by strike there today.

"2. Bethlehem refused to comply with the Wagner Labor Relations Act. In August, 1939, the N. L. R. B. ordered Bethlehem to disband a company union, . . ."

Such company unions were not considered by the courts of the land to be bona fide labor organizations.

". . . the Employe Representation Plan, because company unions are forbidden by law. The company appealed the case, and failed to comply with the order pending appeal. The courts have still to render a final decision.

"Meanwhile, the E. R. P. went on, with Bethlehem Steel support. The present strike began when the E. R. P. held an election in the plant, again a violation of the law.

"3. Bethlehem Steel has been one of the most profitable of American enterprises in this generation, especially for a little group of insiders."

That little group of insiders commonly known as the reactionary forces working against the labor movement.

Continuing with the editorial:

"During one 20-year period, these insiders voted themselves over $36,000,000 of bonuses in addition to salaries.

"During that period Bethlehem paid—and still pays—lower wages than competing plants.

"4. During the World War, Bethlehem Steel held up the United States Government for at least $25,000,000 by refusing to take contracts except on terms later described by a Federal Judge as follows:"

Before I read what the Federal Judge has stated as the term may I say to this House, is this an indication of American patriotism? It is a matter of record that they would not comply with the national defense in the previous war, and if war should come when or how are we to determine whether or not they will comply in a patriotic spirit with the defense of the United States of America? The Federal Judge terms the contract as follows:

"'(Bethlehem Steel) boldly and openly fixed the figures in the estimated cost so high as to give a promise of large bonus profits. The managers of the (U. S. wartime) Fleet Corporation protested it. The reply was: 'We will take this contract with the promise of bonus profits incorporated in it, but not otherwise. Take it or leave it.'"

Gentlemen, that is patriotism, it is cheap patriotism, with profits for the privileged few.

The editorial continues as follows:

"Are the strikers at Bethlehem Steel today asking

for the equivalent of "bonus profits"? They are not. The Steel Workers' Organizing Committee proposes to send the men back to work on these terms:

"1. Strikers be taken back with no loss of seniority.

"2. That the E. R. P. stop holding elections on company property.

"3. That the company abide by the N. L. R. B. decision to disestablish the E. R. P."

Now, gentlemen, that is no more, no less than the decision that has been handed down by the law of the land.

Continuing with the editorial:

"4. That the company agree to negotiations looking toward a labor board election as provided by Federal law.

Only, my dear friends, asking those reactionary forces to adhere to the laws of the land and not to disregard those labor laws that have been placed on the statute books of this state and this nation by the liberal forces in the Democratic Party.

The editorial continues as follows:

"The last three demands amount to this: That Bethlehem Steel obey the law of the land—the law which 95 percent of employers now obey without question. The first demand isn't open to much argument.

"Bethlehem Steel has gotten away with defiance of the Government for so long that it takes a strike to make it obey the law.

"Bethlehem still thinks this is 1917, when it could tell the Government to go jump in the lake. It doesn't realize that a whole new attitude toward the responsibilities of employers has arisen in the last 10 years, a new attitude that is approved by a majority of businessmen as well as a majority of the people."

Mr. Speaker, there were many references yesterday during debate as to the intention of the Democratic Party to throw a sop to labor. They referred to a sop to labor in the words that most reactionaries will refer to them. If this was a sop to labor, a gesture by the Democratic party, then I ask the members on the other side of the House what was the gesture, what was the deed, what is the record of the Democratic party to labor in 1937?

As a matter of record may I say that in the labor movement it is my sole contention, my honest conviction, that the Trade Labor movement will establish economic stability in normal times, and to-day in a day of crisis, the labor movement is the bulwark of national defense.

May I read to this body the pledge of organized labor in another industry that is vital to the national defense of this country.

Organized Labor—

"In Peace, the bulwark of our economic stability.

"In War, the shock troop of our National Defense.

"As no chain is stronger than its weakest link, so must we gird now for the months that lie ahead; months that shall call for complete concentration of our man power if we are to become an Arsenal for Democracy, and in this hour of our nation's greatest peril labor is responding to the clarion call of national defense with characteristic speed.

"Dedicated to serve the public interest and to fortify our country's life lines in the tremendous task of strengthening each link of our defenses, each member of the Aluminum Workers of America is destined to play a major role in the program laid down for Labor by our Government. We therefore, accept the full responsibilities which is the inherent right of organized labor and have thrown the full weight of our organization behind the vital work of preparing for an adequate total defense.

"We re-affirm our unalterable belief in the teenets of the Declaration of Independence and the Constitution of the United States as the principles upon which this country was founded and by which it grew to greatness. We shall oppose any and all foreign isms of subsersive nature that are contrary to the ideals of our people and our institutions, with the full knowledge that only under a free and democratic government can trade unionism flourish and live. American Labor is tried and tempered, born in the searing flames of conflicting standards of another decade, it has emerged True as Steel and is a guarantee that Americanism will carry on, united in a common purpose and facing a common front, to make a worthy America for worthy Americans. To all these things are we pledged to the end that our Democracy may survive forever."

The International Union of Aluminum Workers of America, one of the most vital industries of the national defense set-up have pledged themselves as well as the United Mine Workers of America, the Steel Workers Organizing Committee, and labor in general throughout the land have pledged themselves to the national defense program, and will do their utmost in the preservation of this great democracy of ours.

But today, gentlemen, have we seen that pledge carried out by any other person interested in the national defense program? Industry has not cooperated as was stated by the honorable gentleman from Allegheny, Mr. Holland, on this floor yesterday. Labor is not at fault in the strikes and in the industrial disputes that are arising at the present time. The fault lies just much and more so with the industrialists, due to the fact that on numerous occasions they have not adhered to the laws of the state and nation as regards labor.

Speaking further on the pledge of labor to the national defense of this country, may I say to you that the greatest defense plan of all times has been submitted to the Congress of the nation and to the President by none other than Phillip Murray, president of the CIO. It is known as the CIO Defense Plan. It is my knowledge, my understanding, my conviction, and sole contention that this plan will remedy those things that are happening today.

May I say that many inferences were made here on the floor of the House, many inferences which I think were no more than cheap gestures, cheap politics and if I may call it, cheap patriotism, made in the way of making a statement that they would follow the President of the United States, but in their actions the record speaks differently. May I say that the Governor of the Commonwealth has stated that he would full heartedly, and whole heartedly cooperate with the President of the United States in the national defense efforts of this nation, but today the record speaks for itself and only states the fact that he is doing nothing, but disregarding those labor laws of the nation and aiding those industrialists in disregarding the same to the detriment of labor in general.

Therefore, Mr. Speaker and members of the House, with reference to the charges which were made, clarified by this statement, I say, let the guilt rest upon those whom, according to this record, the guilt should rest. I thank you.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1941.

Resolved, (if the House of Representatives concur), That Senate Bill No. 198, Printer's No. 32, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. ACHTERMAN. Mr. Speaker, I ask that the House do non-concur in the resolution of the Senate.

It was non-concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I think, the Members on the other side of the House are a bit confused this morning as there seems to have been confusion over what happened yesterday. The motion that was just made, as I understand it, was a motion to non-concur and I heard no "Ayes", but I heard a great volume of 'Nays", and the Speaker promptly ruled that the motion was concurred in, but the Democratic Members over there should have voted "Aye" instead of "Nay."

The SPEAKER. The gentleman from Delaware is in error.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, may I say for the information of the gentleman from Delaware that this side of the House voted as the question was put, and in accordance with the instructions given by the Chair.

Mr. TURNER. Mr. Speaker, the gentleman from Delaware apologizes to the gentleman on the other side. As I heard the motion it was to non-concur.

The SPEAKER. The question put by the Chair was, "Will the House concur in the resolution of the Senate?" The Chair always puts the question in the positive form and advises the gentleman from Delaware that the Democratic Members voted correctly.

The gentleman from Delaware, Mr. Turner will proceed.

Mr. TURNER. Mr. Speaker, the gentlemen on the other side may have voted correctly in this instance but that is one of the exceptions that proves the rule.

Mr. Speaker, it seems ot me this is not a time when we should stir up a lot of confusing sentiments in reference to a piece of legislation which was passed yesterday and confuse it with other broader issues. I realize that the debate yesterday ran far afield. I realized also that I used as an illustration in the remarks I made in concluding, urging the Members of this House, particularly those on the other side, to oppose the legislation presented before the House, the present strike at the Bethlehem Steel plant. However, I was careful to say "from the reports in the newspapers", and therefore, I used that as an illustration purely of a jurisdictional strike at one of the places where two unions are competing, or groups in a plant are competing to determine which group shall organize the plant and be recognized as the collective bargaining agency.

I think that legislation was a bad piece of legislation, not only on the broad question of labor and its rights, but on the pure question of the act itself, and the fact that the bill itself, as the amendment appeared in the bill, provided for the granting unto a certain group of our people a special privilege which was not enjoyed by the rank and file of the people. All of the rest of us are subject to certain injunction proceedings, and we are subject to the laws pertaining thereto, which are very ancient laws, and the practices in our courts are uniform and cover a long period of time. Therefore, I felt that the legislation on that ground was wrong. I also felt Mr. Speaker that the legislation was not good legislation for labor itself, and that was because of the reason pointed out in the end that I felt legislation that gave a special privilege to one group was bound to react against them.

Now, Mr. Speaker, those chickens have come home very rapidly to roost. In today's Philadelphia Evening Bulletin there appears an article in reference to the Bethlehem Steel strike, and in that article it states:

> "Highlighting the situation today were:
> "John V. Riffe, of Allentown, first assistant to Van A. Bittner, SWOC chieftain, announced that an injunction would be sought today in the Federal courts at Philadelphia to restrain further interference by Pennsylvania State Troopers against lawful, peaceful picketing."

Now, if the procedure which you gentlemen have attempted to set up under this bill were to prevail you would have to wait until there could be a complete hearing, before the United States Court could determine whether there was interference with lawful and peaceful picketing, and that might be thirty days from now, during which time the rights which you claim to have on behalf of labor might be violated. Therefore, it seems to me that you are going to say to the owner of a plant who says "There is a "sit-down" strike in my plant and these people are doing damage to my plant, the owner would have to wait thirty days and the damage might be done and the plant be destroyed.

The same thing is true on the other hand, if labor is going to say to us, we are entitled to this special privilege. You must wait until a full hearing is had, testimony taken and the court has found the facts as required under this act before an injunction can be issued in a "sit-down" strike. In the reverse, in all fairness and equity and propriety in this country of ours where we hope to achieve some equality before the law, you gentlemen ought not to go into the United States court and ask for an injunction to restrain the Commonwealth of Pennsylvania from sending its troops, its police to maintain order in that district. I do not think what I had to say yesterday could have been as well expressed as it is in a column that appears in the Philadelphia Inquirer of this morning. I am not going to read all of that column, but I just want to read a couple excerpts from it. After discussing this question of the present laws and the question of organization of the Mediation Board and what Congress would do, the article says:

> "I know this is supposed to be a time for compromise and unity, but there is never a time when it is either wise or honest to compromise with wrong. The unions

are in the wrong and laws must be passed to repudiate some of the twisted reasoning by which the Federal Supreme Court and the Supreme Court of California have practically absolved unioneers from the penalties that rest on other men for certain offenses.

"As matters stand, by a combination of laws and decisions, the labor union, which is only a private organization of individuals, claims and, by public default, enjoys the right to blockade not only munition factories but also private works on the representation of some uncounted and uncertified number of men that they are aggrieved workers.

"It has been necessary to obtain the gracious permission of individual unioneers to send officers of the Army into plants to take out and deliver to the soldiers certain tools of war necessary for their training. These agents of these private groups did not grant this permission as a matter of national right. They gave it as a special favor, although actually they gave it because they knew that if they didn't public opinion would smash their power by the same violent means that unioneers have used to keep free, willing American workmen away from patriotic works."

I do not think any of us on this side of the House can rightfully be accused of opposing any lawful rights of labor to picket or to organize to seek by collective bargaining contracts with employers under all of the provisions of the law, but as I sat here, very carefully listening to the gentleman from Westmoreland, I had the advantage of having a copy of the Philadelphia Record before me and I followed along with the editorial. I could not help but be impressed with this, that the whole charge in the editorial was that the Bethlehem Steel was a law violator and that, therefore, the union had the right, having failed to get the corporation to abide by the law, to take the law into its own hands to stop production. It seems to me that is a Federal question that belongs to the President of the United States and the law enforcing agencies and the Labor Relations Board and whatever agencies have been set up in recent years to handle these matters. If we are to permit a group of men to say, "Well, we determine you are a law violator, you are not living up to the provisions of our Federal Law," and by that means step in and prevent production in a plant that is devoted so extensively to this great question of national defense, then we might just as well say that if some officer out here in Indiantown Gap issued an order that was against the law as pertaining to soldiers, the soldiers had the right to strike; we might just as well say if some agency of the state has done something that is contrary to law, citizens of the State have a right to take the law into their own hands and compel by coercion. The worst part of this situation as it now exists is the regrettable fact that we are having violence accompanying it. I wish there was some way by which we could get this thought into the minds of our people. I have no defense for Bethlehem Steel, and if they are in the wrong I certainly would not stand on the floor of this House and defend them, but I do not know enough about this whole situation as far as Bethlehem Steel is concerned to pass judgment upon it, and I would certainly be remiss if I were to stand here and attempt to pass judgment on somebody when I did not know the facts and did not have knowledge of all the conditions that exist. Nevertheless, there are things that must impress us. I do not think any group of our people gain anything by violence. I do not think they gain anything by overturning and smashing 150 cars as reported in the paper this morning. I do not think they gain anything by disorders. If labor says that Bethlehem Steel is a law violator, it ought on its own behalf be an example. I think the leadership in the labor movement should set an example of law abiding that would lean over backwards in order to emphasize the very point that I have been trying to give to you. I have been trying to say to you that many of the advantages that labor has gained, many of these forward strides, as the people now speak of them, which have been accomplished in the last decade on behalf of labor, because of public sentiment around in this defense situation, they will lose those advantages, they will lose many of the legislative gains that have been made. I am saying to you today that I do not think the great rank and file of labor is in sympathy with that. I believe that the leadership of labor is wrong in this instance. I do not believe that the leadership of labor has sensed public opinion and has not sensed what is going on in the minds of the people, because I have discussed the matter with many men that belong to unions and they are afraid to speak up, they cannot speak up, they are dominated by groups of men who hold them in a firm grip. I tell you unless something is done to alleviate that situation, unless a moderate course is pursued we are going to be involved in a jurisdictional question, we are going to be involved in questions that do not involve the ordinary question of hours and wages and things of that kind and conserving which people will always have sympathy with labor; if we get involved in these other questions, unless moderation is pursued, then that public sentiment will sweep back and take away from labor the things we do not want to see taken from them.

It is only with caution as I tried to point out yesterday, that that course of action should be taken. I do not want to be construed in any way in this record as speaking in defense of or in criticism of Bethlehem Steel in this present situation, this is no time for that. This is the time for cool heads, this is the time for conciliation. This is the time when the people of Pennsylvania, both the employes and the employers should get together and try to arrive at an amicable solution so that the defense program can go on. The defense program must go on, or, otherwise, I tell you within a very short length of time there will be orders issued by the President of the United States himself, who has been considered a great friend of labor, but he must issue orders, he must issue restrictions that will force upon us a regimentation, that will force upon us the loss of many of our liberties and freedoms which we now cherish, which we do not want to have enforced upon us, but it will be forced upon us by the necessity of the defense program which after all is the highest obligation of government.

FORMER MEMBER OF HOUSE WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming a former member of the House, the gentleman from Philadelphia, Mr. Garrity.

PERMISSION TO ADDRESS HOUSE

Mr. HOLLAND asked and obtained permission to address the House.

Mr. Speaker, I believe it is an old saying which states, "By your deeds in the past you shall be known as to what you will do in the future."

So I think it will be necessary at this time to point out the record of the Bethlehem Steel. The Bethlehem Steel

in the World War robbed the government of ninteen million dollars in a cost padding case which is still in issue in the courts. Sometimes, the Bethlehem Steel Corporation, the industrial giant that grows out of the earth at Bethlehem seems tougher than the federal government. During the last war, the Bethlehem Steel Company obtained contracts from the Emergency Fleet Corporation for the construction of sixty-six tankers and cargo vessels on a cost-plus basis. They were permitted a profit of ten percent of the cost plus fifty percent of any savings made below the estimated cost.

The government charges that this company deliberately padded the estimated costs to boost its profits. It refused to pay a final payment of five million, six hundred sixty one thousand dollars to Bethlehem Steel Company. The Bethlehem Steel Company sued the government on a claim for five million dollars, and the government in return sued the Bethlehem Steel Company for nineteen million dollars which they claimed was overpaid.

Here is the fallacy of some of our courts. Our courts in the three decisions upheld the Bethlehem Steel Company, stating that the government was forced into this unholy and sinful arrangement with its eyes open because it could not get the ships built elsewhere.

The Bethlehem Steel Company, this patriotic company, knew it had the government at its mercy and it didn't care about the millions of men who were defending democracy, but when they had the government at their mercy in the war of 1917 and 1918, they took advantage of every legal trick known to the legal profession, so today I believe, judging the Bethelhem Steel Company from its past deeds, we members of the House should take a stand and demand that the government of the United States go into the Bethlehem Steel Corporation and force the Bethlehem Steel Corporation to live up to the law of the land. There is no reason why we should put men into jail for failing to register for the draft if we do not put into jail the heads of the Bethlehem Steel Company, who refuse to cooperate with this government in this emergency.

When the Bethlehem Steel Company states they are against contracts made with labor, let me point out to you that the Bethlehem Steel Company has a contract with all of the heads of their company, and the contract with Eugene Grace alone pays to Eugene Grace each year one million, six hundred twenty-three thousand dollars in bonuses, and I say to you, to every member of this House, there is no man living that has earned one million, six hundred twenty three thousand dollars through his own efforts.

PERMISSION TO ADDRESS HOUSE

Mr. HARKINS asked and obtained unanimous permission to address the House.

Mr. Speaker, I would like to state that I represent the greatest steel producing center, not only in Pennsylvania, but in the nation. It has in the past been the scene of various industrial conflicts, because in many instances the rights of the ordinary workers were trampled upon from time to time by the oppressive practices of not only the industrial leaders but also of the police. There have been times in our district when if three people met upon the street and talked to one another, it was enough cause to place them in jail. When three people met during the strike in the twenties, in our town, very often they were thrown into jail because they were supposed to have been inciting to riot.

However, for the past few years this great steel center has been having a fine era of peaceful relationship between the employer and the employe and I can testify in my opinion and in the opinion of many of the citizens of this community that the real reason for these peaceful relations existing as they do is because of the work of the SWOC representing the men and in bargaining with employers.

I believe the employers in our district, the Carnegie-Illinois Steel Company, which is a subsidiary of the United States Steel Corporation, their representatives are well pleased with the cooperation they have received when trouble has arisen. Not long ago there was an instance in one of the mills in the Homestead plant where the men were not being treated properly, or at least thought they were not being treated properly, where upon they staged one or two short demonstrations and as soon as the management took up the problem with the SWOC officers, the difficulties were ironed out to the satisfaction of all concerned.

Mr. Speaker, I would offer a personal word of advice to the Bethlehem Steel Corporation, and I offer it in two ways, both as a minority stockholder in the United States Steel Corporation,—very small minority too, I might say, —and also as a person who has observed the actions of the men there in the mills since the Steel-Workers Organizing Committee has represented the men with the company. I can say to the Bethlehem Steel Corporation that if they will follow the practices of the United States Steel Corporation and do what the Federal law requires them to do, if they will give an opportunity to the men to have a free and fairer election, and if they will bargain, following in the footsteps of the United States Steel Corporation, I think it will not be very long until they too are operating at ninety-nine percent capacity with the full support and the sympathetic loyalty of the working men, such as the United States Steel Corporation enjoys today.

REPORTS FROM COMMITTEES

Mr. MUNLEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act, approved the twenty-third of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the qualification of historical societies to receive appropriations.

Mr. WATKINS, from the Committee on Municipal Corporations reported as committed House Bill 609, entitled:

An Act to amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto changing the qualifications of historical societies to receive county appropriations.

Mr. AUKER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

Mr. O'CONNOR, from the Committee on Municipal Corporations reported as amended, House Bill No. 631, entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Mr. TAYLOR, from the Committee on Municipal Corporations, reported as committed, House Bill No. 791, (Senate Bill No. 244), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, I do not want to further prolong the session, but I feel that it is my duty to answer the gentleman from Delaware, Mr. Turner, inasmuch as he speaks of the legislation that was passed by this House yesterday.

My sole contention in the legislation that was passed yesterday, and my actions in favor of that legislation, were due to the fact that that legislation eliminated any loophole for any industry to obtain an injunction against a legal strike. Now, inasmuch as the gentleman has made a round about discussion or definition of the power and responsibility I only wish to say to this House that the Bethlehem Steel Company has shirked its responsibility, and the power it holds is what has prevailed in shirking that responsibility.

I also wish to bring to the attention of the House the fact that when the Mediation Board was opposed by organized labor of the country, the reactionary press, the so called press of patriotism went on record and blasted organized labor for opposing this Board, but it is a matter of record that when industry opposed the Mediation Board that was set up by President Roosevelt, these reactionary papers haven't even mentioned what industry thought of it.

Therefore, Members of the House, do not be misled by the reactionary press of the Commonwealth of Pennsylvania, for the record speaks for itself, and the record is plenty bad. I thank you.

COMMITTEE MEETINGS

The following Committe meetings were announced:

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 462 and 675 on Tuesday, April 1, 1941 at 7:30 P. M. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 P. M. in the New House Caucus Room.

A Republican Caucus will be held Monday afternoon at 2 o'clock in Parlor A of the Harrisburger Hotel to be followed by dinner at 6:30 o'clock.

There will be a short but very important meeting of all the first term Democratic members from Philadelphia in Philadelphia on Saturday morning, March 29, 1941 at 10 A. M. at the usual place.

The SPEAKER. The Chair would still like to know where the "usual place" is.

Mr. TURNER. Mr. Speaker, I would like to inform the Chair that I imagine the "usual place" is the same place you would go.

Mr. O'MULLEN. Mr. Speaker, since so much notoriety has come to the "first termers" of Philadelphia, we have changed our "usual place" from the Dauphin County jail cellar to another place.

ADJOURNMENT

Mr. GRYSKEWICZ. Mr. Speaker, I move that this House do now adjourn until Monday, March 31, 1941, at 9 p. m.

The motion was agreed to, and (at 1:55 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, MARCH 31, 1941. No. 28.

SENATE

MONDAY, March 31, 1941.

The Senate met at 4:30 o'clock p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Not with the blood of bulls and goats nor yet with burnt offerings or whole burnt offerings, Our Heavenly Father, but with broken and contrite hearts do we come to Thee this hour, for these are acceptable unto Thee.

We are reminded of the wise provision for our salvation in the personage of Thy son. We remember Thy holy day but yesterday in the wise provision for the replenishing of our physical energy so heavily expended throughout the past week. Our recollection affords us the picture of our multitudinous contacts with the world in which we live, how that we live not unto ourselves but are our brother's keeper.

Grant us grace successfully to champion the cause of our brother here in this legislative chamber through honest endeavor and firm conviction rather than by partisan politics alone which gnaws at the solidarity of a great people and materially hinders the just and proper intent of legislation.

Thus we now bring our intents and purpose out into the open that Thy scrutinizing eye may scan them and through Thy wise scrutiny render impotent those which meet not with Thy favor. We pray in Jesus' name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BARTLETT and Mr. HEYBURN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Geltz asked and obtained leave of absence for the Senator from Bucks, Mr. JAMES.

He also asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

PETITIONS

The PRESIDENT. The Chair lays before the Senate a communication dated March 21, 1941, addressed to the Chair, from the State Council of Pennsylvania Junior Order United American Mechanics, endorsing Senate Bills Nos. 49, 50, 78, 162, 166 and 179; also endorsing House Bills Nos. 205, 302, 308, 360, 394, 395, 396, 413, 433, 435 and 485. The same organization announces opposition to House Bills Nos. 171 and 385.

The Chair also lays before the Senate a communication dated March 27, 1941, from Stonycreek Council No. 269, Junior Order United American Mechanics, approving Senate Bills No. 49, 50, 78, 162, 166 and 179.

The Chair also lays before the Senate a communication dated March 26, 1941, from the United Federal Workers of America, Local No. 9, Philadelphia, Pa., opposing House Bill No. 452.

The above communications will be noted in the Journal.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, March 31, 1941 by His Excellency, the Governor of the Commonwealth.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Corrado J. DeSantis, Phila., 1700 South 16th Street, April 2, 1941.

H. S. Why, Phila., 3314-16 Germantown Avenue, April 8, 1941.

WASHINGTON COUNTY

Mrs. Alma Wagner, Cecil Twp., Cecil, April 11, 1941.

ALLEGHENY COUNTY

Duane S. Junker, McKeesport, April 14, 1941.

LACKAWANNA COUNTY

Wendell P. Evans, Scranton, April 14, 1941.

LAWRENCE COUNTY

Norman A. Martin, New Castle, April 14, 1941.

ALLEGHENY COUNTY

William B. McGrady, Pittsburgh, Pennsylvania Railroad Co., 28th St. and Liberty Ave., April 15, 1941.

CHESTER COUNTY

Mrs. Winifred A. McDowell, West Chester, April 15, 1941.

PHILADELPHIA COUNTY

Samuel L. Sack, Phila., 1420 Chestnut St., April 15, 1941.

ALLEGHENY COUNTY

Ross M. Blair, Pittsburgh, 210 Grant St., April 16, 1941.

BEDFORD COUNTY

Miss Elizabeth Madore, Bedford, April 16, 1941.

LANCASTER COUNTY

Miss Beula G. Sweet, Lancaster, April 16, 1941.

PHILADELPHIA COUNTY

Thomas J. Burke, Phila., 1806 Girard Trust Building, April 16, 1941.

Miss Margaret A. Carton, Phila., 408 Bulletin Bldg., April 16, 1941.

Nathan Goldsmith, Phila., 615 Snyder Ave., April 16, 1941.

Charles J. W. Kreuzer, Phila., 505 W. Tabor Road, April 16, 1941.

SCHUYLKILL COUNTY

Mrs. Bert E. Burns, Shenandoah, April 16, 1941.

ALLEGHENY COUNTY

Miss Mabel E. Lewis, Pittsburgh, Children's Hospital, April 17, 1941.

Miss Bessie L. McGratty, Pittsburgh, Frick Building Annex, April 17, 1941.

CRAWFORD COUNTY

Francis E. Kirkpatrick, Meadville, April 17, 1941.

DAUPHIN COUNTY

G. Will Henry, Penbrook, April 17, 1941.

LACKAWANNA COUNTY

Miss E. P. Becker, Scranton, April 17, 1941.

PHILADELPHIA COUNTY

Geo. H. Bickley, Phila., 5310 Rising Sun Avenue, April 17, 1941.

Miss Alice E. Culling, Phila., Jewish Hospital, York and Tabor Roads, April 17, 1941.

Kemper P. Muench, Phila., 847 North Ringgold Street, April 17, 1941.

Alfred H. Pfeffer, Phila., 502 North 19th St., April 17, 1941.

Miss Helen F. Weagle, Phila., 1529, Walnut St., April 17, 1941.

ALLEGHENY COUNTY

C. A. Filkorn, Springdale, April 18, 1941.

Mrs. Mary Fusca, Pittsburgh, 508 Bakewell Bldg., Grant St., April 18, 1941.

BUCKS COUNTY

E. S. Lovett, Morrisville, April 18, 1941.

CAMBRIA COUNTY

Denver Wharton, Cresson, April 18, 1941.

CHESTER COUNTY

Harold L. Merrick, West Chester, April 18, 1941.

LACKAWANNA COUNTY

Miss Ethel M. Wilkins, Scranton, April 18, 1941.

LANCASTER COUNTY

Miss Miriam C. Hess, Lancaster, April 18, 1941.

McKEAN COUNTY

Miss Mary Hanlon, Port Allegany, April 18, 1941.

MERCER COUNTY

Miss Helen Guyton, Stoneboro, April 18, 1941.

NORTHUMBERLAND COUNTY

Miss Mae Farley, Shamokin, April 18, 1941.

PHILADELPHIA COUNTY

Alexander Ehrlich, Phila., NE Cor. 6th and Spring Garden Sts., April 18, 1941.

Samuel Kivitz, Phila., NE Cor. 15th and York Sts., April 18, 1941.

Allyn E. Seuffert, Phila., 3936 Locust St., April 18, 1941.

WESTMORELAND COUNTY

R. Grey Smith, Suterville, April 18, 1941.

ERIE COUNTY

Mrs. Nolene Houtz, Erie, April 19, 1941.

PHILADELPHIA COUNTY

J. Raymond Rossiter, Phila., Drexel Bldg., 5th and Chestnut Sts., April 19, 1941.

CENTRE COUNTY

Miss Hannah B. Schroyer, Bellefonte, April 20, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Edward M. Seibert, Jr., Pittsburgh, 1117 Wolfendale Street.

CAMBRIA COUNTY

Joseph W. Davidson, Ebensburg.

B. Chas. Held, Johnstown.

ERIE COUNTY

Eugene J. Blakely, Erie.

LACKAWANNA COUNTY

Harry Needle, Olyphant.

McKEAN COUNTY

Gauin H. McCoy, Port Allegany.

MONTGOMERY COUNTY

A. Clarence Emery, Norristown.

NORTHAMPTON COUNTY

Chas. P. Warner, Easton.

PHILADELPHIA COUNTY

Howard L. Simons, Phila., 23 South 23rd St.

SCHUYLKILL COUNTY

Walter C. VanArsdale, Walker Twp., Box 271, Tamaqua.

WASHINGTON COUNTY

John S. McCans, Donora.
Mrs. Margaret C. Whitefield, Donora.

WESTMORELAND COUNTY

John T. Lasher, New Kensington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the dates of confirmation:

ALLEGHENY COUNTY

Fred Ball, Jr., Webster Hall Hotel, 4415, Fifth Avenue, Pittsburgh.
Karl S. Henning, 1809 Carson St., Pittsburgh.

BEAVER COUNTY

Mrs. Alberta J. Schlosser, Beaver Falls.

BERKS COUNTY

Miss Marian G. Hinnershots, Reading.

BRADFORD COUNTY

John P. Vallilee, Athens.

CUMBERLAND COUNTY

George M. Houck, Mechanicsburg.

DAUPHIN COUNTY

Miss Eva Zimmerman, Harrisburg.

LYCOMING COUNTY

Mrs. Alice Artley, Montoursville.

MONTGOMERY COUNTY

Mrs. Louise P. Schaeffer, 635 Lancaster Avenue, Bryn Mawr, Lower Merion Twp.

NORTHAMPTON COUNTY

Mrs. Rose K. Lakatosh, Northampton.

PHILADELPHIA COUNTY

Thomas A. Blanche, 2873 Kensington Ave., Phila.
A. Carp, 2533 South Broad St., Phila.
Geo. M. McNulty, 1820 Chestnut St., Phila.
Mrs. Katherine L. Naddy, 1828 W Huntingdon Street, Phila.

WASHINGTON COUNTY

A. W. T. Strott, Washington.

YORK COUNTY

Milton D. Martin Peters, 1217 Mt. Rose Avenue, York, Spring Garden Twp.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CRAWFORD COUNTY

George F. Tulloch, Titusville, April 4, 1941.

PHILADELPHIA COUNTY

Leonard W. Belz, 1321 Arch St., Phila., April 5, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. GELTZ

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Dent,	Letzler,	Tallman,
Bartlett,	Ealy,	Mallery,	Taylor,
Becker,	Edmonds,	McCreesh,	Thomas,
Carr,	Farrell,	McGinnis,	Tyler,
Cavalcante,	Frey,	McQuiddy,	Wade,
Chapman,	Geltz,	Miller,	Walker,
Coleman,	Haluska,	Reed,	Watkins,
Cox,	Heyburn,	Ruth,	Wilson, H. I.,
Crider,	Jaspan,	Snowden,	Wilson, T. B.,
Crowe,	Kephart,	Stevenson,	Woodward,
Deitrick,	Lanius,	Stiefel,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS MEMBERS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Siggins, Jr., of Warren, Warren County, for reappointment as a member and designation as Chairman of the Pennsylvania Public Utility Commission, for the term ending April 1, 1951.

ARTHUR H. JAMES.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL NO. 198

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 198, Printer's No. 32, entitled "An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corpora-

tion unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate."

ARTHUR H. JAMES.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 50, (Senate Bill No. 438), entitled:

An Act to repeal section four hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code."

Which was committed to the Committee on Education.

House Bill No. 112, (Senate Bill No. 439), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing counties of the third, fourth, fifth and sixth classes to acquire by lease, purchase or condemnation, land within the county for the purpose of establishing and maintaining airdromes and aviation landing fields; authorizing the leasing of such facilities and the joint operation by said county of such facilities with other political subdivisions; and authorizing appropriations for such purposes.

Which was committed to the Committee on County Government.

House Bill No. 251, (Senate Bill No. 440), entitled:

An Act to amend section eleven of the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2532), entitled "Workmen's Compensation Security Fund Act," by providing that payment of an award from the funds established by said act shall not provide any right of recovery against the employer; and that the employer may pay the award in advance of payment from the fund and shall thereupon be subrogated to the rights of the employe or any other party in interest against the fund.

Which was committed to the Committee on Workmen's Compensation.

House Bill No. 596, (Senate Bill No. 441), entitled:

An Act authorizing the Council of the City of Philadelphia to fix the salaries of members of the Park Guards, and authorizing the Park Commission to classify the Park Guards and to pay the salaries as set by the City Council.

Which was committed to the Committee on Municipal Government.

House Bill No. 597, (Senate Bill No. 442), entitled:

An Act to amend section two of article five of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "First Class City Charter Law," by classifying employes and officers of the Bureau of Police and Fire and certain employees of the Electrical Bureau assigned exclusively for work in connection with the Bureau of Fire, all in the Department of Public Safety for the purpose of fixing minimum salaries for each classification and payment of at least such minimum salaries to all persons within the said classifications.

Which was committed to the Committee on Municipal Government.

HOUSE NON-CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 198

He also presented communication from the House of Representatives informing the Senate that the House has non-concurred in resolution from the Senate as follows:

In the Senate, March 26, 1941.

Resolved (if the House of Representatives concur), That Senate Bill No. 198, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

be recalled from the Governor.

BILLS INTRODUCED

Mr. CROWE, on behalf of Senator RUTH and himself, read in his place and presented to the Chair Senate Bill No. 443, entitled:

An Act to amend section one thousand one hundred and four and to further amend sections one thousand one hundred and five, one thousand one hundred and twenty-one and one thousand one hundred and twenty-seven of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for and regulating the tenure of office and salaries of county and assistant county superintendents.

Which was committed to the Committee on Education.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 444, entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania, abolishing County of Philadelphia as a separate political entity; and providing for administering of county functions by City of Philadelphia.

Which was committed to the Committee on Constitutional Changes.

MR. EDMONDS read in his place and presented to the Chair Senate Bill No. 445, entitled:

An Act to amend section one thousand one hundred and two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claim against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every de-

partment, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay licensee fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further regulating the making of resettlements by the Department of Revenue.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 446, entitled:

An Act to amend section six of the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 208), entitled, as amended "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State, and county officers, boards, and departments; making an appropriation; and providing penalties," authorizing the Department of Revenue to grant an additional extension of time for the filing of reports under the provisions of said act.

Which was committed to the Committee on State Government.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 447, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; and repealing and lapsing certain appropriations.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 448, entitled:

An Act to amend sections three hundred and eight and four hundred and one of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools, creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board, imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by changing the method of handling the funds made available from time to time to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases; clarifying the procedure for establishing such liability of the Commonwealth; and providing for the transfer and lapsing of certain moneys into the General Fund.

Which was committed to the Committee on State Government.

Mr. BECKER read in his place and presented to the Chair, Senate Bill No. 449, entitled:

An Act to further amend section five hundred three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring cash payment of refunds due from the Commonwealth.

Which was committed to the Committee on State Government.

Mr. TALLMAN read in his place and presented to the Chair, Senate Bill No. 450, entitled:

An Act to amend article five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entilted "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the micro filming of records in the various administrative departments, boards or commissions.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 451, entitled:

A Joint Resolution making application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States, prohibiting taxation of bonds and securities of States, their instrumentalities or political subdivisions and the income therefrom, without the consent of the State.

Which was committed to the Committee on Federal Relations.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 452, entitled:

An Act making an appropriation to the Department of Agriculture for use in research work dealing with flax and other farm produce.

Which was committed to the Committee on Appropriations.

Messrs. STIEFEL and COX read in his place and presented to the Chair Senate Bill No. 453, entitled:

An Act to further amend section three hundred twenty of article three of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by requiring the furnishing of statements by insurance companies concerning certain funds held by them, and providing penalties for neglecting to furnish same.

Which was committed to the Committee on Insurance.

TIME OF NEXT MEETING

Mr. TAYLOR offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 31, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 7, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 7, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

EMPLOYES OF THE SENATE

Mr. CHAPMAN offered the following resolution which was twice read, considered, and agreed to:

In the Senate, March 31, 1941.

Resolved, That Leah Silver be elected Messenger in the Senate, vice Loretta Ziegler, resigned.

BILL RECOMMITTED

Mr. CROWE. Mr. President, I move that Senate Bill No. 50, on third reading, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens and applicants to become citizens of the United States.

be recommitted to the Committee on State Government for the purpose of further study.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED. Mr. President, I desire to interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. I will, Mr. President.

Mr. REED. Mr. President, I desire to inquire of the gentleman from Monroe the purpose of the motion to recommit Senate Bill No. 50 to the Committee on State Government.

Mr. CROWE. Mr. President, this bill was a good bill when it first came up but then everyone took a whack at it and now it is no good for anything and it has been requested that the bill be referred to committee in order that it may be made into a bill that will really do something.

Mr. REED. Mr. President, I further desire to interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. I will, Mr. President.

Mr. REED. What assurance does the Senate have that Senate Bill No. 50, if it is recommitted, will return to the floor of the Senate in its original form?

Mr. CROWE. Mr. President, I only have the promise of my Republican colleagues, for whom I have the greatest respect.

Mr. REED. Mr. President, I desire to further interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. I will, Mr. President.

Mr. REED. Then, Mr. President, the gentleman from Monroe is stating by his motion that Senate Bill No. 50 will return to the floor of the Senate at a later date?

Mr. CROWE. Mr. President, I can not control that. To the best of my knowledge and belief Senate Bill No. 50 will be returned, but I can not guarantee it.

Mr. REED. Mr. President, I desire to further interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. I will, Mr. President.

Mr. REED. Mr. President, would the gentleman from Monroe, the sponsor of this bill, be willing to have the bill remain on the Calendar and have the amendments made here to put it in its original form?

Mr. CROWE. I do not think I would, Mr. President, because it has been hacked up so much by now I think it ought to be rolled out anew.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—41

Barr,	Ealy,	Mallery,	Taylor,
Bartlett,	Edmonds,	McCreesh,	Thomas,
Becker,	Farrell,	McGinnis,	Tyler,
Carr,	Frey,	McQuiddy,	Wade,
Chapman,	Geltz,	Miller,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Jaspan,	Snowden,	Wilson, H. I.,
Crowe,	Kephart,	Stevenson,	Wilson, T. B.,
Deitrick,	Lanius,	Stiefel,	Woodward,
Dent,	Letzler,	Tallman,	Ziesenheim,
DiSilvestro,			

NAYS—4

Cavalcante,	Coleman,	Haluska,	Reed,

So the question was determined in the affirmative.

Mr. REED. Mr. President, I would like unanimous consent to make a short statement at this time concerning Senate Bill No. 50.

The PRESIDENT. If there is no objection, the gentleman from Washington may proceed.

Mr. REED. Mr. President, the bill we have just sent back to committee came into this chamber several weeks ago as a strong legislative child. Its sponsorship was from a strong, physical, vigorous American, the Senator from Monroe, Mr. Crowe. That legislative child was a good child when it came to this Senate; it had for its future the assistance of this great American State. After due time it was confirmed by certain patriotic organizations in this state and country, such as the American Legion and others of that caliber, but it was not here long until certain forces began to operate on this legislative child. They first took its vitals and tore from it a great portion thereof; it went down but it came up under the good doctoring of the gentleman from Fayette, Senator Cavalcante, who tried to save its life at that time.

After that had been done this bill still remained in the chamber and lo and behold you a little later another attack was made on it by a system known to old legislators as amending a bill to kill it and the second attack knocked it down to stay; no one could revive it then.

So today, Mr. President, as I have anticipated all along, this legislative child of the good Senator from Monroe is dead, it has been taken out for burial, and at this time, Mr. President, I want to say a few words over its remains.

That bill was introduced for patriotic reasons. It was clear and simple; it had just one proposition embodied in it and that was this: whether our various state departments could employ aliens—very simple. I would have been willing to have voted for this bill or voted against it openly on the floor of this Senate at any time, but the course was marked for its slaughter and the old underlying plan adopted to kill it, that plan that has been used for many years, by amending it to death, and so amendments were offered on several occasions, not for the purpose of strengthening the bill but for the insidious reason of killing the bill. It did not need any amending, it was as clear as the morning sun and everyone knew what that bill meant but it was amended in order that it might be destroyed.

Who in this chamber would fail in his courageous conduct to vote for a bill that had to do with the employing of people who are citizens of this state and of this Union? I have seen in Europe upon entering a country, where they would interrogate you for an hour in order to determine whether you were coming into that country for the purpose of getting employment, and yet in this country how easy and how soft are we American people and particularly so at this time when we are taking from our American homes hundreds of American boys and sending them into the service, and yet we have not the courage to say we are not going to permit anyone who is not a citizen of this state and of this Nation and various subdivisions thereof to be employed unless he is a citizen.

That is the proposition that is wrapped up in this bill and I cannot understand why this bill was not voted on in the beginnig of its course through this body, either in favor of it or against it.

I have even gone this far in my study of this bill: I would retract my statement on the floor of this Senate when the bill first came up; I would even take out the portion that has reference to the employment of teachers. Today, Mr. President, we do not need teachers from foreign lands; if they have certain information that we need we can get it through interpreters. We do not have to have Madam Curie come to this country and teach in our schools; we do not have to have Marconi come here and explain his inventions in the schools. We can get that information through proper channels of interpretation.

Mr. President, I remember when our schools taught only one doctrine and that doctrine was Americanism, and at that time we had no internal trouble to speak of, but just as soon as we permitted certain foreign doctrines to be taught in our schools then at that time our democracy began to fall apart, disintergrate, and today we have perhaps far more danger facing us from within than without.

In conclusion, Mr. President, I want to say that if this bill has gone to the funeral pile then I am glad to be able to make these remarks over its remains, but if on the contrary it comes out in its original form, as the gentleman from Monroe had stated, then I say we should meet that issue fairly either one way or the other and vote for keeping an American citizen employed in this great republic or vote to employ any person be he from South America, Europe, Asia, Japan or anywhere else.

As for me, Mr. President, the old fashioned American doctrine that we taught in our schools years ago, the doctrine based on faith in God and the practice of virtue among men, that doctrine is still good enought for me.

Mr. MILLER. Mr. President, I think the remarks of the gentleman from Washington should bring forth an answer, at least from myself, first because he somewhat questions the sincerity of the Republican members of the Senate, and secondly, while I do not like to dwell on this particular statement too frequently, I find it is necessary for me to refer to it and I feel a moral responsibility in this bill due to the fact that it is a bill sponsored by the American Legion Convention in Reading last year and, acting as its legislative chairman, I feel a responsibility.

Mr. President, I would just like to disillusion the mind of the gentleman from Washington in stating that I have every reason to believe in my Republican colleagues on this side of the Senate—at the time Senate Bill No. 50 is referred to committee for further study and amending—to say that the bill will be reported out on the floor of the Senate in as near its original form as possible. That I feel is a broad statement for me to make but I have that confidence and I again say I do not think it is proper that the integrity of the members of this side of the Senate should be questioned as to the killing of this bill because, after all, we on this side of the Senate are just as good Americans as those on the other side.

So, Mr. President, I trust that before the Senate adjourns this week this bill will have passed the Senate with the approval of all members, voting in its favor.

Mr. McGINNIS. Mr. President, now that Senate Bill No. 50 has gone back to committee, as far as I am concerned I do not care if it ever comes out, because to me it is one of the silliest bills and unnecessary bills ever offered in this Senate. I have been advised that not a single alien is employed by the State of Pennsylvania today. As far as I can see it is unnecessary.

The question might arise, however, that we need some special training, along some particular lines, when we might want to employ an alien. We still have party government in this country and in this state and so long as the Democratic Party or the Republican Party has

control over this state I am not worried about any political party allowing any alien that can not vote to get on the public payroll. This bill is unnecessary because it just takes up space.

Mr. CAVALCANTE. Mr. President, I always rejoice when I hear the gentleman from Allegheny, Mr. McGinnis, speak as he has just spoken—bills are idiotic to him and unnecessary. The only bills the gentleman from Allegheny, Mr. McGinnis, thought were really necessary and fundamental to the foundation of this democracy, were the gag bills of 1938 that attempted to rip out the grand jury system, tear down the courts, and throw the decision on very fundamental matters into the hands of politicians that are always lurking in the background.

This bill is a very necessary bill, Mr. President, it is a very vital bill, particularly at this time, when from Maine to Orgeon, from Canada to the Gulf of Mexico the people are concerned with national defense and they are concerned with keeping out of America people who have foreign "isms" as their doctrine, people who are dangerous to our national defense.

Mr. President, in my experience, in my course through the grade schools, the high schools, and the colleges of this Commonwealth I have found no place more dangerous for the spreading of foreign "isms" than in those schools, yet we have tolerated in this Commonwealth and still tolerate the employment of teachers of foreign countries who come here imbued with those "isms" of foreign countries. We have had a very marked example in the New England States; a man of foreign birth came here and was employed as a great professor in one of our law schools and now around Washington, D. C. and other places in this United States of America we have men in very responsible positions who were tutored under him and who carry with them those foreign "isms".

Mr. President, it is well said that for the last four or five years in this United States of America we have shown the symptons that were present when the second Russian Revolution took place—the Bolshevistic upheaval—and I have no doubt the people who are saying we are showing the same symptons here in the United States today are telling the truth, because it is people with the same mentality who are holding responsible positions in this United States of America and most of them have received their learning at the foot of foreign professors, noncitizens, teaching in our schools today. We would be alarmed today if we had before us a list of all the foreign-born professors in our schools, in our colleges; we would be shocked almost out of our shoes, knowing we have them in these high places of learning, teaching the youth, intoxicating the minds of our youth and imbuing in those minds those principles of communism and atheism, especially.

The greatest field of atheism in the United States of America today is on the college campuses of this United States; that is where it is breeding and that is where it is taking root and it is not due to men who possess the virtues and the ideals of Americanism as possessed by the gentleman from Washington, Senator Reed.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Luzerne, Mr. Miller.

The PRESIDENT. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MILLER. I will, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Luzerne tell me whether he himself has knowledge of one alien employed by any political subdivision in the Commonwealth of Pennsylvania?

Mr. MILLER. That question I can not answer, Mr. President; I do not have the information at hand.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Fayette.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. I will, Mr. President.

Mr. HALUSKA. Will the gentleman from Fayette tell me whether he has knowledge of one alien employed in any political sub-division of the Commonwealth of Pennsylvania?

Mr. CAVALCANTE. Mr. President, I have made no personal investigation and I am not concerned with whether there are or not. My present concern is to exclude them in the future.

Mr. HALUSKA. Mr. President, it amazes me to read the papers and to read what we are going to do here and then to come in here and find what is happening. About a week ago I noticed a release by the gentleman from Somerset, Mr. Ealy, in which he said that very few bills were coming out of the Senate committees, especially any foolish or silly bills. Therefore, I must concur in the words of the gentleman from Allegheny, Mr. McGinnis, who said this is a silly and a foolish bill; if there ever was one this is because I am safe when I say there is not a colleague here, or a member of this Senate, who can rise to his feet and point out one person who might be an alien who is employed by any political sub-division of this Commonwealth, and still we have all this going on about nothing.

Mr. McGINNIS. Mr. President, in view of the remarks of the gentleman from Fayette about my vote on the gag bills I think I should answer that statement. I voted for the gag bills and as we all know now that campaign, the grand jury investigation in this state was nothing more than a political affair.

Mr. President, I have been assistant United States attorney on grand jury investigations many times and I want to say to you that a grand jury in a political investigation is one of the lousiest affairs I ever heard of. I have heard a lot of remarks and read a lot of articles and heard a lot of speeches on the sacredness of the grand jury. Mr. President, do you know the grand jury was abolished in England fifty years ago and over half the states of this Union do not have a grand jury and in our county that grand jury is wasting more time, calling in year after year hundreds and thousands of witnesses on crimes they do not know any more about when they get through all the testimony than when they started and it is wholly unnecessary in many cases.

When you come to using a grand jury as a political weapon, Mr. President, I think it is totally unnecessary. Why that grand jury that investigation took three hundred thousand dollars of the taxpayer's money out of this state and in this state and they tried to pry into every man's private desk and they searched this state with state police and they put people on trial sometimes two or three times before a jury and then they were acquitted.

So, Mr. President, I am not so ashamed; I knew that grand jury investigation was nothing more than political scheming to stir up a political issue.

I do not blame the other side for doing it; as I said, I

have been on the grand jury and I have been a party to it and I have been ashamed of it ever since, because when a political matter ever gets to a grand jury it is one of the most shameful things in America and that is just what that was, and yet our party felt they should fight fire with fire and if the gag bill could be made constitutional they could fight an unholy thing like that and I am not ashamed of my vote on such a bill.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 125, on third reading, entitled:

An Act abating certain tax penalties and interest on county, city (except cities of the first and second class), borough, town, township, school district (except school districts of the first and second class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to procers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the Courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations" by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer the following strikeout amendments: Amend, Section 4, page 6, between lines 17 and 18, after the word "commission" and before the word "a", by taking out the word "on." Amend, Section 11, page 12, between lines 8 and 9, after the word "otherwise" and before the word "within," by taking out the words "for milk sold."

Amend, Section 13, page 13, line 25, after the word "is" and before the word "manufactured," by taking out the word "processed."

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, since these are strike-out amendments and the bill is on third reading, isn't the proper procedure for this body to go into a Committee of the Whole for the purpose of inserting strike-out amendments?

The PRESIDENT. The Chair thinks not. Of course the Senator from Delaware must understand in the event these amendments are adopted by the Senate the bill will lay over a day for printing.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

And said bill as amended having been read at length the third time and agreed to,

Ordered, To be laid over for printing.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 24, on second reading, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 51, entitled:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

The first section of the bill was read as follows:

Section 1 That the directors of the school districts of the first class be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their several districts at the expense of the school district

On the question,

Will the Senate agree to the section?

Mr. KEPHART. Mr. President, I move to amend Section 1, page 1, line 2, before the word "be," by taking out the words "of the first class."

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 The provisions of this Act shall become effective immediately upon its final enactment.

The title of the bill was read as follows:

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

On the question,

Will the Senate agree to the title?

Mr. KEPHART. Mr. President, I move to amend title, page 1, between lines 1 and 2, after the word "districts" and before the word "to," by taking out the words "of the first class."

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. H. I. WILSON. Mr. President, I ask unanimous consent that Senate Bill No. 80, on second reading, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897—1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder,

go over in its order, in order to further study amendments.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 197, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 205, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 228, entitled:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not enrolled in the armed forces of the United States pursuant to any selective service act, or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

Section 1 of the bill was read as follows and agreed to:

Section 1 Section twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 467) is hereby further amended to read as follows

Section 26 Awarding Subpoena When Returnable Upon the presentation of the petition or libel together with a statement signed by the complaining spouse verified by oath or affirmation setting forth whether the party so complained against is or is not enrolled in the armed forces of the United States pursuant to any selective service act or is not serving in the armed forces of the United States during time of actual war a subjoena may be awarded by the said court or a judge thereof in vacation signed by the prothonotary and directed to the party so complained against commanding him or her to appear which subpoena shall be returnable not less than thirty days after the award thereof either to the next or subsequent term or to such next or subsequent term or to such next or subsequent monthly or intermediate return day as shall have been or may be established for such court of common pleas either by statute or rule of court or both

The title of the bill was read as follows:

An Act to further amend section twenty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regu-

lating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is not enrolled in the armed forces of the United States pursuant to any selective service act, or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

On the question,

Will the Senate agree to the title?

Mr. MALLERY. Mr. President, I move to amend title, page 1, line 9 of title by inserting after the word "is" the following: "or is."

Mr. EALY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 232, entitled:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 242, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. FREY. Mr. President, I ask unanimous consent that Senate Bill No. 285, on second reading, entitled:

An Act abating certain tax penalties and interest on unpaid city and school taxes in cities of the first and second class and school districts of the first class, and on poll, poor district, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 301, on second reading, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

go over in its order, due to the absence of the sponsor, the gentleman from Lancaster, Mr. Homsher.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 329, entitled:

An Act to amend clause (a) of section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," fixing the time of day that the open season shall begin for charr, commonly called brook trout and any species of trout except lake or salmon trout.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphans' home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 32, entitled

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at Irwin in Westmoreland County, the western terminus of the turnpike heretofore constructed by said commission, to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth,

payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 342 (House Bill No. 366), entitled:

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 344, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551), entitled "An act relating to roads, highways, and bridges," as amended, by making the maximum width of a public road two hundred feet.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 401, entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Warren will state his question of personal privilege.

WHAT IS WRONG WITH THE UNITED STATES

Mr. CHAPMAN. Mr. President, Tuesday evening a man, face lined by furrows of care but clear of eye and firm of voice, stood before the Society of Pilgrims in New York and measuring his words, said in ringing tones: "England cannot be invaded." It was Lord Halifax, British Ambassador to the United States. Strong faith!

As a physician I was called one night to a simple home, high on a Warren County hill. Within the home the father was ill. He tossed on his bed, his face flushed with fever and his body writhing with pain. But no moans escaped his lips. By his bedside sat his wife and on her lap was an open Bible from which she gave words of comfort and read the promises given. Strong faith!

Both Lord Halifax and the simple couple on the lone country hill were fighting for a life. Halifax for the life of decency and a free way of living and the country couple for a husband's encompassing arms and love. Both were strong in faith. And let it be said their faith was strong.

And in America's fevered rush to provide the sinews of war with which the beleaguered democratic states may turn back the onslaught of Totailtarianism there must be faith. The period when it was smart to boast of infidelity in living, of getting while the getting was good and of clever business practices, must be laid to one side and faith and morality must take their place. For a time it appeared that morality in life's channels, in the home, in business and even in the church was at low ebb. The literature, the popular song, the movie and the current story all seemed to point the way to a loose, lewd and immoral way of life.

There was little time for God. We were too busy to seek our church. We had commitments that prevented attending our Sunday schools. Our clubs where we listened to platitudes from speakers whose only errand was to please the ear got out attendance.

But dangers have assailed us. We have discovered our weakness and there is a proper turning into the paths of rectitude and moral decency. And it is just that it be so. I can visage George Washington on his knees in the snows of Valley Forge asking God for help and guidance. To us must come and in many instances already has come the realization that God must be our mainstay. In a recent chat with a P.U.C. Commissioner he said: "I am interested in the farmers. I have been in close contact with them of late and I am surprised at the calm, cool thought evidenced in their conversations. They are worthy citizens." And let me say to you that it is in the rural sections where we must look for the high moral decency and faith that will make us strong.

In the rural sections there is no Red movement. There are no isms. The minds are pure and the mouths are clean. There is no room for the paid agitator. The fight

is for a better life and it is being won. Their faith is strong.

Contrast if you will, the movements in the city. The smart gatherings where the thought is tinged with pink. Where it is smart to express opinions that might reflect on the leaders of our land. Where it is cute to impugn the motives of men working for the betterment of the nations. We have too much of this.

The United States must return to the standard of morals that made it great. The time when a "man's word was as good as his bond," must be with us once more. Respect for decency in song and story must make itself apparent. We must make it smart to be a clean upright man. Away with the cheat in business. This must be a moral nation.

And let me say that here in this Senate morality must be the outstanding thing in our words and acts.

Suppose that every service club in Pennsylvania took steps to have before it men of high principle, men of vision and of moral rectitude to lay before the thousands of members the idea that one of the biggest steps to the winning of this program of defense which we have undertaken is the inculcation of a sense of morality into the nation? There faith would be strong!

Our state is being ravaged by strikes which, in my opinion, are not the spontaneous outburst of men who feel they are oppressed but are the outgrowth of a deliberate and studied plan to embarrass the nation. I feel that the rank and file of the men on strike are good American citizens. But they have allowed the leadership to get into the hands of unscrupulous men. Men, who perhaps, are in the pay of foreign agents. I feel that the average good workman does not attend his Union meetings enough and does not have his ear close enough to the ground to know and hear the rumblings that break like thunder and engulf him in a strike, or labor dispute. It is the history of all strikes and disputes that the good workmen do not welcome trouble. The Ism mongers are as a rule the leaders.

There is room for a movement in our state and it could well originate in this Senate to carry a message to the people. What would happen if every Senator went into his District and made a series of talks to the service clubs, before the schools, before the labor unions and the woman's clubs? Tell the story of Americanism, of the aims of the government, of the state of Pennsylvania and of the needs of our land. I feel, gentlemen, that it would cause an awakening in the state.

The Fifth Column is at work. It must be combatted. What better way could be found to do so than to talk plain, unadulterated truth to the people of this state. Let them know the dire needs of the nation. Tell them truthfully the struggles of the Senators of Pennsylvania in upholding the hands of the National Government. Let them know that they are being misled to a great extent by an expert propaganda machine that is leading them into loss of money and time and perhaps through a clogging of the defense needs into slavery.

As I see it there must be a revolution in the thought of the people. It is coming but slowly. There is a mounting number who see the awful distress of the nations enslaved by the power mad men of Europe. But there are thousands upon thousands who are fooled and bamboozled by slick tongued speakers who paint a rosy picture of Communism, Nazism and Fascism.

Let the people be told that the Isms contain not a shred of decency, morality or love. That they are devoid of the greatest power ever loosened in the world—the Love of Christ.

Henry Adams once said: "I was educated in one century and am living in another" and I too may echo his words. My youth was in the 19th Century and it was an era of morality. Smart folk today poke fun at the "Gay Nineties" when our most daring pastimes were wearing sharp pointed shoes and pegged trousers. But the thought then was clean [and the Ism mouthed man was a pariah: (pa-ri'-ah)] The Stars and Stripes roused cheers and there were no efforts to alter the music of "The Star Spangled Banner."

There must be a revival of thought over our land. There must be a return to morality and this must become a moral nation. We must let the man in the street know that Hitler, Mussolini and the Mikado have violated their moral fiber by their repudiation of the Argentine Treaty to outlaw war which they solemnly signed. They have violated the Kellogg-Briand Treaty outlawing war of which they were signataries and the truth is not in them.

Our people must not follow the "Ism will o' the wisp." In this Senate we men have been chosen by our constituents to help lead our state. We must be true leaders. We must help mold the thought and lives of Pennsylvanians. Down in the lobby of this Capitol stand cases where are proudly displayed the battle flags of Regiments that served our land in war. Many of the flags are torn with shot and shell but as I see it there is an older flag which must fly beside the Stars and Stripes and under it we must all enlist and march on to victory despite agitators, sleek rats of the dictators and blinded citizens.

In this battle of defense we are all in the ranks and we must give not only lip service but the spirit of sacrifice and as the ranks go marching into the pages of history there must be "the flag of Jesus, going on before." "Ye shall know the truth and the truth shall make us free."

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 1, 1941, at 11:00 o'clock, a. m.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:45 o'clock p. m. until Tuesday, April 1, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

MONDAY, March 31, 1941

The House met at 9:00 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL, offered the following prayer:

Our heavenly Father, Thou hast been good to us, and we approach Thee to express our thanks to Thee for the right use of our minds, for health of body, and for opportunities of development, and service. Help us to show our gratitude by the obedience of our lives. May we labor in joy and trust by Thy grace, to make this world a brighter, happier, and better place for the men and women to live, and for children to play and grow. May all fathers and mothers within this great Commonwealth be able to look to the men of this House with respect and honor because they not only show an interest in keeping Thy day holy, but also because they endeavor by sane legislation to protect the life of our youth.

O God, as each man votes, may he be conscious of the fact that as Thou dost watch, he becomes responsible to Thee, and will some day answer for the type of legislation he has permitted. Help us our Father to be genuine in character and in life. We pray the forgiveness of our sins in the name of Christ, Thy Son. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 26, 1941.

The Clerk proceeded to read the Journal of Wednesday, March 26, 1941, when, on motion of Mr. WINNER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. BURNS. HOUSE BILL No. 1009.

An Act to further amend sections one thousand two hundred one and one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred seven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by defining professional employes, substitutes and probationary employes, and further regulating the employment, dismissal, suspension, demotion and retirement of such employes.

Referred to the Committee on Education.

By Messrs. CHAS. H. BRUNNER and CADWALADER. HOUSE BILL No. 1010.

An Act proposing an amendment to article thirteen of the Constitution of the Commonwealth of Pennsylvania, requiring a majority vote of each political subdivision or part thereof affected by consolidation or annexation proceedings.

Referred to the Committee on Constitutional Amendments.

By Mr. HEATHERINGTON. HOUSE BILL No. 1011.

An Act to amend section one of the act, approved the ninth day of April, one thousand eight hundred and forty-nine (P. L. 533), entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent," declaring persons incapable of waiving their right to an exemption.

Referred to the Committtee on Judiciary General.

By Mr. SCHWAB. HOUSE BILL No. 1012.

An Act to further amend section two of the act, approved the seventeenth day of June, one thousand nine hundred and fifteen (P. L. 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," by reducing the rate of interest on loans in certain cases.

Referred to the Committee on Banking.

By Messrs. McLANAGHAN and DAVID P. REESE. HOUSE BILL No. 1013.

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred and five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

Referred to the Committee on Public Utilities.

By Mr. FLYNN. HOUSE BILL No. 1014.

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the minimum salary of county superintendents.

Referred to the Committee on Education.

By Mr. THOMAS H. LEE HOUSE BILL No. 1015.

An Act requiring the removal of teachers, instructors, principals and other supervising officials in public schools affiliated with organizations whose objects oppose the principles of the system of the government of the United States of America.

Referred to the Committee on Education.

By Mr. THOMAS H. LEE. HOUSE BILL No. 1016.

An Act to require all public schools of any school district of the Commonwealth of Pennsylvania, educational instructions, or colleges which receive aid from the Commonwealth of Pennsylvania and the teachers, instructors, principals and other supervising officials thereof to require the instruction and recital of the pledge of allegiance to the United States of America and to salute the Flag of the United States of America by the scholars and students thereof at the opening of each school day session.

Referred to the Committee on Education.

By Messrs. FINNERTY and CULLEN. HOUSE BILL No. 1017.

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

Referred to the Committee on State Government.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1018.

An Act to amend the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872) entitled, "An act to consolidate, amend and revise the penal laws of the Commonwealth;" by adding thereto to section 947.1 prohibiting the cutting of, and operations on, tails of horses, mares and geldings except as herein provided; providing for certificates under oath; and regulating and restricting the showing and exhibition of such animals.

Referred to the Committee on Judiciary Special.

By Mr. HARKINS. HOUSE BILL No. 1019.

An Act to further amend Section 1408 of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of money erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," clarifying the provision of said act with respect to attorneys' commissions on taxes and other demands due the Commonwealth.

Referred to the Committee on State Government.

By Messrs. D'ORTONA and BONEY.
HOUSE BILL No. 1020.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received, from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Board of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the issuance of milk orders.

Referred to the Committee on Dairy-Industries.

By Mr. HAINES. HOUSE BILL No. 1021.

An Act to add section six hundred seventeen and one-tenth to the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to non-profit corporations established for the purpose of constructing school buildings for the use of the district.

Referred to the Committee on Education.

By Mr. HEATHERINGTON. HOUSE BILL No. 1022.

An Act to amend section thirteen and to further amend section eighteen of the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," permitting certain dogs to be brought into the Commonwealth for hunting purposes, by holders of non-resident hunting licenses, without securing a Pennsylvania dog license.

Referred to the Committee on Game.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1023.

An Act prohibiting employers from directly or indirectly offering for sale, selling, procuring for sale, having in possession or under control for sale to employes or others, any merchandise not produced by employers or not handled in the regular course of employer's business; providing exceptions thereto; declaring such prohibited sales to be unfair competition; and repealing prior inconsistent legislation.

Referred to the Committee on Judiciary Special.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 1024.

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, and imposing fines, penalties and forfeitures for violation thereof," by further regulating the installation of plumbing fixtures.

Referred to the Committee on Professional Licensure.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1025.

An Act relating to attorneys-at-law; regulating the admission of persons to said office, by prescribing the conditions upon which, and the method by which law colleges and schools shall be entitled to receive certificates of approval as institutions of learning, properly qualified to prepare registered law students for admission to any final examination for the practice of law in this Commonwealth, and the effect thereof upon such law students and upon examining boards or commissions;

authorizing the collection of fees for services to be rendered hereunder; prohibiting certain acts or omissions; and imposing penalties; prescribing the procedure by which such approval may be enforced, suspended, revoked and reinstated; limiting the construction of this act; and repealing all acts and parts of acts inconsistent herewith.

Referred to the Committee on Judiciary General.

By Messrs. BONEY AND SHAW. HOUSE BILL No. 1026.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providing for the miminum amount of assistance to be paid to aged persons.

Referred to the Committee on Welfare.

By Mr. BONEY. HOUSE BILL No. 1027.

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissable as evidence; imposing upon owners, counties cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the annual renewals of motor vehicle registrations by the county treasurers acting as agents of the Department of Revenue; fixing the fees therefor to be retained by the county and providing for the disposition thereof.

Referred to the Committee on Motor Vehicles.

By Mr. O'NEILL. HOUSE BILL No. 1028

An Act regulating harness and hunt meeting racing with wagering on the results thereof; creating a State Harness and Hunt Meeting Racing Commission in the Department of State; imposing powers and duties on the State Harness and Hunt Meeting Racing Commission; providing for the licensing of race track riders, trainers steward, and officials for such racing; requiring the proceeds accruing under this act to be turned over to the State Department of Revenue and then into a special fund of the Department of Agriculture, and allocating such moneys in such fund; imposing penalties and repealing inconsistent legislation.

Referred to the Committee on Law and Order.

By Mr. MORAN. HOUSE BILL No. 1029.

An Act to further amend section three hundred and sixteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by adding thereto subsection (j); prohibiting persons under the age of eighteen years from hunting with or having in their possession high powered rifles.

Referred to the Committee on Game.

By Mr. BONEY. HOUSE BILL No. 1030.

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," providing for standards of cost of shelter based on surveys in each county.

Referred to the Committee on Welfare.

By Mr. TAYLOR. HOUSE BILL No. 1031.

An Act to safeguard life, health and property, defining and regulating painting, woodfinishing, paperhanging, and decorating contractors by providing for the registration and supervision of persons, copartnerships, associations and corporations engaged in such business, imposing certain duties upon the Department of Labor and Industry, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. BENTZEL. HOUSE BILL No. 1032.

An Act making an appropriation to the Department of Agriculture for use in controlling, combatting or exterminating Japanese beetles.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 300. (HOUSE BILL No. 1033).

An Act to further amend subsection (h) of section one hundred two of the act, approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act,"

authorizing the Department of Forests and Waters to dispose of telephone lines by sale or lease.

Referred to the Committee on Forestry.

SENATE BILL No. 41. (HOUSE BILL No. 1034).

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims, against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officers of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BRADLEY and McGRATH.

RESOLUTION No. 64.

In the House of Representatives, March 31, 1941.

Whereas, The administration of public assistance in Northumberland an Schuylkill Counties has resulted in numerous inequalities among relief recipients; and

Whereas, It has been charged the administration of public assistance has been motivated purely by political considerations, and not by consideration of the need of the individual recipient; and

Whereas, The situation has reached a point where complaints are received in an ever increasing volume; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of three members of the House to investigate the administration of public assistance in Northumberland and Schuylkill Counties; and be it further

Resolved, That the said committee report to the House as soon as possible, with appropriate recommendations.

Referred to the Committee on Rules.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

HIGHWAYS

A resolution from the Liberal Club of the City of Duquesne, filed by Mr. L. Kenneth Harkins, requesting elimination of a dangerous "S" curve on State Highway Route 837.

Referred to the Committee on Highways.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 463

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 463, Printer's No. 82, entitled "An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap; and imposing certain duties upon the Department of Property and Supplies.

ARTHUR H. JAMES.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 381

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 381, Printer's No. 110, entitled, "An Act to amend section nine hundred eight of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State Departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further prescribing the procedure to be followed by shareholders who desire to become dissenting shareholders of a corporation which becomes a party to a plan of merger or consolidation; limiting the rights and remedies of shareholders who desire to object to or dissent from any merger or consolidation making the rights and remedies herein provided for exclusive and providing for notice of said section to shareholders.

ARTHUR H. JAMES.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 31, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 7, 1941, at 4:30 o'clock, p. m., and when

the House of Representatives adjourns this week, it reconvene on Monday, April 7, 1941, at 9 o'clock, p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION No. 58—COMMITTEE APPOINTED

The SPEAKER. In accordance with the provisions of House Resolution No. 58, Printer's No. 121, the Chair appoints the following committee: Messrs. Tarr, Chairman, Matthew J. Welsh, Taylor, Lyons, and Cullen.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

COURT OF COMMON PLEAS No. 5, PHILADELPHIA
JUDGE'S CHAMBER
ROOM 640 CITY HALL

Clare Gerald Fenerty
Judge

March 28, 1941.

Hon. Elmer Kilroy,
Speaker,
House of Representatives,
Harrisburg, Pennsylvania.

Dear Elmer:

Thank you very much for the copy of the Resolution of commendation which was unanimously passed by the House and which you so courteously sent to me.

I deeply appreciate your thoughtfulness and this very gracious gesture by the House of Representatives in thus expressing their approval.

I was very happy to be the recent speaker at the Dinner of the Legislative Sons of Saint Patrick and hope you will extend to the House my gratitude for this very kind testimonial of their feelings towards me.

Again, with thanks and best personal regards to yourself, I am

Sincerely yours,

(Signed) CLARE.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Rules Committee has requested the Chair to announce for the information of the Members that Thursday session of the House are contemplated beginning with the legislative week of April 7th.

TOWNSHIP COMMISSIONERS WELCOMED

The SPEAKER. The Sixteenth Annual Convention of the Pennsylvania State Association of Township Commissioners is being held in Harrisburg this week. The Chair is glad to welcome to the House this evening the Township Commissioners and their wives. The House is honored in having them as our guests.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts, to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend sections four and nine of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," including incinerators for rubbish and garbage as projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 666, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D., one thousand nine hundred thirty-two, entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 657, entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city,

borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 462, entitled:

An Act providing for and regulating the state licensing and registration of nurses of several classes, the biennial recording of licenses, regulating nursing; imposing penalties; and repealing certain existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 707, entitled:

An Act to further amend section nine of the act approved March thirtieth, one thousand nine hundred seventeen, (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith"; and further regulating advertising by optometrists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 685, entitled:

An Act to protect the public against advertising or offering for sale at fixed prices eyeglasses, spectacles, etc. and filling prescriptions for the same similar to the restraint upon professions licensed by the State to prescribe eyeglasses and spectacles fixing a penalty for violations of this act and investing the courts with jurisdiction to prevent and restrain violations of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act to further amend sections six and nine of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," further regulating the granting, suspension and revocation of the licenses of optometrists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act providing for and regulating the State Licensing and registration of nurses of several classes the biennial recording of licenses regulating nursing imposing penalties and repealing certain existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SCANLON. Mr. Speaker, I move that this bill be recommitted to the Committee on Professional Licensure for the purpose of a public hearing.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act, approved the twenty-third of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," changing the qualification of historical societies to receive appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto changing the qualifications of historical societies to receive county appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 631, entitled:

An Act authorizing courts of common pleas to stay writs of execution against and tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. The Chair calls the attention of the Members to the error in the second line of the title to House Bill No. 361, Printer's No. 134. The words "tax sales" should be stricken out.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 791 (Senate Bill No. 244), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 690, entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT

Mr. HOLLAND. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. REUBEN E. COHEN. Mr. Speaker, I am asking the members of the House to vote down this motion to recommit for the purpose of a public hearing. This bill has been in committee for some time and has received careful consideration. This is the fourteenth calendar day the bill has been on the calendar. If the persons were interested in having a public hearing they should have realized that time was sometime before to-night. I believe the only purpose in asking for a public hearing at this time is more a matter of delay than anything else, and I therefore feel the members should act on this bill to-night, and I am asking the members to vote "no," on this motion to recommit.

Mr. FISS. Mr. Speaker, this bill has been on the calendar for quite some time. It has had plenty of chance to have reactions both ways, those for it and those against it. I ask the Members of this House to vote down the motion to recommit for a public hearing.

Mr. HOLLAND. Mr. Speaker, I would like to interrogate the Chairman of the Motor Vehicle Committee.

The SPEAKER. Will the gentleman from Philadelphia Mr. Corrigan, permit himself to be interrogated?

Mr. CORRIGAN. I will, Mr. Speaker.

Mr. HOLLAND. Mr. Speaker, may I ask the gentleman whether he has not had the request of the Council of Cities of the First Class as well as the Boroughs for a public hearing on this bill.

Mr. CORRIGAN. Mr. Speaker, in reply to the gentleman's interrogation I had one letter asking for a public hearing on this bill.

Mr. HOLLAND. Mr. Speaker, I would like to ask the gentleman when he received that letter.

Mr. CORRIGAN. Mr. Speaker, I received it this week.

Mr. HOLLAND. Mr. Speaker, in asking to have this bill recommitted for a public hearing it is because I have been told by the heads of the Borough and Township groups that the request was made three weeks ago. The bill is very far reaching. It affects everyone who own real estate in the state of Pennsylvania, and out of respect for the townships, when we have all the Township Commissioners in the House and they have asked for a hearing, I think that courtesy should be extended and the bill should be discussed at a public hearing so that the public will know exactly what this bill does.

Mr. Speaker, I ask for a roll call.

Mr. D'ORTONA. Mr. Speaker, as Secretary of the Motor Vehicle Committee I will say when this bill was reported out of committee there was not a dissenting vote.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. HOLLAND and CHERVENAK.

Messrs. O'BRIEN, O'MULLEN and MARKS asked for a verification of the roll.

The roll was verified and was as follows:

YEAS 90

Auker,	Fisher,	Lyons,	Riley,
Baker,	Fleming,	Maxwell,	Rose, W. E.,
Boles,	Gallagher,	McClester,	Sarge,
Boney,	Gates,	McDermott,	Shaffer,
Boorse,	Gillan,	McFall,	Simons,
Bradley,	Goodwin,	McLanahan,	Sollenberger,
Breth,	Gross,	McLane,	Sorg,
Brown,	Gryskewicz,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Moran,	Stank,
Brunner, P. A.,	Harkins,	Munley,	Taylor,
Burris,	Harmuth,	Nunemacher,	Thompson, R. L.,
Cadwalader,	Heatherington,	O'Connor	Vogt,
Chervenak,	Holland,	O'Neill,	Voorhees,
Cochran,	Jones, G. E.,	Owens,	Watkins,
Cooper,	Keenan,	Pettit,	Weiss,
Cordier,	Kline,	Polen,	Wilkinson,
Croop,	Komorofski,	Rausch,	Winner,
Dix,	Krise,	Reese, D. P.,	Wolf,
Dolon,	Lee, T. H.,	Reese, R. E.,	Wood, L. H.,
Early,	Leisey,	Regan,	Woodring,
Eckels,	Leonard,	Reynolds,	Wright,
Elder,	Leydic,	Rhea,	Yester,
Elliott,	Longo,		

NAYS 104

Achterman,	Greenwood,	McClanaghan,	Scanlon,
Balthaser,	Gyger,	McDowell,	Schwab,
Baugher,	Habbyshaw,	McIntosh,	Serrill,
Bentzel,	Haberlen,	McKinney,	Shaw,
Bower,	Haines,	McMillen,	Snyder,
Bretherick,	Hall,	Melchiorre,	Stine,
Burns	Hare,	Mihm,	Stockham,
Chudoff,	Helm,	Modell,	Tarr,
Cohen, M. M.,	Hering,	Monks,	Tate,
Cohen, R. E.,	Herman,	Mooney,	Thompson, E. F.,
Cook,	Hersch,	Moul,	Trout,
Corrigan,	Hewitt,	Muir,	Turner,
Cullen,	Hirsch,	O'Brien,	VanAllsburg,
Dalrymple,	Huntley,	O'Dare,	Vincent,
Dennison,	Imbrie,	O'Mullen,	Voldow,
DiGenova,	James,	Petrosky,	Wagner,
D'Ortona,	Jefferson,	Polaski,	Weingartner,
Falkenstein,	Kenehan,	Powers,	Welsh, E. B.,
Firestone,	Knoble,	Prosen,	Welsh, M. J.,
Finnerty,	Kolankiewicz,	Rank,	Williams,
Fiss,	Lesko,	Readinger,	Wood, N.,
Flynn,	Levy,	Rooney,	Woodside,
Foor,	Lichtenwalter,	Rose, S.,	Yeakel,
French,	Lovett,	Rosenfeld,	Young,
Gerard,	Malloy,	Royer,	Kilroy, Speaker
Gillette,	Marks,	Rush,	

So the question was determined in the negative and the motion was not agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. HABERLEN asked and obtained permission for the Committee on Dairy Industries to meet during the session of the House.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming a former member of the House, Captain Clarence H. Pershing, and requests him to come to the rostrum.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 393, entitled:

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trade-mark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trademark, brand or name," by extending the provisions thereof to vending equipment used in distribution of such articles and further defining parties having a right of action for unfair competition.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. VOLDOW. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act prescribing presumptions of authority and rules of evidence, where payments are made on account of the prinicipal of mortgages in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 919, entitled:

An Act to amend subsections two, five and six of section seven hundred and twenty-four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by eliminating the killing of elk or bear destroying property.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 383, entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

The first section was read.

On the question,

Will the House agree to the section?

Mr. NAGEL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 1, (sec. 1503), page 2, line 25, by striking out the word "shall" and inserting in lieu thereof the word "may."

The amendment was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 325, entitled:

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils, for educational trips and other school activities.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 868, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Departmnet of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before the board making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board, and making the Administration Fund subject to certain charges.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof and to make uniform the law with reference thereto.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 70, entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto by providing for the compensation paid to township commissioners

The first section was read.

On the question,

Will the House agree to the section?

Mr. HARMUTH. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend sec. 1 (Sec. 703), page 2, line 8, by inserting before the word "two" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 10, by inserting after the word "thousand" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 12, by inserting before the word "four" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 14, by inserting after the word "thousand" the following: "not more than."

Amend sec. 1 (Sec. 703), page 2, line 16, by inserting after the word "and" the following "not more than."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 367, as follows:

An Act legalizing the operation of bowling alleys and participation in the sport of bowling after two o'clock post meridian on Sunday

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It shall be lawful for any person to participate in the sport of bowling on Sunday but only after the hour of two o'clock post meridian and any person possessing a license permitting the operation of a bowling alley may legally operate the same after such hour on Sunday and employ others to assist in the operation thereof

Section 2 The following acts and parts of acts are hereby repealed in so far as their provisions are inconsistent herewith

The act approved the twenty-second day of April one thousand seven hundred and ninety-four (3 Sm L 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation"

Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth"

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. FRENCH. Mr. Speaker, this being my first trip to the mike, I don't know how I will make out. Nevertheless, I would like to express my opinion in public as to the merits or demerits on the bill on which we are about to vote.

There is a question in my mind, Mr. Speaker, as to how much more whittling away the Sabbath is going to stand. I think it is an undisputed fact that we have been whittling away at this day that we call the Sabbath for the last twenty years, and the question now confronts us, or at least should confront each and every one of us here tonight, how much more whittling our Sabbath day is going to stand until the time comes when we will not have any Sabbath any more. I do not propose to stand here before you tonight as a reformer or anything of the kind, and I don't suppose there is anything I can say here that will influence one vote one way or the other, but to my mind it is a thing of more moment than the average man thinks it is.

For my part I don't know, I might be wrong in my opinion, but I want to give you my reasons, Mr. Speaker, for voting against this bill. I firmly believe we should uphold the Sabbath day. As I said, I don't believe the Sabbath will stand much more whittling. At the rate we have been going the past twenty years I imagine that in the next quarter of a century we will have no Sabbath, and when that time comes, Mr. Speaker, what condition will we be in then?

Another reason I have for voting against this bill, Mr. Speaker, is that there are a lot of good people who are against this bill; they are against the desecration of the Sabbath day. In my community back home I am very certain that the folks who are against this bill are very far ahead in the majority, and that is another reason I am going to vote against this bill. It would not surprise me if there were a vote taken of all the eligible voters in this state that the majority would be overwhelmingly against the passage of this bill. We must remember one thing, my friends, in the passage of this bill there is one class of people in this State as well as in every other State in the Union to whom we owe a debt of gratitude. Those people we might designate as the balance wheel of society, and it is to those peopde that we owe some recognition. It is to those people who are in favor of upholding the Sabbath, and being in the majority, I believe they should receive some recognition, and for that reason I am going to vote against the bill. These people only ask for one day out of the seven to carry on their church activities. In the interests of common decency, we have six twenty-four hour days for bowling and golf and horse racing and baseball and all that stuff. The church in our respective communities of the State only ask for one day out of seven; that is one-seventh of the time.

Now, don't you think that is fair? I do for my part, and the time will come, at the present rate of whittling, as I said a minute ago, when we will have no Sabbath at all. Is there in this House tonight, Mr. Speaker, any one who wants to live in a community of any state where there are no churches? There isn't one of you.

I know a merchant back in my town who made this remark to me one day. He said, "I am no church member, I don't go to church; I don't contribute to the churches; I don't enter into church activities, but, Mr. French, he said, 'I wouldn't be in this town thirty-six hours if there were no church in it.'"

I think that is the feeling of every man that wants to be fair with himself, that is the feeling of every member of this House, and if the time ever comes that we have no churches in this country I dont know what is going to happen. We have had experience over in Europe, Asia and Africa and everywhere else, and I might say above all else, Mr. Speaker, the Commander-in-Chief of the entire universe has made this one of his strict commandments: "One day shalt thou cease from all thy labor and devote that one day out of seven for worship and worship alone."

That is not a thing for you to do if you want to do it; it is a command from the Supreme Commander of the Universe. When you vote on this bill tonight, remember that one fact if you forget everything else, and let us vote this thing down so far that it will not be able to rise up again.

Mr. GATES. Mr. Speaker, I rise to oppose this bill which is one of a number if enacted into law will destroy the very foundations upon which this country was founded.

The prominence given to the Fourth Commandment was not an accident by any means. The keeping of it secures obedience to the entire list of commandments, because it affords the opportunity of studying and meditating upon the laws and precepts of God's word, the effect of which under the direction of the Holy Spirit, is to bring us into conformity thereto. Members of this House. this Commandment is like the keystone of an arch, holding it up and together, the removal of which causes the whole to tumble into ruins.

It is almost needless to say that a people who fled from their European homes for religion's sake were a people who "Remembered the Sabbath day to keep it holy." When French Communists shut the doors of the churches and inscribed on the gates of the cemeteries "Death is an Eternal Sleep," they abolished the weekly Sabbath.

It was evidently the will of God that a new nation should be a people that would reverence His Sabbaths.

May I revive your memories as to what happened.

When the Mayflower stood anchored in the harbor of Cape Cod, which, with its one hundred and two passengers,

the Pilgrim fathers, it reached on November 21st, 1620, a solemn covenant was prepared and signed, by the heads of families, forty-one in all.

It was the first American Constitution, simple and sublime, it began:

"IN THE NAME OF GOD, AMEN."

We whose names are underwritten by these presents, solemnly and mutually in the presence of God and one another covenant and combine ourselves together into a civil body politic."

These stalwart God loving men, women and children after sixty-three days of stormy experience on a rough sea were driven into the harbor of Cape Cod.

A little band of sixteen resolute men were to be sent ashore in a boat to find a propitious landing and a place to build for themselves a permanent home somewhere along the strange shore. But the little boat is found unseaworthy and must be repaired. More than a fortnight was required to fit the boat for use, but notwithstanding this delay and the urgency, the intervening Sabbaths were spent on the Mayflower in rest and worship.

Ridpath thus records the landing of the Pilgrim Fathers:

"At nightfall Saturday a storm came on; the rudder was wrenched away and the poor ship driven half by accident and half by the skill of the pilot, into a safe haven on the west side of the bay. The next day, being Sabbath, was spent in religious devotions, and on Monday the 11th day of December 1620, the Pilgrim Fathers landed on the Rock of Plymouth."

While historians seem to differ in some details they all agree that these Pilgrim founders of America kept holy the Fourth Commandment.

Members of this House, Christianity without a Sabbath is impossible either in the individual or nation. Destroy the Sabbath and you will eventually destroy the Churches. While religious intolerance abounds in Europe the Light that keeps us tolerant in America are the Churches. When any nation ceases to keep the Sabbath, the ensign by which it acknowledges God it is surely on its way to decay.

We in this great state should vote against any and all bills which would in anyway undermine the foundation upon which this nation was built. The motive back of this bill is greed, not godliness. It will lower the moral tone of the community and decrease property values.

The Sabbath, religiously observed, is necessary to maintain civil and religious liberty and to combat the enemies of democracy. Because the Church in its unselfish service of building the character of the people, and particularly of the young people and children, has I believe the right to one whole day out of seven, free from commercial activity.

Mr. Speaker, the other day on third reading an amendment was offered to this bill and unanimous consent was asked of this House, and that amendment as offered made this bill read "Two o'clock or thereafter."

There is a great church in the United States of America, the Roman Catholic church, which has always maintained that if they will be given a child until the child is eight years of age it will never forget the Christian teaching that it will receive. We are coming into Passion Week, a week from Sunday. The sunset of the Christian religion is on Wednesday and then on the Easter Day the sunrise of the Christian religion takes place.

You have offered an amendment, my friends of the Roman Catholic church, to take care of your situation because your church services cease at twelve o'clock, and we agree with you, and we are in hearty accord that nothing in this land of ours should interfere with the religious ceremony of the Roman Catholic church on the Sabbath morning, but we Protestants ask you to be gracious to us because our church day not only starts with yours, but it keeps up for the entire day and it is in the evening about six o'clock that the young peoples' organizations of our church meet together in their Christian Endeavor Associations and in the young peoples' meetings, and I say to you of an opposite faith from mine, be gracious to us, and allow us to observe our Sabbath as we allow you to observe yours. I ask every man of fair-mindedness in this House who has any regard for God's Sabbath to vote "no" on this iniquitous bill.

Mr. BAKER. Mr. Speaker, I would like to interrogate the gentleman from Armstrong, Mr. Gates.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. GATES. I will, Mr. Speaker.

Mr. BAKER. Will the gentleman from Armstrong tell the House of his golfing games and where he stands in the field of golfing. We understand the gentleman is quite a golfer.

Mr. GATES. Mr. Speaker, I had the conceit taken out of me down here in the last session. I play a little golf. I have not had the opportunity, I am sorry to say, in the last seven years to play very much golf. I am greatly in favor of the game of golf, and play it whenever I get an opportunity, except on the Sabbath day.

Mr. BAKER. Will the gentleman tell the members of the House whether he plays golf on Sunday, Mr. Speaker.

Mr. GATES. He does not, Mr. Speaker.

Mr. BAKER. All right, I thank the gentleman, Mr. Speaker.

Mr. STOCKHAM. Mr. Speaker, Holy writ informs us that in times of great stress the ancient Jewish people always found a prophet. I do not come here tonight as a prophet or a son of a prophet. I simply ask your attention, if you please, to this subject, to view it according to the conditions of the day. The great confusion in the world at large and in these serious days I think requires of all men the best that is in them to try to think clearly, that everything that is done may be done for the best interest of mankind in this our own civilization.

The moral fabric of Europe has disintegrated to such an extent that that which we call the "fifth column" has reached into numerous nations and principalities of Europe, and without the force of arms has taken them over. These things that are at work are also present in our own land, and with them there is always a danger that if our moral fabric is broken then we too may succumb.

Ancient Jewish history tells us that Nehemiah in his day rose up in all his troublous times to insist upon an observance of the Sabbath, that it was necessary for the morals of his people and the nation that they should continue that ancient observance. To compromise our moral responsibilities makes us uncertain of our destiny, and the history of our nation to date is based and predicated upon the leadership of men with godly principles. We are building an army for the defense of our nation, for the defense of our government, for the defense of

those things which are set forth for us in the Constitution, and I believe if you please, Members of the House, that we have a destiny which we are building for world leadership, and upon that basis we cannot afford to break down our morale.

God's response to respect of mankind always brings victory and always brings to that group or that nation leadership, and so in this great state, in the great play that is going on in the world today, there is always a backdrop, and I want to point, if I may, to this great backdrop on this wall. Yonder those who observed the Sabbath, who made the treaty with the Indians and here those who established the government in the reading of the Declaration were God-fearing men who observed the Holy Day. Beginning at the top with Justice and coming on down with all those heroes and the blessing of all those men, with the priests and the bishops, with the heroes of war and of peace, with the drummer boys and those working in the mines, there is the backdrop of the great curtain of this great country of ours, and on practical, on thoroughly practical and truly moral grounds without any reservation I ask the members of this House to vote against this bill.

Mr. CULLEN. Mr. Speaker, I rise to defend the bill. It is my contention that the bill does not desecrate the Sabbath. We heard Mr. Gates go as far back as the Mayflower. Do we want to live today the same as they lived in the day of the Mayflower? They didn't know anything at that time about the Metropolitan areas. Now, I understand they spoke very diligently about the Maker. It is my contention, Mr. Speaker, that man was given the Sabbath to enjoy within the law, and there is no desecration in that. In the metropolitan area, one gentleman says we have six days in which to do it. I contend, Mr. Speaker, we in the metropolian area do not have any particular time in those six days. The only day we have for a little recreation is the Sabbath. I might go further to say, Mr. Speaker, that today the game of bowling is played in every city in Pennsylvania and you are doing nothing more nor less than putting the stamp of legality on a condition that is existing today. Why should you have your young people that you talk so much about break the law? Why not permit them to bowl on Sunday? Very substantial citizens bowl on Sunday. In fact I might go a little further, Mr. Speaker, and say that the church people—they say they are talking for the church people—I'll take you into any bowling alley on any Sabbath of the year, the same people who are complaining here and show them those people are bowling on Sunday.

Now, what is better, having my boy and my girl on the street with nothing to do or the possibility of having them get into the bowling alleys? Bowling happens to be as good a sport as golf; it is one sport where the participants absolutely pays for his own pleasure and his own skill. There is recreation. It is a sport where some of us old fellows can get some recreation.

They spoke of national defense here. It is my contention Mr. Speaker, that the first line of national defense is the health of the nation. Which is better for health than having a man throw a sixteen pound ball down an alley, or sitting down and twiddling his thumbs in some back room, and his children doing likewise? I say, Mr. Speaker, if you want to do your community a service, vote for this bill.

Mr. GATES. Mr. Speaker, I have no objection to the gentleman from Philadelphia having his own opinion just the same as any other member of the House. He said I went back to the Mayower. I would like to take him back quite a considerable distance earlier than that when Moses led his people into the wilderness and kept them there for forty years and fed them with manna from heaven, and on Saturday he fed them a double portion so there would be no manna gathered on the Sabbath.

Mr. McFALL. Mr. Speaker, we have heard discourses on the Sabbath day and Sabbath desecration and I could talk along the same line, but I am going to talk along a different line, I am going to talk for labor.

The Sabbath day was intended and is intended for a day of rest, and it is intended for the working people. People who do not work and are parasites on society, it doesn't make much difference whether they go out bowling on Sunday, whether they go out golfing on Sunday or whatever they do on Sunday, because it doesn't count; they don't amount to anything anyway, but the real laborer, the men and women who work for a living, every time we break down Sabbath observance we are just placing that much more upon the backs of labor, more burdens for them to carry.

This bowling on Sunday, it says in the act "permitting the operation of a bowling alley; may legally operate after such an hour on Sunday and employ others to assist in the operation thereof". It means the employment of boys to set up the pins. They don't get very much for it at that. There are a lot of things about lawmaking that do not make any sense, and this is one of them.

Last week over in the Senate there was a bill to increase the penalties for performing worldly work in violation of the Sunday laws, and tonight we are talking about legalizing bowling. Legalizing is nothing more nor less than commercializing. People want to make money out of it. Nobody objects to anybody going out and bowling a game on Sunday—no more harm in bowling than in playing a game of checkers, but you take the profit away from it and the bowling alley wouldn't want anyone to play. It is the profit in bowling. They should bowl enough on Saturday, but they want to tide it over until Sunday.

The baseball magnates of Pennsylvania agreed if we would allow baseball on Sunday they would quit at six o'clock p. m., but by this bill you could start at two p. m. and play all day until Monday morning if you want to do so. This bill legalizes bowling for that length of time.

If there were an amendment offered to this bill to make it a home rule measure, or to permit a referendum, so that the people in the different communities could have their say on it all right and well, but they did not want an amendment to this bill. I would have voted for this bill had there been a provision for a referendum, had there been opportunity for home rule, but the way this bill stands now I am opposed to it and will vote "no" on it, and I ask the Members of the House to do likewise.

Mr. LEONARD. Mr. Speaker, I rise to support the bill. I bowl whenever the opportunity presents itself. I happen to be captain of a team composed of my five sons and myself, and I am tickled to death, very pleased when I know that my sons are down in the bowling alley instead of loafing on the street corners or some other place that we older people know all about, doing something that we wouldn't like them to do.

I don't know of any cleaner sport than bowling. We are

in a private building. We are not interfering with anybody.

I also was a great baseball fan. I quit going to baseball games, friends—or Members of the House—well, friends, because of the roydyism that took place in the baseball games.

Pennsylvania legalized Sunday baseball; forty to fifty thousand people attend these games. It takes the entire police force of the city to keep order. That's all right, but we don't need any police force at all around the bowling alley; we do not need any police force for the football games or any other sports where it requires the police to keep order.

Those of us who like to bowl and want to put in Sunday afternoon or evening, why not let us have that privilege? You don't have to go in; we won't drag you in, and I will assure you you will not be insulted and you will not have any reason to find fault.

I am going to ask the Members of the House to be for this sport, as I know you are for most other sports. I am going to ask you to support this bill, make it legal and permit the policeman on the street corner to pass the bowling alley without shutting his eyes as he must do today.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. REAGAN, SARGE and STAMBAUGH asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—98

Baker,	Finnerty,	McClanaghan,	Rooney,
Bentley,	Fletcher,	McDermott,	Rose, S.,
Boies,	Flynn,	McLane,	Rose, W. E.,
Boorse,	Gallagher,	Melchiorre,	Rosenfeld,
Bradley,	Gerard,	Mihm,	Sarraf,
Brown,	Goodwin,	Modell,	Scanlon,
Brunner, C. H.,	Gryskewicz,	Monks,	Schwab,
Brunner, P. A.,	Harkins,	Mooney,	Shaffer,
Burns,	Harmuth,	Moran,	Stank,
Cadwalader,	Heatherington,	Muir,	Tate,
Chudoff,	Hersch,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hirsch,	O'Connor,	Turner,
Cohen, R. E.,	Holland,	O'Dare,	Verona,
Cook,	Jefferson,	O'Mullen,	Vincent,
Cordier,	Keenan,	O'Neill,	Vogt,
Corrigan,	Kenehan,	Owens,	Voldow,
Croop,	Kline,	Petrosky,	Voorhees,
Cullen,	Kolankiewicz,	Polaski,	Winner,
Dalrymple,	Komorofski,	Powers,	Wolf,
DiGenova,	Leonard,	Prosen,	Wood, L. H.,
D'Ortona,	Levy,	Rausch,	Woodring,
Early,	Longo,	Readinger,	Wright,
Falkenstein,	Lovett,	Regan,	Young,
Finestone,	Malloy,	Reynolds,	Kilroy,
	Marks,	Riley,	Speaker.

NAYS—96

Achterman,	Gillan,	Lichtenwalter,	Sarge,
Auker,	Gillette,	Lyons,	Serrill,
Balthaser,	Greenwood,	Maxwell,	Shaw,
Baugher,	Gross,	McClester,	Simons,
Bentzel,	Gyger,	McDowell,	Snyder,
Bower,	Habbyshaw,	McFall,	Sollenberger,
Breth,	Haberlen,	McIntosh,	Stambaugh,
Bretherick,	Haines,	McKinney,	Stine,
Burris,	Hall,	McLanahan,	Stockham,
Chervenak,	Hamilton,	McMillen,	Tarr,
Cochran,	Hare,	McSurdy,	Taylor,
Cooper,	Harris,	Moul,	Thompson, R. L.,
Dennison,	Helm,	Nagel,	Trout,
Dix,	Hewitt,	Nunemacher,	Van Allsburg,
Eckels,	Huntley,	O'Brien,	Watkins,
Elder,	Imbrie,	Pettit,	Weingartner,
Elliott,	James,	Polen,	Weiss,
Ely,	Jones, G. E.,	Rank,	Welsh, M. J.,
Fisher,	Knoble,	Reagan,	Wilkinson,
Fiss,	Krise,	Reese, D. R.,	Williams,
Fleming,	Lee, E. A.,	Reese, R. E.,	Wood, N.,
Foor,	Lee, T. H.,	Rhea,	Woodside,
French,	Leisey,	Royer,	Yeakel,
Gates,	Leydic,	Rush,	Yester,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

MR. ACHTERMAN in the Chair

BILL PASSED OVER

There being no objection House Bill No. 487, Printer's No. 116, was passed over at the request of Mr. LEVY.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 107, as follows:

An Act to amend section eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 395) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" as amended by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 395) entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth providing the procedure therefor providing for the reimbursement of the Commonwealth from tolls and charges and making an appropriation" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 644) is hereby further amended to read as follows

Section 11 The Secretary of Highways upon acquiring any such toll bridge is hereby directed to continue the collection of tolls and charges on such bridge or bridges or reconstructed bridges except as hereinafter provided until the Commonwealth has been reimbursed to the full extent of the original cost of acquiring any and all of such bridges or as many thereof as may be acquired by the Secretary of Highways within his discretion and in any event as may be acquired at a cost not exceeding in the aggregate the authorized sum of ten million dollars together with such interest thereon as shall have been expended by the Commonwealth and the cost of compensation of toll collectors All tolls and charges collected by the Secretary of Highways shall be paid into the Motor License Fund The Department of Highways shall reconstruct maintain and repair such bridges in the manner provided by law relating to State highways and bridges In case of the reconstruction of any such bridge the Secretary of Highways with the approval of the Governor may reconstruct such bridge on the same location or on a location within one mile thereof

Whenever the tolls collected from such bridges as may be so acquired after deduction of all moneys expended by the department for the cost of compensation of toll collectors shall have become sufficient to reimburse the Commonwealth in full for the cost of acquiring all of such bridges as may have been so acquired with interest thereon as aforesaid then all of such bridges so acquired shall become and be thereafter free bridges Such bridges shall thereafter remain in the charge and be under the

control of the Department of Highways and shall be thereafter maintained and kept in repair and be rebuilt by the Commonwealth in accordance with the laws relating to State highways and bridges and the State shall take over and succeed to all agreements made with any public service company for the use by the public service company of such bridges The cost of such reconstruction maintenance and repair of said bridges after the same have been freed shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways

The Secretary of Highways is hereby authorized to adjust readiust and fix from time to time the amount of tollls and charges on such bridge or bridges as may be acquired under the provisions of this act for the purpose of causing each such bridge so acquired to bear as nearly as conditions and traffic will permit its proportionate share of the aggregate annual revenues to be received by the Commonwealth from toll bridges so acquired based on the cost thereof Provided however whenever any toll bridge is acquired by the Secretary of Highways at a cost of less than [thirty thousand dollars] three hundred thousand dollars the said Secretary of Highways shall immediately discontinue the collection of tolls and charges on such bridge and such bridge shall be a free bridge The cost of maintenance and repair of said bridge after the same has been acquired by the Department of Highways shall be paid out of moneys appropriated to the Department of Highways for the construction reconstruction and improvement of State highways

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STAMBAUGH. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Nagel.

The SPEAKER. Will the gentleman from Beaver permit himself to be interrogated?

Mr. NAGEL. I will, Mr. Speaker.

Mr. STAMBAUGH. Mr. Speaker, I should like to know from the gentleman from Beaver, Mr. Nagel, how many bridges in the Commonwealth this bill would affect.

Mr. NAGEL. Mr. Speaker, I think the bill will permit taking over as many as are desired.

Mr. STAMBAUGH. Mr. Speaker, does it not limit the appropriation to three hundred thousand dollars?

Mr. NAGEL. Mr. Speaker, as I understand, it does for any one bridge.

Mr. STAMBAUGH. Mr. Speaker, if a bridge were valued at more than three hundred thousand dollars then what would the status of that bridge be.

Mr. NAGEL. Mr. Speaker, the bill does not provide for an expenditure of more than three hundred thousand dollars for any one bridge.

Mr. STAMBAUGH. Mr. Speaker, when the gentleman from Beaver fixed the price of a bridge at three hundred thousand dollars, did he have any particular bridge in mind that would be appraised at that price?

Mr. NAGEL. Mr. Speaker, I cannot say that I had any definite bridge or bridges in mind. There are some bridges, however, that I think the citizens of certain sections of this state would like to have the state take over and it would be a great thing for those particular communities, and it might be that there are some bridges in the section of the gentleman from Perry that it would be advantageous for the citizens or the voters thereof to have the state take over, which I think this bill will cover.

Mr. STAMBAUGH. Mr. Speaker, how many bridges in the Commonwealth would come under the figure of three hundred thousand dollars? Has the gentleman from Beaver investigated that question?

Mr. NAGEL. Mr. Speaker, in answer to the question I would say I have no appraisement of the toll bridges of the State of Pennsylvania and I cannot answer his question.

Mr. STAMBAUGH. Mr. Speaker, may I ask the gentleman whether or not there are any in his immediate vicinity that would be affected by this bill.

Mr. NAGEL. Mr. Speaker, I think there are.

Mr. STAMBAUGH. Mr. Speaker, does the bridge that the gentleman has in mind in his immediate vicinity connect with State Highways or is it on a State Highway system?

Mr. NAGEL. Mr. Speaker, in answer to the gentleman's question I would say that I do not know it to be a fact that this bill is definitely intended for any particular bridge. I do not know that the owners of any toll bridge in my community would cooperate. They might oppose anything of this kind.

Mr. STAMBAUGH. Mr. Speaker, the gentleman has not answered my question. I wanted to know whether or not the bridges in his vicinity are on a State Highway system.

Mr. NAGEL. Mr. Speaker, I would say I know of one toll in the western end of the State of Pnensylvania that is on the Highway system.

Mr. STAMBAUGH. Mr. Speaker, does the Secretary of Highways agree to go along with this idea of taking over the bridge that the gentleman has mentioned, that he knows to be in the western end of the State?

Mr. NAGEL. Mr. Speaker, I have had no conference or no conversation with the Department of Highways concerning any bridges. As a lawmaker I felt that I had the privilege and right to introduce a bill that might take care of any problem of this kind. I felt sure that the Department of Highways would go along with anything that was feasible and reasonable.

Mr. STAMBAUGH: Mr. Speaker, I wish to oppose this bill not because I am opposed to taking over the toll bridges because I am not, but it is due to the fact that we would like to get rid of the toll bridges in the immediate vicinity of Harrisburg, the ones crossing the Susquehanna river and at various other points, Columbia, Harrisburg and Clark's Ferry and Sunbury and quite a number of other large and expensive bridges. I think it is eminently unfair to fix a price of three hundred thousand dollars on bridges and say that those coming within that range should be taken over by the Department of Highways without the people who are using them being required to retire them by paying tolls and have the rest of us continue to pay tolls. For that reason I definitely oppose this bill.

That is not all, Mr. Speaker. I feel the sponsors of this bill, having in mind a certain bridge or no doubt they have in mind a certain bridge are putting themselves in an awkward position, because if this bill should pass then those districts that have bridges within the three hundred thousand dollar limit would not be in a position to retire those bridges by the toll system, and if the Secretary of Highways decides not to buy the bridges those people will be compelled to continue to pay tolls on the bridges as long as the Department refuses to take them over. They take away the prerogative of retiring the bridges, Mr. Speaker, and for that reason I oppose the bill and I ask the membership of the House to vote it down.

Mr. WEINGARDNER. Mr. Speaker, it seems to me that a great amount of fuss has been made here over a very simple bill. If you will read this act you will find that all it does in the world is to amend the present law by increasing the amount that the State Highway Department could pay for a toll bridge, if they decide to take it over, from thirty thousand dollars to three hundred thousand dollars. This bill does not force them to take over a single bridge. It does not change in any way, shape or form the existing law except as to the amount, and it would seem to me that with the conditions confronting this state at the present time, with our industries engaged in rearmament, that there may not only be one but several situations in the state that might make it advisable to take over bridges. The amount is simply increased, it is not mandatory, it is entirely up to the Secretary of Highways, and I think the House will do well to pass this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—189

Achterman,	Fletcher,	Lovett,	Rose, W. E.,
Auker,	Flynn,	Lyons,	Rosenfeld,
Baker,	French,	Malloy,	Royer,
Balthaser,	Gallagher,	Marks,	Rush,
Baugher,	Gates,	Maxwell,	Sarge,
Bentley,	Gerard,	McClester,	Scanlon,
Bentzel,	Gillan,	McDermott,	Schwab,
Boles,	Gillette,	McDowell,	Serrill,
Boney,	Goodwin,	McFall,	Shaffer,
Boorse,	Greenwood,	McIntosh,	Shaw,
Bower,	Gross,	McLanahan,	Simons,
Bradley,	Gryskewicz,	McLane,	Sollenberger,
Breth,	Gyger,	McMillen,	Sorg,
Bretherick,	Habbyshaw,	McSurdy,	Stank,
Brown,	Haberlen,	Melchiorre,	Stine,
Brunner, C. H.,	Haines,	Mihm,	Stockham,
Brunner, P. A.,	Hall,	Model,	Tarr,
Burns,	Hamilton,	Monks,	Tate,
Burris,	Harkins,	Mooney,	Taylor,
Caswalader,	Harmuth,	Moran,	Thompson, E.,
Chervenak,	Heatherington,	Moul,	Thompson, R.,
Chudoff,	Helm,	Muir,	Trout,
Cochran,	Hering,	Munley,	Turner,
Cohen, M. M.,	Herman,	Nunemacher,	Van Allsburg,
Cohen, R. E.,	Hersch,	O'Brien,	Vincent,
Cook,	Hewitt,	O'Connor,	Vogt,
Cooper,	Hirsch,	O'Dare,	Voldow,
Cordier,	Holland,	O'Mullen,	Voorhees,
Corrigan,	Huntley,	O'Neill,	Wagner,
Croop,	Imbrie,	Owens,	Watkins,
Cullen,	James,	Petrosky,	Weingartner,
Dalrymple,	Jefferson,	Pettit,	Weiss,
Dennison,	Jones, G. E.,	Polaski,	Welsh, E. B.,
DiGenova,	Keenan,	Polen,	Welsh, M. J.,
Dix,	Kenehan,	Powers,	Wilkinson,
Doion,	Kline,	Prosen,	Williams,
D'Ortona,	Knoble,	Rank,	Winner,
Early,	Kolankiewicz,	Rausch,	Wolf,
Eckels,	Komorofski,	Readinger,	Wood, L. H.,
Elder,	Krise,	Reese, D. P.,	Wood, N.,
Elliott,	Lee, T. H.,	Reese, R. E.,	Woodring,
Falkenstein,	Leisey,	Regan,	Woodside,
Finestone,	Leonard,	Reynolds,	Wright,
Finnerty,	Lesko,	Rhea,	Yeakel,
Fisher,	Levy,	Riley,	Yester,
Fiss,	Leydic,	Rooney,	Young,
Fleming,	Lichtenwalter,	Rose, S.,	Kilroy,
	Longo,		Speaker.

NAYS—5

Foor,	McClanaghan,	Snyder,	Stambaugh,
Hare,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Monroe, Mr. Achterman, for presiding.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 158, as follows:

An Act to further amend sections two hundred two and four hundred two to repeal section eight hundred eight of and to add section one thousand one hundred three to the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" transferring the State Employes Retirement Board from the Department of State to the Treasury Department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two hundred two and four hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) are hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following Boards Commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws

In the Treasury Department
Board of Finance and Revenue
State Employes' Retirement Board
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examing Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspector's Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Civil Service Commissions
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Products Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Lake Erie and Ohio River Canal Board
Geographic Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
State Board of Undertakers
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board
The Industrial Board
In the Department of Welfare
State Council for the Blind
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School which upon the completion of the present Pennsylvania Industrial School at Huntingdon for the reception care maintenance detention employment and training of defective delinquents shall thereafter be known as the Board of Trustees of Pennsylvania Institution for Defective Delinquents
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are required by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the .....
.....
(descriptive name of political subdivision in which institution is located) State Hospital

In the Department of Property and Supples
Boards of Commissioners of Public Grounds and Buildings
State Art Commission
In the Department of Revenue
State Athletic Commission
In the Department of Public Assistance
State Board of Public Assistance
In the Department of Commerce
State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 402 State Employes' Retirement Board The State Employes' Retirement Board shall consist of the Secretary of the Commonwealth who shall be chairman thereof the State Treasurer who shall be chairman thereof the Secretary of the Commonwealth one member who shall be appointed by the Governor and two members of the State Employes' Retirement Association who shall be elected from among their number in a manner to be approved by the board

A vacancy occuring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor was appointed or elected

The members of the board appointed by the Governor shall serve until his successor is appointed The members

elected by the State Employes' Retirement Association shall be elected for terms of three years

The members of the board elected by the State Employes' Retirement Association shall not suffer any loss of salary or wages through serving on the board

Section 2 Section eight hundred eight of said act as reenacted by the act approved the sixth day of June one thousand nine hundred and thirty-nine (P. L. 250) is hereby repealed

Section 3 Article eleven of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 1103 State Employes' Retirement Board Subject to any inconsistent provisions in this act contained the State Employes' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said retirement board under the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amendments and supplements

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120

Achterman,	French,	McDermott,	Regan,
Baker,	Gallagher,	McFall,	Reynolds,
Balthaser,	Gerard,	McGrath,	Rooney,
Baugher,	Goodwin,	McIntosh,	Rose, S.,
Bentley,	Gryskewicz,	McLanahan,	Rosenfeld,
Bentzel,	Haberlen,	McLane,	Rush,
Boles,	Hamilton,	Melchiorre,	Sarraf,
Boney,	Harkins,	Mihm,	Scanlon,
Bradley,	Harmuth,	Modell,	Schwab,
Breth,	Harris,	Monks,	Shaffer,
Brunner, P. A.,	Heatherington,	Mooney,	Shaw,
Burns,	Hering,	Moran,	Stank,
Burris,	Herman,	Moul,	Stine,
Chervenak,	Hersch,	Munley,	Tarr,
Chudoff,	Hirsch,	Nagel,	Tate,
Cochran,	Holland,	Nunemacher,	Thompson, E. F.,
Cohen, M. M.,	Jefferson,	O'Brien,	Verona,
Cohen, R. E.,	Keenan,	O'Connor	Vincent,
Corrigan,	Kenehan,	O'Mullen,	Vogt,
Croop,	Kolankiewicz,	O'Neill,	Voldow,
Cullen,	Komorofski,	Owens,	Weiss,
DiGenova,	Leonard,	Petrosky,	Welsh, E. B.,
Dolon,	Lesko,	Pettit,	Welsh, M. J.,
D'Ortona,	Levy,	Polaski,	Williams,
Early,	Longo,	Polen,	Wolf,
Elliott,	Lovett,	Powers,	Woodring,
Falkenstein,	Malloy,	Prosen,	Wright,
Finestone,	Marks,	Rausch,	Yester,
Finnerty,	Maxwell,	Readinger,	Young,
Flynn,	McClanaghan,	Reese, R. E.,	Kilroy, Speaker

NAYS—82

Auker,	Gillan,	Leydic,	Snyder,
Boorse,	Gillette,	Lichtenwalter,	Sollenberger,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.,
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,
Dalrymple,	Helm,	O'Dare,	VanAllsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fisher,	Kline,	Rose, W. E.,	Winner,
Fiss,	Knoble,	Royer,	Wood, L. H.,
Fleming,	Krise,	Sarge,	Wood, N.,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Simons,	Yeakel,
Gates,	Leisey,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 159, as follows:

An Act to further amend sections four and twenty-two of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by transferring the State Employes' Retirement Board from the Department of State to the Treasury Department and transferring certain appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and twenty-two of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the first day of June one thousand nine hundred thirty-nine (P. L. 245) are hereby further amended to read as follows

Section 4 (1) Upon the effective date of this act the "State Employes' Retirement Board" shall be transferred from [the Treasury Department to] the Department of State to the Treasury Department and shall consist of the following

(a) The Secretary of the Commonwealth [who shall be chairman thereof]

(b) The State Treasurer who shall be chairman thereof

(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed

(d) Two members of the retirement association elected from among their number in a manner to be approved by those persons named in paragraphs (a) (b) and (c) of this section one to serve for one year one for two years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

A vacancy occurring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his or her predecessor Until the

establishment of the retirement association and the election of two representatives therefrom the persons named in paragraphs (a) (b) and (c) of this section are empowered to perform the duties of the retirement board

(2) The expenses of the administration of this act by the retirement board exclusive of the payment of retirement allowances and of the other benefits provided for in this act shall be paid by the Commonwealth by biennial appropriations from the general fund made on the basis of estimates submitted by the retirement board The members of the retirement board shall serve without compensation but shall be reimbursed from the aforesaid appropriations for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

(3) The [Secretary of the Commonwealth] State Treasurer shall [with the approval of the Governor] appoint a secretary an actuary and such medical clerical and other employes as may be necessary

(4) The compensation of all persons so appointed shall be fixed by the [Secretary of the Commonwealth with the approval of the Governor and in conformity with the standards established by the Executive Board of this Commonwealth] State Treasurer

(5) Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the fund and ledger accounts created by this act and for the transaction of its business

(6) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various accounts created by this act

(7) In the years nineteen hundred twenty-seven and nineteen hundred thirty and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various accounts created by this act and on the basis of such investigation and valuation the retirement board shall

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify biennially the amount of appropriation which shall be made by the Commonwealth and other agencies to the State Employes' Retirement Fund which amounts shall be based on estimates furnished by the actuary and shall be credited to the proper accounts created by this act

The General Fund of the Commonwealth shall not be held liable to appropriate the moneys required to build up the reserves necessary for the payment of the State annuities of contributors whose salary or compensation is payable from special operating funds or agreed to be paid by other agencies from moneys not in the State Treasury but the appropriations or payments necessary for such purposes shall be paid into the retirement fund only from moneys in such special operating funds or by such agencies In case any such special fund or agency shall fail to provide the moneys necessary for such purpose then for such period as moneys are not so provided the credits on which the State annuity of such contributors is based shall not be increased but the rights of such contributors in the retirement system shall nevertheless be continued and payroll deductions shall continue in the case of such contributors to be credited to their member's annuity savings accounts

(8) Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the State employes as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections (a) (b) and (c) of paragraph seven immediately preceding On the basis of such tables the actuary of the retirement board shall immediately after the first day of January nineteen hundred twenty-four make a valuation of the various accounts created by this act

(9) The retirement board shall prepare and have published annually a financial statement showing the condition of the fund and the various accounts created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning State employes' pensions and annuities and said retirement board shall submit said financial statement to the Governor of the Commonwealth of Pennsylvania and shall file copies in the offices of the Secretary of the Commonwealth of the State Insurance Department and of the head of each department for use of the State employes and the public

(10) Each member of the retirement board shall take an oath of office that he or she will so far as it develops upon him diligently and honestly administer the affairs of said retirement board and that he or she will not knowingly violate or wilfully permit to be violated any of the provisions of law applicable to this act Such oath shall be subscribed by the member making it and certified by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of the Commonwealth

(11) The retirement board shall keep a record of all its proceedings which shall be open to inspection by the public

(12) The retirement board shall perform such other functions as are required for the execution of the provisions of this act

Section 22 The retirement board created by this act and transferred [to] from the Department of State [from] to the Treasury Department shall be and be deemed a department administrative board within the [Department of State] said department and shall be subject in all respects to the laws of this Commonwealth limiting the powers of departmental administrative boards with regard to the expenditure of money and prescribing the duties of departmental administrative boards with reference to the making of financial reports the furnishing of financial and budgetary information to the department with which it is connected and the making of biennial reports

Section 2 The members officers and employes of the State Employes' Retirement Board which is transferred by this act from the Department of State to the Treasury Department shall continue to be the members officers and employes of such board and to perform their usual duties upon the same terms and conditions as heretofore until removed or appointed to other positions Provided however That on and after the effective date of this act the State Treasurer shall be chairman of the board in lieu of the Secretary of the Commonwealth

Section 3 The unexpended balances existing on the effective date of this act in any appropriations whatsoever made to the Department of State for salaries wages or other compensation of the secretary and other employes and for the general expenses of the State Employes' Retirement Board or for the payment of any moneys into the State Employes' Retirement Fund are hereby transferred and appropriated to the Treasury Department for the same purposes as expressed in any acts making such appropriations and any such unexpended balances in such appropriations also are hereby appropriated to the Treasury Department for the payment of any bills or encumbrances incurred by the Department of State or the State Employes' Retirement Board prior to and remaining unpaid on the effective date of this act

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—120

Achterman,	French,	McFall,	Reynolds,
Baker,	Gallagher,	McGrath,	Rooney,
Balthaser,	Gerard,	McIntosh,	Rose, S.,
Baugher,	Goodwin,	McLanahan,	Rosenfeld,
Bentley,	Gryskewicz,	McLane,	Rush,
Bentzel,	Haberlen,	Melchiorre,	Sarraf,
Boies,	Hamilton,	Mihm,	Scanlon,
Boney,	Harkins,	Modell,	Schwab,
Bradley,	Harmuth,	Monks,	Shaffer,
Breth,	Harris,	Mooney,	Shaw,
Brunner, P. A.,	Heatherington,	Moran,	Stank,
Burns,	Hering,	Moul,	Stine,
Burris,	Herman,	Munley,	Tarr,
Chervenak,	Hersch,	Nagel,	Tate,
Chudoff,	Hirsch,	Nunemacher,	Thompson, E. F.,
Cochran,	Holland,	O'Brien,	Verona,
Cohen, M. M.,	Jefferson,	O'Connor,	Vincent,
Cohen, R. E.,	Keenan,	O'Mullen,	Vogt,
Corrigan,	Kenehan,	O'Neill,	Voldow,
Croop,	Kolankiewicz,	Owens,	Weiss,
Cullen,	Komorofski,	Petrosky,	Welsh, E. B.,
DiGenova,	Leonard,	Pettit,	Welsh, M. J.,
Dolon,	Lesko,	Polaski,	Williams,
D'Ortona,	Levy,	Polen,	Wood, L. H.
Early,	Longo,	Powers,	Wolf,
Elliott,	Lovett,	Prosen,	Wright,
Falkenstein,	Malloy,	Rausch,	Yester,
Finestone,	Marks,	Readinger,	Young,
Finnerty,	Maxwell,	Reese, R. E.,	Kilroy,
Flynn,	McClanaghan,	Regan,	Speaker.
	McDermott,		

NAYS—82

Auker,	Gillan,	Leydic,	Snyder,
Boorse,	Gillette,	Lichtenwalter,	Sollenberger,
Bower,	Greenwood,	Lyons,	Sorg,
Bretherick,	Gross,	McClester,	Stambaugh,
Brunner, C. H.,	Gyger,	McDowell,	Stockham,
Cadwalader,	Habbyshaw,	McKinney,	Taylor,
Cook,	Haines,	McMillen,	Thompson, R. L.
Cooper,	Hall,	McSurdy,	Trout,
Cordier,	Hare,	Muir,	Turner,
Dalrymple,	Helm,	O'Dare,	Van Allsburg,
Dennison,	Hewitt,	Rank,	Voorhees,
Dix,	Huntley,	Reagan,	Wagner,
Eckels,	Imbrie,	Reese, D. P.,	Watkins,
Elder,	James,	Rhea,	Weingartner,
Ely,	Jones, G. E.,	Riley,	Wilkinson,
Fiss,	Kline,	Rose, W. E.,	Winner,
Fisher,	Knoble,	Royer,	Wood, N.,
Fleming,	Krise,	Sarge,	Woodring,
Fletcher,	Lee, E. A.,	Serrill,	Woodside,
Foor,	Lee, T. H.,	Simons,	Yeakel,
Gates,	Leisey,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 364, entitled as follows:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties,' as reenacted and amended, providing for the payment of compensation to volunteer firemen or their dependents," amplifying the provisions thereof as to persons entitled to such payments.

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 1), page 3, line 6, by inserting after the word "companies" the following: "or fire department"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair takes pleasure in welcoming former members of the House, the gentleman from Delaware, Mr. Thomas J. Sproul, and the gentleman from Lycoming, Mr. Jacob F. Matthews.

CONDOLENCE RESOLUTION

Messrs. GROSS and O'CONNOR offered a privileged resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, March 31, 1941.

From Johnstown comes the saddening news of the death of Walter E. Rose, Sr., the father of one of our Members from the First District of Cambria County.

Mr. Rose's forebearers were of early Pennsylvania stock. For a number of generations members of the Rose family were engaged in the lumber business in Somerset and Bedford Counties.

The decedent himself was a member of the firm of W. J. Rose and Sons a concern which played a large part in the growth of Johnstown, from the time of the great flood until the present; and he was also connected with other business and civic activities; therefore be it

Resolved, That the House of Representatives hereby express its condolence to its member, the Honorable Walter E. Rose, Jr., and to the widow and family of the deceased; and direct the Chief Clerk to transmit a certified copy of this resolution to Mr. Rose.

Mr. WALTER E. ROSE. Mr. Speaker, I thank the Chair and the Members of the House for their kindness in passing this resolution, and also thank the many Members who have already sent me condolence messages which I apologize for not having yet had the opportunity to answer.

REPORT FROM COMMITTEE

Mr. BAUGHER, from the Committee on Dairy Industries, reported as amended, House Bill No. 124, entitled:

An Act to reenact and amend the title and the act, approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "'An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the

holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and procedures, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceeding thereunder; and making appropriations," by substituting the term "handler" for the term "milk dealer"; defining the term "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase and by giving certain additional rights to producers' and farmers' unions or organizations producing milk.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Speaker for Mr. PRESLY N. JONES for the week on account of illness.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Cities, First Class, Tuesday, April 1 at 12 noon in Room 521.

Highways, Tuesday, April 1 at 11:30 a. m. in Room 324.

Judiciary General, Tuesday, April 1 at 10 a. m. in Room 246.

Judiciary Special, Tuesday, April 1 at 11 a. m. in Room 246.

Labor, Tuesday, April 1 at 11 a. m. in Room 522.

Law and Order, Tuesday, April 1 at 12:30 p. m. in Room 331.

Liquor Control, Tuesday, April 1 at 12 noon in Room 325.

Mines and Mining, Tuesday, April 1 at 12:30 p. m. in Room 522.

State Government, Tuesday, April 1 at 11 a. m. in Room 325.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 462 and 675 on Tuesday, April 1, 1941 at 7:30 p. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

ADJOURNMENT

Mr. LYONS. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 1, 1941, at 1 p. m.

The motion was agreed to, and (at 11:41 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, APRIL 1, 1941. No. 29.

SENATE

TUESDAY, April 1, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

O Father of lights and Fountain of all knowledge: let none of us be fooled this day nor any day by putting our trust and faith for spiritual security in the tangible things of this life which perish with the using. Even the beloved poet has written: "But pleasures are like poppies spread. You seize the flower, it's bloom is shed; or like the snowfall in the river, a moment white—then melts forever."

We are conscious that the people of this Commonwealth, this nation and indeed the people of the earth have followed too much the gods of this world and its pleasures and have forgotten Thee, Thy loving kindness and tenderest mercy and that Thou hast made and preserved us a nation.

So in these days of national stress and apparent emergency and even imminent danger from within and without, help us as a people to find our penitential way back to Thee. May we bend the knee at our national shrines, churches, altars and the sacred places of private devotion that we may again merit Thy favor and benediction through the dark days lying immediately ahead. "Blessed is the nation whose God is the Lord" says Holy Writ. May we lay hold upon that blessedness through a deep consecration to Thee and Thy kingdom upon earth. We pray in the name of the Great Architect of the universe. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WALKER and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Geltz asked and obtained leave of absence for the Senator from Bucks, Mr. JAMES.

He also asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

Mr. Carr asked and obtained leave of absence for the Senator from Franklin, Mr. CRIDER.

Mr. Barr asked and obtained leave of absence for the Senator from Luzerne, Mr. MUNDY.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public which were laid on the table.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF PEACE OF CRAWFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. D. Stevens, Main Street, Conneautville, Crawford County, for appointment as Justice of the Peace in and for the Borough of Conneautville, Crawford County, until the first Monday in January, 1942, vice O. B. Patterson, resigned.

ARTHUR H. JAMES.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 107, (Senate Bill No. 454), entitled:

An Act to amend section eleven of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 395), entitled "An act empowering the Department of Highways to acquire certain toll bridges within the Commonwealth; providing the procedure therefor; providing for the reimbursement of the Commonwealth from tolls and charges; and making an appropriation," as amended, by providing that such toll bridges heretofore or hereafter acquired by the Department of Highways shall be free bridges from the effective date of this act or from the date they are so acquired.

Which was committed to the Committee on Highways.

House Bill No. 158, (Senate Bill No. 455), entitled:

An Act to further amend sections two hundred and four hundred two, to repeal section eight hundred eight of, and

to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," transferring the State Employes Retirement Board from the Department of State to the Treasury Department.

Which was committed to the Committee on State Government.

House Bill No. 159, (Senate Bill No. 456), entitled:

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by transferring the State Employes' Retirement Board from the Department of State to the Treasury Department; and transferring certain appropriations.

Which was committed to the Committee on State Government.

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, March 31, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, April 7, 1941, at 4:30 o'clock p. m. and when the House of Representatives adjourns this week it reconvene on Monday, April 7, 1941, at 9 o'clock, p. m.

NOTARIES PUBLIC TAKEN FROM TABLE

Mr. EALY. Mr. President, I now call up Notaries Public which were laid on the table.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF NOTARIES PUBLIC

Mr. EALY. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, April 1, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

INDIANA COUNTY

C. L. Longwill, Clymer.

PHILADELPHIA COUNTY

Thomas F. Rafferty, Phila., 2338 W. Huntingdon Street.

WESTMORELAND COUNTY

O. C. Harrold, Greensburg.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Anthony Ziernicki, Phila., 4173 Germantown Avenue, April 4, 1941.

CAMBRIA COUNTY

Melvin Edwards, Ebensburg, April 5, 1941.

WESTMORELAND COUNTY

Glenn G. Martin, Jr. Jeannette, April 16, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. EALY and Mr. EDMONDS That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 38

Barr,	Dent,	Letzler,	Stiefel,
Bartlett,	DiSilvestro,	Mallery,	Tallman,
Becker,	Ealy,	McCreesh,	Taylor,
Carr,	Edmonds,	McQuiddy,	Thomas,
Cavalcante,	Frey,	Miller,	Wade,
Chapman,	Geltz,	Reed,	Walker,
Coleman,	Haluska,	Ruth,	Wilson, T. B.,
Cox,	Heyburn,	Scarlett,	Woodward,
Crowe,	Kephart,	Snowden,	Ziesenheim,
Deitrick,	Lanius,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. FREY, from the Committee on Elections, reported as committed, Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration

commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of preliminary street lists, and permitting the destruction of certain records.

Mr. T. B. WILSON, from the Committee on Elections, reported as committed, Senate Bill No. 161, entitled:

An Act to amend section thirty of the act approved the twenty-ninth day of April, one thousand nine hundred and thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating the check-up of registered electors and the cancellation of their registration by the commission.

Mr. WADE, from the Committee on Elections, reported as committed, Senate Bill No. 78, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining political parties and political bodies; excluding therefrom parties or bodies desiring to overthrow the Government of the United States by force.

Mr. CAVALCANTE. Mr. President, in re-reporting Senate Bill No. 23 as committed, from the Committee on Elections I would like to read into the record a letter dated March 11, 1941, addressed to me, and I think also to the other members of this body, from the Civic Club of Allegheny County, which reads as follows:

CIVIC CLUB OF ALLEGHENY COUNTY
Hotel William Penn

Pittsburgh, Pa., March 11, 1941.

My dear Senator Cavalcante:

The Civic Club of Allegheny County urges favorable consideration of Senate Bill No. 23.

This bill would eliminate the straight party ballot thereby requiring the electorate to vote for candidates for each office separately.

Too frequently candidates of either party, highly acceptable, are defeated because the freedom of choice of candidates is annuled when the straight party vote is registered.

This is a casualty that may come to any candidatte at an election under the existing system.

The Civic Club approved this bill because it will encourage independent voting and discourage party control.

Sincerely,
H. M. DERMITT,
Secretary.

Mr. CAVALCANTE, from the Committee on Elections, re-reported as committed, Senate Bill No. 23, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

Mr. TAYLOR, from the Committee on State Government, reported as amended, Senate Bill No. 325, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five, (P. L. 452) entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of emirent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no new project shall be begun without specific authority from the General Assembly and approval of the Governor and providing for a limitation of the cost thereof.

Mr. THOMAS, from the Committee on Municipal Government, reported as committed, Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county

and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

BILLS INTRODUCED

Mr. BARTLETT read in his place and presented to the Chair Senate Bill No. 457, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizng the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by enabling the Department of Public Asisstance to take measures to rehabilitate persons receiving assistance.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 458, entitled:

An Act to authorize the revival of judgments entered in favor of the Department of Public Assistance by filing a suggestion of non-payment, and directing prothonotaries to make the necessary entries without charge.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 459, entitled:

An Act to outlaw claims against the State Emergency Relief Board for which invoices have not been presented within six months of the date of this act.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 460, entitled:

An Act to amend the act, approved the seventh day of June, one thousand eight hundred and eighty-seven (P. L. 365), entitled "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons," by permitting such associations to be perpetual; increasing maximum value of shares of stock; changing the requirements as to posting stock statements; dispensing with quarterly meetings; extending corporate powers and changing qualifications of officers, times of meetings, nature of reports by directors and the time for ascertaining and declaring profits.

Which was committed to the Committee on Corporations.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 461, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing additional routes in the County of Cambria.

Which was committed to the Committee on Highways.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 462, entitled:

A Joint Resolution proposing an amendment to section twelve, article three of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

REPORT FROM COMMITTEE

Mr. REED. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. REED, from the Committee on State Government, re-reported as amended, Senate Bill No. 50, entitled:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

I might say that the amendments in chief will put the bill in its original form, with the exception of the second amendment which adds the word "county" where it had been inadvertently omitted.

BILLS INTRODUCED

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 463, entitled:

An Act to amend sections one and three of the act, approved the tenth day of April, one thousand nine hundred and twenty-nine (P. L. 478), entitled "Conferring authority on the Department of Highways, or any county or township to enter upon private property adjacent to any public road or highway, and place thereon snow fence, between November first and April first of the succeeding year; providing the method of ascertaining damages and payment of same by the authorities responsible for the maintenance of the said public road or highway to the owner of adjacent property; and repealing certain acts," by including the Pennsylvania Turnpike Commission.

Which was committed to the Committee on Highways.

Mr. BARTLETT read in his place and presented to the Chair Senate Bill No. 464, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051) entitled, "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the

Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repeaing laws relating to Mothers' Assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by changing the residence requirement for general assistance.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 343, entitled:

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (Pamphlet Laws four hundred seventeen) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations", by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	DiSilvestro,	Miller,	Stiefel,
Bartlett,	Ealy,	McCreesh,	Tallman,
Becker,	Edmonds,	McGinnis,	Taylor,
Carr,	Farrell,	McQuiddy,	Thomas,
Cavalcante,	Frey,	Miller,	Tyler,
Chapman,	Geltz,	Reed,	Wade,
Coleman,	Haluska,	Ruth,	Walker,
Cox,	Heyburn,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Shapiro,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeaby to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 51, as follows:

An Act authorizing and empowering school districts to furnish food including milk to undernourished and poor school children in their districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the directors of the school districts be and they are hereby authorized and empowered to furnish food including milk to the undernourished and poor school children attending the schools within their several districts at the expense of the school district

Section 2 The provisions of this Act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	McCreesh,	Tallman,
Bartlett,	Edmonds,	McGinnis,	Taylor,
Becker,	Farrell,	McQuiddy,	Thomas,
Carr,	Frey,	Miller,	Tyler,
Cavalcante,	Geltz,	Reed,	Wade,
Chapman,	Haluska,	Ruth,	Walker,
Coleman,	Heyburn,	Scarlett,	Watkins,
Cox,	Kephart,	Shapiro,	Wilson, H. I.,
Crowe,	Lanius,	Snowden,	Wilson, T. B.,
Deitrick,	Letzler,	Stevenson,	Woodward,
DiSilvestro,	Mallery,	Stiefel,	Ziesenheim,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 125, on third reading, entitled:

An Act abating certain tax penalties and interest on county, city (except cities of the first and second class), borough, town, township, school district (except school districts of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and pre-

serving certain tax liens, and providing for the extension thereof.

go over in its order.

On the question,

Will the Senate agree to the motion?

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Cox.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. COX. I will, Mr. President.

Mr. HALUSKA. Mr. President, is it the intention of the gentleman from Allegheny to offer these amendments this afternoon?

Mr. COX. Yes, Mr. President. At the present time they are being typed. I regret very much the amendments are not in order at this time but we require just a short time to have the amendments typed.

Mr. GELTZ. Mr. President, I would like to request that the gentleman from Allegheny, Mr. Cox, withdraw his request, for the reason I would like to move that this bill be recommitted, along with the other tax abatement bill, so that proper amendments can be drawn for both of them, in committee. We have been in the habit here in the Senate of trying to accomplish these technical matters here on the floor and I do not think it has worked out very well.

Mr. COX. Mr. President, I believe the amendments we wish to propose meet with the approval of the gentleman from Allegheny County. We have held informal Caucuses extending over the last two days, between the members on the right and the members on the left and we would like to do the thing requested by the gentleman from Allegheny, Mr. Geltz, but I do not think it is the proper thing to do. They are just specific amendments which are being prepared, and without any further delay we can pass this bill, and if the gentleman feels the amendments are improper he can make a motion to send the bill back to committee.

We are faced with this situation all over the state, that there is an almost complete lapse in the paying of taxes which are delinquent because people are waiting to see what we do in this Senate. This bill has shifted around so many times that we have to do something, either, affirmatively or negatively this week.

Mr. COLEMAN. Mr. President, I rise along with my colleague from Allegheny, Mr. Cox, to object to this bill being recommitted. It is perhaps the most important bill presented to the Senate of Pennsylvania in my opinion in this session. I would like to call to the attention of the Senate the progress of this bill since it was first introduced on February 8th; it was then referred to the Committee on Judiciary General; it was reported out of committee on February 18th, at which time it passed first and second reading, and was then recommitted to the Committee on Judiciary General on February 24th. The bill was re-reported on February 25th, it passed third reading on February 26th and it was then made a special order of business on final passage on March 3rd, and on that particular day we had a debate in connection with the bill and it was again recommitted on March 3rd.

The Senators in the Senate interested in the passage of this bill met and agreed to present amendments in order to put the bill in a position to be finally passed.

The bill was reported out of committee again and is now on third reading and we hope it will be in position for final passage tomorrow, by the insertion of amendments that we think meet the objections of the members of the Senate, to the passage of this bill.

Mr. President, when this bill was first introduced it was introduced with the thought in mind of aiding delinquent taxpayers of the Commonwealth. Now I think we have reached the position where even the tax levying authorities are interested in the passage of this bill. We met this morning, those of us who were interested, and all members of this Senate who are interested were invited to attend a meeting with a gentleman from the Legislative Reference Bureau.

Mr. President, I protest against any further delay in the ultimate passage of this bill. I think this is one of the reasons why people throughout the world get the impression the processes of democracy are too slow. Here is a bill that has been considered from every conceivable angle for one or two months and now we are asking that the bill go over in its order so that we can have amendments inserted that will put it in a position, I think, to be passed, and I feel certain they will be agreed upon generally by the members of the Senate, and I ask the members of this Senate to vote against the motion to recommit and permit the bill to go over in its order.

The PRESIDENT. Is the Chair to understand the gentleman from Allegheny made a motion to recommit the bill.

Mr. GELTZ. Mr. President, the gentleman from Lackawanna wasted all that breath.

Mr. COLEMAN. Mr. President, I did not waste any breath because I got over to the members of the Senate, I think, my impression of the absolute necessity for prompt action in the passage of this bill. I am asking the members of the Senate to permit this bill to go over in its order now so that sometime later in the day we will have the amendments, which I think will meet with the approval of everybody, to put the bill in a position to be passed finally tomorrow, and I protest against any motion or any suggestion that will have this bill recommitted to the Committee on Judiciary General.

Mr. CAVALCANTE. Mr. President, as I understand from the gentleman from Lackawanna the purpose of the amendment is to insert new matter into the bill.

Mr. THOMAS B. WILSON. Mr. President, will the gentleman take the microphone, as the members on this side of the Senate cannot hear what he is saying, even though he does have a very fine voice.

Mr. CAVALCANTE. I will do it as a courtesy to the gentleman. From the remarks of the gentleman from Lackawanna, Mr. President, it appears that the proposed amendments are to insert new matter in the bill. If that is true that can not be done on third reading, and it would seem to me we would have to reconsider the vote by which the bill passed second reading, so as to permit the amendments to be made, and instead of sending the bill back to committee I think we should reconsider the vote by which it passed second reading and permit the amendments to be introduced on the floor, as, if the amendments do not then do what is wanted, we would just simply turn the amendments down by vote.

Of course, Mr. President, I do not know what the amendments are at the present time and personally I am not in a position to say whether I would vote in favor of the

amendments or against the amendments, but I surely think we ought not to send the bill back to committee. Of course, we are, some of us on this side, and probably there maybe one at least on the other side, who is opposed in principle to sending bills back to committee for the purpose of amendment when they can be amended here on the floor.

Many of the county treasurers have their sales advertised already and they intend to go through with these sales unless the Legislature here does something about postponing them. They did not regard our resolution as a mandate to them to continue the sales; the resolution was merely permissive and I agree with my colleague from this side that we ought to keep this bill on the floor. I would rather see it go over in its order than to send it back to committee.

Mr. DENT. Mr. President, I happened to have been one of the sponsors of a similar bill years ago and I just want to say to the floor leader—

Mr. THOMAS B. WILSON. Mr. President, I ask that the gentleman from Westmoreland make use of the microphone.

Mr. DENT. Mr. President, in the coal cellar where I practiced speaking when I was a kid we didn't have one of these things and I am kind of shy of them.

However, Mr. President, I just want to say maybe I can clarify the situation relative to this bill and there will not be much more discussion needed.

Mr. President, I do not want a motion made later on to send it back to committee because I have an understanding with the Republican Floor Leader that he has my blessings on such a motion and I merely was wondering whether he is going to take advantage of that or not.

Mr. President, I should like to interrogate the gentleman from Allegheny, Mr. Geltz.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. DENT. Mr. President, is the gentleman from Allegheny going to move to send this bill back to committee, or allow it to be amended on the floor of the Senate?

Mr. GELTZ. Mr. President, the sponsor of this bill, with the view in mind of recommitting this bill consulted with me but since there seems to be much fuss about it I have no particular reason to have it recommitted except to try to have proper amendments made.

Since there has been a request that the bill go over in its order I am perfectly satisfied to have it to go over in its order and I think all of the gentlemen are very well pleased.

Mr. DENT. That is all right, Mr. President, I just wanted a release from my promise which I have made on the proposition.

The PRESIDENT. The Chair understands the question is now on the motion that Senate Bill No. 125 go over in its order.

On the question,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 205, as follows:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pensylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-one for the use of the School of Mineral Industries for the following purposes

For the support of research and investigation of long range basic problems affecting the mineral industries the sum of seventy-five thousand dollars ($75,000)

For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty thousand dollars ($50,000) Provided that no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DENT. Naturally, Mr. President, I think every member of this Senate will vote for this bill but I just want to say we can not save pennies one day and spend dollars the next day, or curtail the expenditures of running the State of Pennsylvania or ever have any hope of decreasing the taxes in the State of Pennsylvania so long as we pass bills such as this.

This bill, of course, does industry in my district more good than any industry in the state but I still think it wrong for the people of Pennsylvania to bear the burden of laboratory work that will in the end help one particular industry. There is no reason in the world why we can not give $125,000 to the University of Pittsburgh to investigate and find new uses, perhaps, for rubber, made in some parts of Pennsylvania, rubber goods, and maybe they could find new uses for glass if any appropriation were given to the University of Pennsylvania.

Mr. President, I say it is absolutely wrong to subsidize an industry, as we are doing in this bill. If I remember rightly the first bill was in the amount of $75,000 and now this bill proposes to appropriate $125,000 and within the next two years that will be $250,000 and before we are through we will be appropriating perhaps a million dollars to various universities to look into the proposition of creating jobs by finding new uses for Pennsylvania products.

This is purely an expenditure for the mining industry and if the mining industry would take as little as one-tenth of a cent per ton and put it into the School of Mineral Industry in Pennsylvania State College they could get the research work done which is proposed to be accomplished by this appropriation. I think it is absolutely wrong; I do not expect to get much support on it, but I am going to vote "no."

Mr. STIEFEL. Mr. President, if I am not mistaken I understand the industry is going to match this amount which is appropriated in this bill.

Mr. THOMAS B. WILSON. The amount, Mr. President, is $50,000. I had not intended to say anything with respect to this bill but if there is a bill before the Legislature of Pennsylvania at this Session which will make work, which will make wealth for the Commonwealth

of Pennsylvania, which will make taxes, which will help the counties of Pennsylvania, this is such a bill, together with the bill introduced by the gentleman from Luzerne, Mr. Miller, in connection with the coal industry.

We have had an appropriation for the investigation of the mineral industries in Pennsylvania at State College for a great many years. From it has come work, wealth, taxes, industry and prosperity.

This bill will tend to build up the industries of Pennsylvania; patiently, slowly, these college professors are investigating the possibilities of the mineral industry of Pennsylvania, and I am very much surprised the gentleman from Westmoreland would stand on this floor and object to a small appropriation for an investigation that is to bring back money to Pennsylvania, that is building up the counties.

May I say this, Mr. President, so that the members of this Senate may see the picture: in my own county, after having been an oil county and one which produced a great deal of oil, our county went down to where we were producing practically nothing and then we suddenly discovered by the addition of water into our sand we could produce a great deal more and we now produce as much oil as all the rest of Pennsylvania put together. There are a great many counties in our Commonwealth which have oil underneath the ground, Warren County, Venango County, Washington County, Allegheny County, Greene County, many of those counties have oil which at the present time it is impossible to recover because the chemical processes by which we can take that oil out is not yet known.

The laboratory at State College has had great success in patiently working out methods by which that wealth under the ground shall be taken out and become available and put on the market, that work which is bringing work and taxes and wealth and prosperity to the people of Pennsylvania.

I do not see how there could be a sincere objection to a college investigating the mineral industry of Pennsylvania in order that they may enable the industry to go ahead and do those things I am pointing out and certainly I think this bill is entitled to the support of both the Republican and Democratic members of this Senate.

Mr. DENT. Mr. President, so that there might not be any misunderstanding between the sponsor of this bill and myself I wish to say I made a slight error in my previous remarks, as I thought the bill was in connection with the coal investigation, but I find it just fits in with my argument.

This bill appropriates $125,000 to the mineral industry and we have a bill for $75,000 for the coal industry. I understand from the sponsor of the bill—$75,000 for the coal industry—regardless of what it is, I say those industries can properly put the money into research just the same as any other industry has to do—glass and rubber and steel and every other great industry in the state has its own laboratory and schools for determining whether or not they can find other uses for their products.

Mr. President, this is not properly an expenditure of the people of Pennsylvania and I want to vote against this bill as a protest vote against what might happen in the future. As we go into the picture, I voted against the first bill ever introduced for the benefit of the School of Mineral Industry in State College, I protested then, and here today we have two different industries that have asked for state aid in the matter and before we are through I have just as much right to come in here and ask for an appropriation to investigate, as I said, the possibilities of making, for instance, hosiery out of rubber—they make it out of coal—and maybe we can expand industry in my own home town, which happens to have the largest rubber industry in the state.

It is absolutely wrong for us to take the taxpayers' money of the State of Pennsylvania and put it into this particular type of investigation because, first of all, State College is a state controlled institution and if an appropriation is necessary it should be made in the general appropriation bill to State College, and that should work in the schools for the benefit of all industries in the State of Pennsylvania.

Mr. President, I do not see any objection to the gentleman from McKean introducing a bill to take care of the folks back home—I don't blame him for that, it is perfectly logical, especially if he is going to stay in politics; personally I do not object to that but I object to this type of bill, not because of the sponsorship, but because of the bill.

Mr. THOMAS B. WILSON. Mr. President, may I say this for the benefit of the Senate, the appropriation for the laboratory to State College has been in effect for many years—more than ten years. I have been intimately connected with it because former Senator Baldwin and I had this—when he was a member of the Senate and I a member of the House.

May I also say, Mr. President, the State of Pennsylvania has benefited through increased taxes by much more than it has cost for this laboratory.

To specifically answer the gentleman from Westmoreland, what he says about my interest in introducing a bill for the benefit of the people back home, in the first place I do not have to introduce any bill for the benefit of the people back home and in the second place the people who will be benefited by this are from other counties outside of my district, because as far as McKean County is concerned we have developed a method of taking the oil from the sand, in connection with that development at State College, and a method by which, in Senator Chapman's county, they are now beginning to take the oil out after almost sixty-five or seventy years of small production, this laboratory has developed a method in his county by which it is possible through the use of water pressure, that they are now forcing the oil from the sand; and in Washington County, Senator Reed's County, through the efforts of this laboratory perhaps the time will come when they will take those immense quantities of oil from Senator Reed's County, from underground and bring it to the surface, which will bring to them prosperity and industry and work.

The pool of oil in the State of Pennsylvania will eventually be taken out but the only way it can be taken out is by the slow patient investigation of college professors who really know little about time and who are not trying to see how much money they can earn.

This is a bill which should pass the legislature and I am sure it is entitled to the support of both the democrats and republicans in this Senate.

And the question, recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 42

Barr,	Edmonds,	McCreesh,	Tallman,
Bartlett,	Farrell,	McGinnis,	Taylor,
Becker,	Frey,	McQuiddy,	Thomas,
Carr,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Snowden,	Wilson, T. B.,
Deitrick,	Lanius,	Stevenson,	Woodward.
DiSilvestro,	Letzler,	Stiefel,	Ziesenheim,
Ealy,	Mallery,		

NAYS 4

Cavalcante,	Dent,	Reed,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

REAPPOINTMENT AS A MEMBER AND CHAIRMAN OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Mr. CHAPMAN, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Siggins, Jr., of Warren, Warren County, for reappointment as a member and designation as Chairman of the Pennsylvania Public Utility Commission, for the term ending April 1, 1951.

ARTHUR H. JAMES.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. JAMES and Mr. GELTZ

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. EALY

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	Ealy,	McCreesh,	Stiefel,
Bartlett,	Edmonds,	McGinnis,	Tallman,
Becker,	Farrell,	McQuiddy,	Taylor,
Carr,	Frey,	Miller,	Thomas,
Cavalcante,	Geltz,	Mundy,	Tyler,
Chapman,	Haluska,	Reed,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Shapiro,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,
DiSilvestro,	Mallery,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 228, as follows:

An Act to further amend section twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1237) entitled "An act effecting martial relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by requiring the filing of a statement to the effect that the respondent is or is not enrolled in the armed forces of the United States pursuant to any selective service act or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 467) is hereby further amended to read as follows

Section 26 Awarding Subpoena When Returnable Upon the presentation of the petition of libel together with a statement signed by the complaining spouse verified by oath or affirmation setting forth whether the party so complained against is or is not enrolled in the armed forces of the United States pursuant to any selective service act or is not serving in the armed forces of the United States during time of actual war a subpoena may be awarded by the said court or a judge thereof in vacation signed by the prothonotary and directed to the party so complained against commanding him or her to appear which subpoena shall be returnable not less than thirty days after the award thereof either to the next or subsequent term or to such next or subsequent term or to such next or subsequent monthly or intermediate return day as shall have been or may be established for such court of common pleas either by statute or rule of court or both

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Ealy,	McCreesh,	Stiefel,
Bartlett,	Edmonds,	McGinnis,	Tallman,
Becker,	Farrell,	McQuiddy,	Taylor,
Carr,	Frey,	Miller,	Thomas,
Cavalcante,	Geltz,	Mundy,	Tyler,
Chapman,	Haluska,	Reed,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Kephart,	Shapiro,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
Dent,	Letzler,	Stevenson,	Ziesenheim,
DiSilvestro,	Mallery,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 232, as follows:

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of school directors shall have heretofore sold any unused and unnecessary lands and buildings by public auction the sale of which by public auction is authorized under the provisions of the school laws of the Commonwealth and such board of school directors has received the purchase price then such sale shall be valid and binding on the school district and all deeds or conveyances given by the school district for any such lands and buildings are hereby ratified confirmed and validated and such purchasers and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the school districts therein notwithstanding the fact that the notice of the public auction was not published in the legal newspaper in the county or by posting of handbills nor over the exact period of time prescribed by law in one or more newspapers of general circulation published within the county or the school district and notwithstanding the fact that the terms and conditions of said sales were not fixed by the board of school directors in the motion or resolution authorizing said sales Provided That notice of such public auctions was published in one or more newspapers of general circulation published within the county or the school district for at least three times before the date fixed for said sales each time being in a different week and providing that the terms and conditions of said sales were fixed by the board of school directors prior to the holding of such sales and providing also that all the other requirements of law concerning the authorization advertising and holding of such sale have been complied with

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Edmonds,	McGinnis,	Tallman,
Bartlett,	Farrell,	McQuiddy,	Taylor,
Becker,	Frey,	Miller,	Thomas,
Carr,	Geltz,	Mundy,	Tyler,
Cavalcante,	Haluska,	Reed,	Wade,
Chapman,	Heyburn,	Ruth,	Walker,
Cox,	James,	Scarlett,	Watkins,
Crowe,	Kephart,	Shapiro,	Wilson, H. I.,
Deitrick,	Lanius,	Snowden,	Wilson, T. B.,
Dent	Letzler,	Stevenson,	Woodward,
DiSilvestro,	Mallery,	Stiefel,	Ziesenheim,
Ealy,	McCreesh,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 242, as follows:

A Supplement to an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the appointment of a deputy school controller in school districts of the first class and prescribing duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The school controller in each school distroct of the first class in this Commonwealth is hereby authorized to appoint a deputy school controller who in case of the resignation or death of the school controller or by reason of his absence or inability to act from any cause shall have the same powers and shall perform the same duties as imposed by law upon the school controller

Section 2 In the event that the school controller shall not appoint a deputy school controller in accordance with the provisions of section one hereof the Board of School Directors may elect a deputy school controller to serve during such time or until such school controller shall appoint a deputy as aforesaid The deputy school controller appointed under the provisions of this act shall furnish bond in the sum of ten thousand dollars ($10,000) and shall be paid such compensation as the Board of School Directors in the district may determine

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, I see the gentleman from McKean is busy and I do not believe he will insist upon me using the microphone.

The bill now called up, Senate Bill No. 242, Printer's No. 69, is a bill that involves a subject on which I would like to interrogate the sponsor of the bill.

The PRESIDENT. Will the gentleman from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny, Mr. McGinnis, the sponsor of this bill, state whether this bill will add to the cost of the school system?

Mr. McGINNIS. It will not, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny, Mr. McGinnis, state how the board of school directors is constituted in his county?

Mr. McGINNIS. In what respect, Mr. President?

Mr. CAVALCANTE. How are they selected, Mr. President, by ballot or by appointment?

Mr. McGINNIS. They are appointed by the Court of Common Pleas of our county.

Mr. CAVALCANTE. Mr. President, who is the city controller at this time?

Mr. McGINNIS. Senator Frey, Mr. President.

Mr. CAVALCANTE. Mr. President, this is a bill that does increase the expenses of the school system, whether the gentleman from Allegheny wishes to admit it or not. The bill specifically provides that the person appointed deputy controller shall be paid such compensation as the Board of School Directors in the district may determine, and that is found on page two of the bill, lines fourteen and fifteen.

Now, Mr. President, in these times when everybody is trying to effect economy in the administration of government we have in this bill a Corrigan—it goes backward. In other words, instead of trying to effect economy in the administration of the school system it adds to it because it creates another job and the point that is most vital, is determining whether the new job that is being created is necessary in the City of Pittsburgh.

I am wondering if this is not another bill where another political job is sought to be created. They do have a controller at this time and that controller has sufficient clerks to take care of the business of controlling or auditing the affairs of the school district.

This bill gives to the present controller the power to nominate another deputy for himself so that he may be absent from his office more than he probably is now.

Now, Mr. President, I have sought during this session to go along with his Excellency the Governor in his program of economy especially, as he says, in these times when the cupboard is almost bare. Mr. President, there is no necessity for the creation of another political job in the City of Pittsburgh; the people are being paid sufficiently now for that kind of a job and I say it is not necessary because the school code already has made provision for a case of this kind.

Section 2209 of the school code provides for the election of a controller by the school board but the act says the board shall select the city controller as the controller for the school district.

Section 2210 provides for his oath and requires him to give a twenty-five thousand dollar bond.

Section 2211 fixes his salary at four thousand dollars a year, payable monthly.

Section 2212, and this is the section I want you to have specifically in mind, says the Board of Public Education in school districts of the first class may appoint annually such clerks as it deems necessary to assist the school controller, but all such appointments shall be made upon the nomination of the school controller and the salaries shall be fixed by the Board of Public Education before any appointment is made; this school controller shall in addition to his salary, be furnished by the school district in which he is elected, the necessary stationery and books required by him in the performance of his duties of school controller.

Section 2222 of the school code says the duties of the Board of Public Education in districts of the first class, in addition to the duties described in this act, shall be to define the general policies of the school system and to legislate upon all matters pertaining thereto; to determine and direct all expenditures for the maintenance and improvement of the school system—and mark you this, Mr. President—this is the significant phrase in this section—to appoint the officers herein prescribed and define there duty, to appoint teachers and in general legislate upon all matters concerning the conduct of the schools subject to the provisions of this section.

Now gentlemen, under section 2212 that I have read the Board of Education may appoint any number of clerks and to those clerks they can assign whatever duties that they may prescribe. We all know, Mr. President, it will not be a hard job for the Board of Education to appoint a chief clerk and say to him you shall have the duties that are specified in the bill now before us and they fix that chief clerk's salary before they appoint him.

This bill now, however, creates an additional job, a deputy controller, to be paid an additional salary as the board may determine. It may be said this bill goes further than that. It provides the persons to act in the place of the controller in case of resignation or death or otherwise. The present school code provides for these vacancies and how they shall be filled in that case.

Section 1213 of the code definitely sets forth how the vacancy is to be filled. Section 1213 says in case there is a vacancy in the office of school controller by reason of death, resignation or otherwise, such vacancies shall be filled for the remainder of the year by the election of a special controller by the Board of Public Education.

This bill will change that. As the law now stands the Board of Education will select this successor to the controller. You pass this bill and it permits the city controller himself to name his successor, because the bill so states. The city controller nominates and the board approves him and then if the city controller dies or resigns or gets out of the way the man whom he has selected will carry on his duties, whereas the present law is much wiser and better because it puts the power to select and appoint the city controller in the hands of the Board of Education. I think we ought to be cautious at that point for sometimes the city controller may—I am not saying this is the one of the cases but we ought to guard against the improbability or the things that might happen if the city controller has mishandled the duties of his office and his deputy under him is aware of it, for his deputy will perpetuate the thing and will cover it up and keep it from coming out, whereas if and when he gets out of the way and a new man takes his place, then you have a proper check on the books and the controls of that office.

My main objection to this bill, and the reason I am going to vote against it, is because it does not fit in with the Governor's policy of economy at all; it is just going the other way; it creates another job that will be controlled by politicians in the background and the taxpayers of the City of Pittsburgh will be required to pay an additional salary for an additional political job.

Mr. McGINNIS. Mr. President, at this time the

Pittsburgh controller has a deputy controller in the City of Pittsburgh but he has no deputy controller in the schools.

An occasion arose where it was very important and very necessary that there be a deputy school controller; when Daniel Winters, a former controller died, it was twenty-one days before his successor could be appointed and the schools were tied up in their contracts and in payments to teachers. I can assure the Senate there was never a thought in our minds but what the controller would appoint a clerk that he has now under him to act as deputy. I am sure that is the purpose of the bill and the intention of the bill and if there is any doubt about it I am perfectly willing that the bill be amended, that is to say in so many words, so there can be no dispute about it, that he would appoint one of his present staff.

Mr. THOMAS B. WILSON. Mr. President, I oppose this bill because it is an opening wedge to allow other audits than the audit required by law; expensive audits which go much beyond the provisions of this bill. The school code of Pennsylvania has always provided that the auditing shall be done by the city controller and by nobody else.

There has been a very persistent movement in Pennsylvania among the school boards to hire expensive auditing companies to do their auditing, instead of having the city controller do it. That has never, however, been consented to by the Legislature of Pennsylvania.

While this bill only refers to Allegheny County, nevertheless it is an opening wedge by which the school code is broken down and by which the system under which we operate, of requiring the city controller to audit the affairs of the school board, is broken down and after it will follow auditing companies which will charge large fees and which will accomplish nothing.

Mr. President, I think the present school code, which requires the city controller to audit, and does not vary or allow him any leeway in doing it, is a good law and is for the protection of the school districts of Pennsylvania.

I am unable to vote for the bill, Mr. President, because it will open the door and start the practice of auditing being done by somebody else. I want that responsibility still to remain on the controller because it is put there by law.

Mr. McGINNIS. Mr. President, it is true in the City of Pittsburgh the city controller is also the school controller, but the employes who do the auditing or do the figuring or do the actual auditing are merely nominated by the controller but are appointed and paid by the School Board. In other words, they are employes of the School Board, which is a most unusual situation, but to me I do not think it is any auditing at all. I say that nobody, whether it is the School Board or the city or the county, should have their own employes doing the actual work, doing the auditing, except maybe the final O.K., but how can the controller of a city the size of Pittsburgh, with all his manifold duties, do the details of the work.

Now, Mr. President, it would be of great help to him if he had a deputy controller, deputy school controller, that he could rely on, that could act for him when he is away, when he is ill, and it is a thing that happens in every other big municipality, and I do not see why we can not have it in ours.

Mr. THOMAS B. WILSON. Mr. President, I have great respect and regard for the author of this bill; we are old friends and I do not wish to at all appear personal about what I say, but I do want to say this, if the City of Pittsburgh employs or engages or hires the employes for the city controller's office they are violating the school code of Pennsylvania. There is no such authority in the school code for any school board to hire the employes of the controller. They have no authority to do that; the law puts the duty on the controller to audit the books and if he wants to go away and sidestep his duties I do not see any reason why the State of Pennsylvania should open the door and say you do not need to pay any attention to your duties; we will give you somebody else to do it. I think it is his duty to stay there and audit the affairs of the school district.

Mr. McGINNIS. Mr. President, we have a very peculiar situation in the City of Pittsburgh and the law is very peculiar. The law provides that when it comes to appointing employes of the school controller, that the city controller who is elected by the people, may nominate those people but the school board elects them and hires them and pays them.

Now, Mr. President, he merely nominates the school employe, he has the first say, but the school board can turn him down and keep on turning him down; the board can provide for no salary if they want or they can provide such a meager salary so that nobody of any ability would do the auditing, so they have control of the auditing.

On the question,

Will the Senate agree to the bill?

Mr. FREY. Mr. President, I have a personal interest in this bill and therefore I shall not speak on the bill nor vote upon it.

And the question recuring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—13

Barr,	Farrell,	McCreesh,	Mundy,
Coleman,	Haluska,	McGinnis,	Shapiro,
Cox,	Lanius,	McQuiddy,	Stiefel,
DiSilvestro,			

NAYS—29

Bartlett,	Edmonds,	Miller,	Tyler,
Becker,	Geltz,	Reed,	Walker,
Carr,	Heyburn,	Scarlett,	Watkins,
Cavalcante,	James,	Snowden,	Wilson, H. I.,
Chapman,	Kephart,	Tallman,	Wilson, T. B.,
Crowe,	Letzler,	Taylor,	Woodward,
Deitrick,	Mallery,	Thomas,	Ziesenheim,
Ealy			

PRESENT—1

Frey,

A majority of all the Senators having voted "nay" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 329, as follows:

An Act to amend clause (a) of section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" fixing the time of day that the open season shall begin for charr commonly called brook trout and any species of trout except lake or salmon trout

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 834) is hereby further amended to read as follows

Section 20 Closed Seasons The following seasons are hereby established for

(a) Charr commonly called brook trout or any species of trout except lake or salmon trout beginning on the first day of August to five o'clock antemeridian on the fifteenth day of April next following

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,	Ealy,	Mallery,	Stiefel,
Bartlett,	Edmonds,	McCreesh,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Walker,
Coleman,	Heyburn,	Reed,	Watkins,
Cox,	James,	Ruth,	Wilson, H. I.,
Crowe,	Kephart,	Scarlett,	Wilson, T. B.,
Deitrick,	Lanius,	Snowden,	Woodward,
DiSilvestro,	Letzler,	Stevenson,	Ziesenheim,

NAYS—0

PRESENT—1

Shapiro.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. SHAPIRO. Mr. President, I desire to interogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated.

Mr. CROWE. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the sponsor of this bill please explain the intention of the bill. I do not know whether the other members of the Senate understand it but I do not and I would like to have him explain the bill.

Mr. CROWE. Mr. President, the bill simply changes the time for the opening of the trout season from midnight until five o'clock in the morning.

Mr. SHAPIRO. Mr. President, is it necessary to pass a law to accomplish that, to keep people in bed until five o'clock in the morning?

Mr. CROWE. It seems so, Mr. President. That is what the sportsmen of Pennsylvania want.

Mr. SHAPIRO. Mr. President, the gentleman from Monroe is not permitted to fish between twelve midnight and five o'clock in the morning but the rest of the members of the Senate do not know whether we could ever pass this legislation and provide the money necessary to do it.

Mr. CROWE. Mr. President, you see there are a lot of people who go out and catch trout by fishing with nets and we want them to fish during the daylight so we can keep our eyes on them.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphan's home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 24, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

The first section of the bill was read as follows and agreed to:

Section 1 This act shall be known and designated and may be cited as the "Unfair Sales Act"

The second section of the bill was read as follows:

Section 2 (1) When used in this act the term "cost to the retailer" shall mean the invoice cost of the merchandise to the retailer or the replacement cost of the merchandise to the retailer whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

(2) When used in this act the term "cost to the wholesaler" shall mean the invoice cost of the merchandise to the wholesaler or the replacement cost of the merchandise to the wholesaler whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included

in the invoice or the replacement cost of the merchandise and (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than two per cent of the total cost at the wholesale establishment

(3) Where two or more items are advertised offered for sale or sold at a combined price the price of each item named shall be governed by the provisions of subsection (1) or (2) of section two respectively

(5) The terms "sell at retail" "sales at retail" and "retail sale" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or in the usual prosecution of the seller's business of title to tangible personal property to the purchaser for consumption or use other than resale or further processing or manufacturing The above terms shall include any transfer of such property where title is retained by the seller as security for the payment of such purchase price

(6) The terms "sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual prosecution of the seller's business of title to tangible personal property to the purchaser for purposes of resale or further processing or manufacturing The above terms shall include any such transfer of property where title is retained by the seller as security for the payment of the purchase price

(7) The term "retailer" shall mean and include every person partnership corporation or association engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association engaged in the business of making sales both at retail and at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise and commodities for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I move to amend Page 4, Section 2, sub-section 7, line 8, by inserting after the word "association" and before the word "engaged" the following: "other than a manufacturer"; amend Page 4, Section 2, sub-section 7, line 11, by inserting after the word "association" and before the word "engaged" the following: "other than a manufacturer"; amend Page 4, Section 2, sub-section 8, line 16, by inserting after the word "association" and before the word "engaged" the following: "other than a manufacturer"; amend Page 4, Section 2, sub-section 8, line 21, by inserting after the word "association" and before the word "engaged" the following: "other than a manufacturer"; amend Page 4, Section 2, sub-section 9, lines 24 and 25, by inserting after the word "association" and before the word "engaged" the following: "other than a manufacturer".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agreed to:

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention of the policy of this act

Section 4 Any retailer who shall in contravention of the policy of this act advertise offer to sell or sell at retail any item of merchandise at less than cost to the retailer as defined in this act or any wholesaler who shall in contravention of the policy of this act advertise offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler as defined in this act or any person partnership corporation or association engaged in business both as a wholesaler and retailer as defined in this act who shall in contravention of the policy of this act advertise offer to sell or sell any item of merchandise at less than cost subject to both the retail and wholesale mark-ups provided by this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) and costs of prosecution and in default thereof shall undergo imprisonment for not more than ten (10) days Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

The fifth section of the bill was read as follows:

Section 5 In addition to the penalties provided in this act the courts of this state are hereby invested with jurisdiction to prevent and restrain violations of this act and any person partnership corporation or association shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against any threatened loss or injury by reason of a violation of this act

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I move to amend Page 6, Section 5, line 13, by striking out the word "threatened".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 The provisions of this act shall not apply to sales at retail or sales at wholesale (a) where merchandise is sold in bona fide clearance sales if advertised marked and sold as such (b) where perishable merchandise must be sold promptly in order to forestall loss (c) where merchandise is imperfect or damaged or is being discontinued and is advertised marked and sold as such (d) where merchandise is sold upon the final liquidation of any business (e) where merchandise is sold for charitable purposes or to relief agencies (f) where merchandise is sold on contract to departments of the government or governmental institutions (h) where merchandise is sold by any officer acting under the order or direction of any court

On the question,

Will the Senate agree to the section?

Mr. WALKER. Mr. President, I move to amend Page 6, Section 6, line 26, by inserting after the word "institutions" and before the letter "(h)" the following sub-section: "(g) when the price of merchandise is made in good faith to meet competition".

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections were read as follows and agreed to:

Section 7 If any section sentence clause or provision of this act shall for any reason be held invalid or unconstitutional the validity of the remaining parts hereof shall not be affected thereby

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective sixty (60) days after final enactment

The title of the bill was read as follows and agreed to:

An Act defining and prohibiting unfair sales providing remedies for violations thereof and establishing penalties therefor

And said bill as amended having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading,

BILL RECOMMITTED

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 32, on second reading, entitled:

An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at Irwin in Westmoreland County, the western terminus of the turnpike heretofore constructed by said commission, to a point on the boundary line between the Commonwealth of Pennsylvania and the State of Ohio; and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

be recommitted to the Committee on Highways and I would like to have about four minutes to explain why I make that motion.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. WOODWARD. I think I can do without the microphone. Yesterday, Mr. President, a member of the Senate who is a director of a national bank informed me that they had in their portfolio ten thousand dollars worth of these turnpike bonds and when the national inspector came along he objected and told the bank to sell these bonds; they were not a proper investment.

That is a funny thing, Mr. President, because the money for the super-highway all came from Washington and it does not seem consistent. You may remember Governor Earle went to see President Roosevelt and told him about the need of a super-highway and the president reached for the checkbook and wrote a check for twenty million dollars to start it—I don't know what the thing cost, sixty-seven or seventy million dollars or whatever it was.

There was a bond salesman in my office last week from a reputable brokerage firm and he said to me, "Will you trade your Commonwealth of Pennsylvania bonds for bonds of the Turnpike Commission?" I said, "Not on your life." Mr. President, he represented those bonds, those turnpike bonds, as, Commonwealth of Pennsylvania bonds, which they ar not. I dislike the Turnpike Commission and have disliked it from the date of its organization or appointment, however it gót into business, I do not know, but I can not help but feel that they have become totalitarian; although they do not practice the Hitler salute, nor do they practice the Mussolini salute, nor do they practice the Stalin salute, but they do practice the New Deal salute, which is this.

Now, Mr. President, the cloak of charity covers a multitude of sins. So does national defense—slogan "national defense" is fast covering a multitude of sins in my opinion.

As I am in the "rides" of life rather than the walks of life, my contact with people is very limited and I have to depend on taxicab drivers. I was in a taxicab a few days ago and I asked my taxicab driver about the turnpike extension, which was constructed to please Senator McGinnis's constituents. The taxicab driver said to me, "It is a fine thing, to have it extend both ways; it is a national defense measure." He said, "You know, this turnpike is so long and so wide that it enables army airplanes to land anywhere on its course." Well, Mr. President, that sounded pretty well until I got into Caucus yesterday and found Senator Snowden advocating a speed limit for this turnpike—well, I don't know exactly what it was—seventy miles an hour—but if any airplane comes into contact with a seventy mile an hour motor car, something will happen; no doubt about that.

Now then, Mr. President, my specific objection to this bill is it shows how totalitarian those people are; if you read the title of this bill you will see it authorizes the commission to issue turnpike revenue bonds of the Commonwealth; they are not bonds of the Commonwealth. A little further down it makes the bonds exempt from taxation; they have no right whatever to exempt those bonds from taxation.

Mr. President, I have moved to recommit Senate Bill No. 32. I suppose it will come out and pass but I wish it would not.

Mr. McGINNIS. Mr. President, I was about to move to have this bill recommitted to the Committee on Highways

for the purpose of amendment. I was a little bit surprised, however, to hear the gentleman from Philadelphia, after he has been away all winter in the sunny climes, show so much concern about human beings.

You know, Mr. President, a lot of Republicans are wondering why the Democratic Party has been so successful during the last eight years and the Republicans in our county tell us that they have forgotten or do not have any concern for the little man, and that from now on if they ever expect to get anywhere they must be concerned about the little man and if there is one thing our party has done it has shown concern for every human soul in the United States.

It has gone out and done things, it has not thought of dollars and cents all the time or of the bankers or financiers, it has gone out for the poor people.

The construction of this highway is one of the greatest feats that was ever accomplished in this state; it has attracted the notice and the admiration of every other state in this nation. I passed around here the other day some pictures showing where Germany seven years ago built this very type of highway and when Mr. Hitler wants to move his armies he has some highways to move them quickly and effectively and here is a highway that goes through the most troublesome, the most difficult territory in the United States in which to build a highway, and yet it runs on a three per cent grade from here to Pittsburgh right trough the mountains; you can drive it, as I stated the other day, in three and a half hours. Of course, the Senator from Philadelphia concerned as he is about some of his constituents in this state, ought to realize that this state extends to Ohio, that there are a lot of people between here and the Ohio line, and if we can build highways like we see and enjoy over this super highway we ought to be glad to do so.

So, Mr. President, I second the motion that this bill be returned to the Committee on Highways for amendment.

Mr. CAVALCANTE. Mr. President, I am enthused by the remarks of the gentleman from Allegheny, Mr. McGinnis that the Republican Party is decadent because they have forgotten the little man and will not do any thing for him.

It has been my good fortune to have used the Turnpike from Donegal to Middlesex every week since the first of January, and if the gentleman from Allegheny, Mr. McGinnis, who also travels from Irwin to Middlesex, had he been observant he would have easily seen that the Republican philosophy of forgetting the little man is being reversed on the Turnpike. The little man on the Turnpike is a fellow like myself and a few others, in small automobiles, Buicks, Chevrolets a little LaSalle traveling along, and you see looming down upon you one of these immense vans loaded down with tons and tons of merchandise; why whenever it approaches you or you start to pass it, as you drive alongside of the big van, you see that the little man is entirely forgotten on this turnpike. The gentleman from Allegheny who is such an ardent promoter of the turnpike should adopt his philosophy uniformly and state and confirm to us this turnpike is a turnpike for the big boys, not the little boys, and so I sort of chafe a little as a democrat at the accusation that the Democratic Party is the patron saint of the little man; we have gone over the line and we are becoming the patron saint of the big boys. Common sense and practical experience up to this time shows that the turnpike has been constructed not for the little man but it was to add an added subsidy to the big truckers of this state and other states. I also chafed a little when the gentleman from Philadelphia, Dr. Woodward, trespassed upon the copyrighted phrase, "National Defense."

Now, Mr. President, I wish he would stay out of that because that belongs exclusively to the New Dealers. It is the beginning of all things and the end of all things right now, that phrase; whenever we can find no logic and no reason to which we may attribute any of our New Deal actions national defense is the take all and the everything, so be cautious Dr. Woodward, I am very much concerned about that phrase and I would resent any disparaging of it at any time.

Mr. DENT. Mr. President, I am glad to see this bill is going back to committee and may I suggest to the committee—I do not suppose they need my vote—that if they expect to get my vote on the Senate floor for this bill they will have to amend the bill to make it mandatory upon the commission, before any construction can be started on this new turnpike, that they pay the damages for the old turnpike. We still have a great many farmers who are living as tenant farmers and their properties have been destroyed by the present Turnpike Commission in constructing the beautiful road, but a beautiful road is not much compensation to a man whose livelihood has been taken from him. They have not settled those damage cases by far and I think the Senate would be very lax in its duty to the citizens of this state if they allow the beautiful farming section of central Pennsylvania as I understand—another bill will tear it up—and also the mountainous part of western Pennsylvania, to have land taken from those citizens out there and in central Pennsylvania, without proper compensation for the damages done.

Mr. President, I think this bill, if it comes out at all, must carry with it a provision that no work be started until they have taken care of the damages on the old work that has been done.

Mr. REED. Mr. President, a great poet once said:

"A bold peasantry,
"Its country's pride,
"When once destroyed,
"Can never be supplied."

I was glad to hear the gentleman from Philadelphia, Dr. Woodward, speak on this bill and I was glad to hear the gentleman from Westmoreland, Mr. Dent, speak about the little man who is involved in this bill. It is true as he stated, that there are thousands of farmers whose lands have been taken away and who have not been compensated for the damages. Mr. President, that is very material to the people of Pennsylvania today but the good Senator from Westmoreland has described that damage in a very excellent manner and I shall pass over that to another point.

Go along that dream highway today, go along it tomorrow, go along it the next day, and as you drive along look out over the country and see the kind of roads that approach that highway or run parallel to it, which the farmers must use. A few weeks ago I remarked to a

gentleman with whom I was riding, "Look at that road going up through the farming section." Mr. President, the mud was about ten or twelve inches deep and that is the character of highways the farmers of this state must use today. How will this highway benefit the farmers? The Senator from Fayette has told who is the most deeply interested in this highway—it is those who run big trucks from Philadelphia to the west and from the west to the east, taking heavy freight that should be on the railroads, on to this highway.

I say, Mr. President, today in Pennsylvania there are 8,500 miles of country roads unimproved, leaving out the number of country roads that are yet controlled by the township supervisors, and the great state of Pennsylvania, the state that the gentleman from Allegheny says is being helped down there, as the common man is receiving no help in that particular and the farmer today must drive through mud to the market and from the market back through the mud to his home and yet we do nothing for the farmer. This highway is not for the little man; if we wanted to help the little man we would raise money to take care of some of these country mud roads he must travel over today.

Mr. President, I opposed a bill similar to this in the session of 1939; I believe the good Senator from Philadelphia and myself were the only two that voted against that bill. I am opposed to this bill because if it is voted on today I will vote against it and I will vote against it tomorrow; until something is specifically done for the farmers of Pennsylvania I shall be against this kind of legislation.

Mr. BARR. Mr. President, I do not like to prolong this debate but I must say the gentleman from Fayette, Mr. Cavalcante, and the gentleman from Washington, Mr. Reed, are great users of the Pennsylvania Turnpike because I was a victim of being splashed by them one day from head to foot.

However, Mr. President, I would also like to affirm the statement of the gentleman from Allegheny, Mr. McGinnis. Shortly after the campaign ended in Allegheny County last year the republican leaders, Mr. Malone and Mr. Harris said, "if we ever want to get back we will have to do something for the little people." My answer was that the time to think of the little people is before the election, that you cannot think of the little people after the election, after you have used the Pew and the Weir and the Mellon millions.

Mr. MUNDY. Again, Mr. President, I have listened to these orations of pride and prejudice upon the part of some members of the Senate and I say frankly that most people are very suspicious of anybody who condemns any movement in its entirety. I agree that some of us might disagree with some part of some movement but to entirely disagree with an entire movement does create suspicion.

I witnessed the tolerance of the Chair today relative to one of the speeches on the floor. Mr. President, I am going to test the tolerance of the Chair still a bit further. I want to tell the Chair a little story and the members of the Senate may listen in if they care to.

Mr. President, there was one of those buxom dowagers, one of those coupon clipping dames, who attended service on Sunday, and she was sitting up in the front row. Unfortunately she was a little deaf and just then a handsome young man came out on the pulpit in his frock coat and made quite an impression, even on this reserved, elderly lady, who turned to her banker friend, who was sitting next to her and she said, "Sir, can you tell me who this young gentleman is?" and the banker said, "Why, that is the new deacon." She says, "A new dealer," and he said, "No, no." She was trying to get it and he said, "That is the son of the bishop," and she said, "They all are."

Mr. WOODWARD. For the sake of the record, I would like to correut one bit of language on the part of the Senator from Luzerne, that people who go to church rarely refer to the front pew as the front row.

Mr. CARR. Mr. President and gentlemen of the Senate, I happened to be a neighbor of Senator McGinnis in the State of Allegheny. A number of years ago I came from Allegheny County and I might say I do not know of a better county to come from.

I have been considerably amused by the definition that has been given here today; it is something that I have been seeking for a long time, to get a real description of what the present day Democrat is, and it is rather refreshing and rather interesting to note that they themselves describe themselves as a party of little men and big business. I always knew that there were a lot of little men among them, but I did not know they confessed to that.

The biggest thing about the whole organization, as I have seen it, has not been what it has accomplished in any other line, except to roll up the biggest debt the United States of America has ever had, now totalling something like seventy billions of dollars. To my mind that is nothing about which any political organization should boast, so I am rather glad to have heard today from the lips of one of their own a description of the New Deal, which classifies it as an organization composed of little men and big debt.

Mr. SHAPIRO. Mr. President, I join with the rest of the gentlemen of the Senate in not talking about the subject matter on which we are acting and ignoring the rules of procedure. I propose also to tell a story for the benefit of the last speaker, who probably does not know the value of the New Deal, by reciting the fact that some years ago I think it was Stephen Leacock who wrote a book called "Behind the Beyond" and in that book he discussed the then prevalent psycho-analytical activities in the various communities and he suggested that there was a new method of testing people and things. He said things were not actions but reactions; he said there was no more larceny, it was merely one man's reaction for another man's money.

He spoke also of the use of these psycho-analytical tests for the purpose of procuring positions. He said it used to be customary if a man worked and wanted to get a new job he carried with him a recommendation or letter reading something like this: "The bearer of this letter has been employed by me for a number of years and I have found him to be honest, industrious, sober and an excellent worker," but now since this psycho-analyzing has become the craze it has become necessary for a man to come in to be psycho-analyzed and to come in with a certificate from an analyist experienced in that kind of work. He said

one of the large companies had twenty-eight of their salesmen psycho-analyzed and none of them passed the test and he said the company had been fooled by the fact that they had been successfully taking orders for twenty years.

Now, Mr. President, I am afraid that what has been said by the last speaker about the Democratic party puts him into that class, because the people in this country have been fooled apparently concerning the Republican party, due to the fact that for the last eight years the Democratic party has been successful, and I imagine they have been successful because they can not pass the analytical tests of the Republicans, who view them with what I call unfocused eyes. I think the gentlemen on the other side who are listening to this talk over here today are a little bit fooled by the personal opinions and desires of some of our members and really think they are serious. There is not one of the gentlemen on this side who is serious about what he has said against the Democratic party in this Senate because I think if you will look at the election nominations next year you will find those who come up for election will be running not on the Republican ticket but on the Democratic ticket and they are going to tell about the virtues of the Democratic party, but now they are merely trying to lull you into sleep, trying to make you believe that the Democratic party morale is failing, and might I add this, that the seventy billion dollar deficit that has been built up will not interest the fellow who is going to vote Democratic; it is the little fellow with the big vote who is the one that is doing the work, and do not pay too much attention to this side when they talk against the Democratic party, because they are all members of the Democratic party and they will all run on the Democratic ticket when we get through.

I suggest now, Mr. President, we act on the motion of recommitting this bill, the number of which I have forgotten, the purpose of which I do not know and the terms of which I cannot remember.

The PRESIDENT. The Chair is perfectly familiar with the fact that this discussion is out of order; on a motion to recommit it is not permissible to discuss the subject matter of the bill.

Mr. WOODWARD. Mr. President, we have been talking about a kind of dream highway, that is all.

The PRESIDENT. The question before the Senate is on the motion of the gentleman from Philadelphia, Mr. Woodward, to recommit Senate Bill No. 32 to the Committee on Highways.

On the question,

Will the Senate agree to the motion

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled, "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

On the question,

Will the Senate agree to the bill on second reading?

Mr. HENRY I. WILSON. Mr. President, I offer the following amendments.

The Clerk read the amendments, as follows:

Amend Section 1, Page 3, Line 14, by striking out the bracket before the word "occurring"; Amend Section 1, Page 3, Line 16, by striking out the bracket after the word "him"; Amend Section 1, Page 3, Line 18, by striking out the bracket before the word "with"; Amend Section 1, Page 3, Line 19, by striking out the bracket after the word "him"; Amend Section 1, Page 3, Line 22, by striking out "(b) (1)" and inserting in lieu thereof "(b1)"; Amend Section 1, Page 3, Line 22, by striking out the word "an" and inserting in lieu thereof the word "the"; Amend Section 1, Page 3, by striking out Line 23 to and including "(3)" on Line 27; Amend Section 1, Page 3, Line 27, by inserting after the word "filed" the following: "by an individual in accordance with the rules and regulations of the department and soley"; Amend Section 1, Page 3, Line 29, by adding at the end thereof the following: "and which claim is determined by the department to be valid and the claimant eligible to receive benefits for a week of total unemployment in accord with the provisions of the law, except, however that for the purposes of this subsection the waiting period of at least two weeks required by the law shall not be required to occur within the benefit year"; Amend Section 1, Page 3, by inserting immediately following Line 29 a new paragraph to read as follows: "(b2) a compensable claim means a claim filed by an individual with the department in accord with its rules and regulations in which the individual claims payment of benefits to him for a specific week of total unemployment"; Amend Section 1, Page 8, Line 17 by adding after the word "after" and before the word "for" the words "the effective date of this Act"; Amend Section 1, Page 8, Line 18, by striking out "remuneration" and inserting the word "wages"; Amend Section 1, Page 10, Lines 15 and 16 by striking out "commodity defined as an"; Amend Section 1, Page 10, Lines 16 and 17, by striking out "in section 15 (g) of the Agricultural Marketing Act as amended"; Amend Section 1, Page 18, Line 15, by striking out the partial word "per-"; Amend Section 1, Page 18, Line 16, by striking out "formed in employment as defined in this Act".

Amend Section 4, Page 25, Line 20, by inserting after the word "payable" the words "for employment as defined in this Act"; Amend Section 4, Page 26, Line 23, by inserting after "Reports by Employers" the following "Assessments"; Amend Section 4, Page 27, Line 1, by striking out the word "settle" and inserting in lieu there-

of the word "determine"; Amend Section 4, Page 27, line 16, by striking out "(a)"; Amend Section 4, Page 28, Line 6, by inserting before the word "notified" the word "being"; Amend Section 4, Page 30, Line 27, by inserting after the word "penalties" the word "is"; Amend Section 4, Page 31, Line 5, by adding after the word "paid" the following: "subject nevertheless to the order of distribution prescribed in Section 310 hereof"; Amend Section 4, Page 32, Line 5, by striking out the word "The" and inserting in lieu thereof "the"; Amend Section 4, Page 37, Line 12, by inserting after the word "wages" the following in employment as defined in this act"; Amend Section 4, Page 37, Line 24, by striking out the words "provided that such"; Amend Section 4, Page 37, by striking out all of Lines 25 and 26 to and including the word "act"; Amend Section 4, Page 40, by inserting a new paragraph between Lines 19 and 20 to read: "(e) In which the employee's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute but this disqualification shall apply only to the week in which the suspension occurred and for the two consecutive weeks of total unemployment which immediately follow such week"; Amend Section 4, Page 42, (Chart) third line of B.1. by striking out "year" and inserting in lieu thereof the word "period".

Amend Section 5, Page 44, Line 14, by striking out the word "continued" and inserting in lieu thereof "compensable"; Amend Section 5, Page 45, Line 22, by striking out the word "continued" and inserting in lieu thereof the word "compensable"; Amend Section 5, Page 45, Line 28, by striking out the words "claims for"; Amend Section 5, Page 46, Line 1, by striking out the word "compensation" and inserting in lieu thereof "original or compensable claims"; Amend Section 5, Page 44, Line 19, by striking out the word "a" and inserting in lieu thereof the word: "the"; Amend Section 5, Page 45, Line 21, by striking out the word "becomes" and inserting in lieu thereof the words: "may become"; Amend Section 5, Page 47, Line 17, by striking out the word "or" and inserting the word "and".

Mr. DENT. Mr. President, as one of the co-sponsors of this bill I believe in fairness to me if not to anyone else, I would like to have this bill go back to committee where I can follow these amendments; they were never taken up with me as one of the co-sponsors and I think it only fair as one of the co-sponsors that I should at least be told what is happening to this bill.

BILL RECOMMITTED

Mr. DENT. Therefore, Mr. President, I move that Senate Bill No. 80 be recommitted to the Committee on Workmen's Compensation for the purpose of studying the amendments offered by the gentleman from Jefferson.

Mr. COLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HENRY I. WILSON. Mr. President, I want to say this; this was what I wanted to do when the bill was up before but they were very anxious to act on the first ones, and they made a motion that the bill go over in its order and so hurried us down to the department to check on these simple errors. However, Mr. President, it is perfectly all right with me for this bill to go back to committee, but I want to say, however, before it goes back, that these amendments are just to correct and to put in proper place the amendments that we have already agreed upon. It is strictly non-controversial, and these amendments were merely prepared to straighten it out. The whole list of amendments and the bill itself may go back to committee, but the other people did not want it to go back, and I want that straight so that we all know where we are on the proposition.

They are very anxious in other matters to keep them on the calendar and to have them considered and amended on the calendar, and they are also very apt to say that the majority would want to get the bill back to committee for the purpose of defeating it, and to question the integrity and the motives of the gentlemen on this side, the same as with the others, the same as they did with the tax abatement bill, but I am very happy to have it back in committee, and I hope that we will not be charged with that motive.

The PRESIDENT. Does the gentleman from Jefferson withdraw the amendments?

Mr. HENRY I. WILSON. I will, Mr. President.

The PRESIDENT. The question is on the motion of the gentleman from Westmoreland, Mr. Dent, seconded by the gentleman from Jefferson, Mr. Henry I. Wilson, that Senate Bill No. 80 be referred to Committee on Workmen's Compensation.

On the question,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 197, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of non-payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid city and school taxes in cities of the first and second class and school districts of the first class, and on poll, poor districts, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

The first section of the bill was read as follows:

Section 1 All penalties and interest imposed on unpaid delinquent city or school taxes in cities of the first and second class and school districts of the first class and on poll poor district institution district and county taxes in counties of the second class for the tax year one thousand nine hundred and thirty-nine and all previous years and all penalties and interest imposed on such unpaid taxes for the years aforesaid assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax unless such authority rejects the provisions of this act within thirty (30) days after the effective date hereof if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of the installment system of payment provided by this act twenty per centum of the unpaid delinquent taxes due for the year one thousand nine hundred and thirty-nine and for all previous years shall be paid on or before the first day of November one thousand nine hundred and forty-one twenty per centum on or before the first day of November one thousand nine hundred and forty-two twenty per centum on or before the first day of November one thousand nine hundred and forty-three twenty per centum on or before the first day of November one thousand nine hundred and forty-four and the final twenty per centum on or before the first day of November one thousand nine hundred and forty-five Provided That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred and forty-one together with any interest and penalty due thereon shall be paid on or before the first day of November one thousand nine hundred and forty-one And provided further That the respective current taxes on such parcel or parcels of real estate levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purpose of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interests in addition to the other payment required to be paid under this act during that year which delinquent payment and said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this act If such sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 1, page 1, line 2, by striking out the following: "or school;" Amend Sec. 1, page 1, line 3, by striking out the word "and" where it appears the second time in said line, and inserting in lieu thereof: "on unpaid delinquent school taxes in;" Amend Sec. 1, page 1, line 4, by inserting after the word "on" the following: "unpaid delinquent;" Amend Sec. 1, page 2, lines 2 and 3, by striking out the following: "and all penalties and interest imposed on such unpaid taxes for the years aforesaid."

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such unpaid delinquent taxes for the year one thousand nine hundred and thirty-nine and previous years at any time on or before November first one thousand nine hundred and forty-one by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and forty one shall be required at the time of such payment

The third section of the bill was read as follows:

Section 3 This act shall be construed to apply to all such unpaid taxes whether or not liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a city or school district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a city or school district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitor's fees where liens for such taxes have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 3, page 4, line 13, by striking out the following: "a city or school district" and inserting in lieu thereof: "any taxing authority coming within the scope of this act;" amend Sec. 3, page 4, line 17, by striking out the following: "city or school district" and inserting in lieu thereof: "taxing authority coming within the scope of this act."

Mr. McGINNIS. Mr. President, I second the motion.

The fourth section of the bill was read as follows and agreed to:

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

The fifth section of the bill was read as follows:

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcel's of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate

The tax levying authorities of each of said cities or school districts shall at the cost of the city or school district cause to be published two times in not more than two newspapers of general circulation throughout the city a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such city

or school district showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 5, page 5, line 9, by inserting after the word "said" the following: "counties"; amend Sec. 5, page 5, line 10, by inserting after the word "the" where it appears the second time in said line, the following: "county"; amend Sec. 5, page 5, lines 22 and 23, by striking out the following: "city or school district" and inserting in lieu thereof: "county, city, school district, poor district or institution district Provided, however, That if at any such installment period a person desires to pay either more or less than twenty per centum of the said unpaid delinquent taxes, he shall be required, subject to the above limitations, to pay all said taxes, on such parcel or parcels of real estate levied for any one or more years, or any balance unpaid and owing for such year or years at the time of such payment: And provided further.

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to:

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred and forty-one and any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said deliquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the fourteenth day of April April one thousand nine hundred and thirty-seven (P. L. 302) the act approved the twenty-sixth day of May one thousand nine hundred and thirty-seven (P. L. 893) the act approved the twenty-fifth day of October one thousand nine hundred and thirty-eight (P. L. 84) the act proved the twenty-fifth day of October one thousand nine hundred and thirty-eight (P. L. 88) and the act approved the nineteenth day of June one thousand nine hundred and thirty-nine (P. L. 405) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act abating certain tax penalties and interest on unpaid city and school taxes in cities of the first and second class and school districts of the first class, and on poll, poor districts, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

On the question,

Will the Senate agree to the title?

Mr. FREY. Mr. President, I move to amend Title, page 1, line 1 of title, by inserting after the word "unpaid" the following: "delinquent"; amend Title, page 1, line 2 of title, by striking out the following: "and school"; amend Title, page 1, line 3 of title, by striking out the word "and" where it appears the first time in said line and inserting in lieu thereof: "on unpaid delinquent school taxes in"; amend Title, page 1, line 3 of title, by inserting after the word "on" the following: "unpaid delinquent".

Mr. McGINNIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time,

On the question,

BILLS OVER IN ORDER

Mr. KEPHART. Mr. President, I move that Senate Bill 285, Printer's No. 81, go over in its order.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. Is it the desire of the Senate to have the bill adopted on second reading as amended?

Mr. SHAPIRO. No, Mr. President.

The PRESIDENT. Amendments to the section have been adopted and also the title, but the bill on second reading as amended has not been read.

Mr. SHAPIRO. That is correct, Mr. President.

The PRESIDENT. Is it the desire of the Senate that this bill go over in order as amended?

Mr. SHAPIRO. Yes, Mr. President, before second reading.

The PRESIDENT. It is the Chair's understanding the motion is to have the bill go over in its order before second reading.

Mr. SHAPIRO. Yes, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 301, on second reading, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, reenter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

go over in its order, for the reason the sponsor of the bill is absent.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, (House Bill No. 366), entitled:

An Act to add clause seven to subsection (b) and to further amend subsection (c) of section one thousand two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth, providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts, making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 344, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways, and bridges," as amended, by making the maximum width of a public road two hundred feet.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 401, entitled:

An Act repealing and abandoning as a State highway, State highway route 15181 in Chester County; and providing for the reversion thereof to the township.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 465, entitled:

An Act authorizing the Secretary of Highways to lengthen or shorten State highway routes under certain conditions and providing for the payment of damages.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 466, entitled:

An Act to amend subdivision (b) of Section 409 and subdivision (a) of Section 411 of the act approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associatiaons, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act;

conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the Court of Common Pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by limiting the power of the commission to appropriate property for the construction, alteration, relocation or abolition of grade crossings to cases where such appropriation is not made by the Commonwealth nor any political subdivision thereof, and further limiting the power of the commission to ascertain, determine and assess property damages to those cases where property is appropriated by it for the construction, relocation or abolition of crossings.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 467, entitled:

An Act authorizing the Secretary of Highways to establish, construct and maintain parallel or approximately parallel State highways in townships, boroughs, incorporated towns and cities in certain cases; providing for the payment of property damages resulting therefrom, and authorizing the Secretary of Highways to control the direction of the flow of traffic therever.

Which was committed to the Committee on Highways.

QUESTION OF PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise to a question of personal privilege, information and interrogation.

The PRESIDENT. Which does the gentleman want first?

Mr. HALUSKA. I will take them in the order as mentioned. Mr. President, I want to mention that if the Majority Floor Leader has any other order of business, since my discussion might be somewhat lengthy, I will be glad to yield, if we are coming back later this afternoon, but if you would rather that I dispose of it now, I shall act accordingly.

Mr. EALY. Mr. President, we see no reason for having a session later in the day.

The PRESIDENT. If there is no objection, the Senator from Cambria will proceed on his question of personal privilege.

Mr. HALUSKA. Mr. President, some weeks ago I rose on the floor to speak on a question of personal privilege, and the gentleman from Allegheny, Mr. Geltz, sought the privilege of asking me to sit down because I was taking up a lot of the time of the Senate. However, he did ask me to refrain from speaking on this question until after we were through with the Calendar, and I adhered to that request.

I notice this afternoon and this morning my colleagues opening up their campaign next year both Democrats and Republicans, for the gubernatorial campaign, but unfortunately no one spoke in my behalf and so I will have to speak for myself.

Mr. President, I do have a question here that is very important, and I trust my colleagues will give me their attention, because I believe it is just as important to them as it is to me, I might say I do not want to get into your hair but we have a problem here that I think should be settled once and for all.

Mr. President, I understand this afternoon the Committee on Welfare, Public Assistance and Pensions is about to meet once more. In that committee I have a certain bill and I would like to have my colleagues on either side of the House enlighten me on the question I am about to ask, if they have knowledge of such a question.

Now, Mr. President, and gentlemen of this Senate, we have one condition that I think we should arrive at and this one is the relief responsibility to take care of any indigent persons. Throughout the Commonwealth we find that thousands upon thousands of men, sons, daughters and grandchildren are being called upon to help keep their indigent relatives.

Last night I spent probably an hour in the Senate and I found that the 1937 pamphlet laws, amended in 1939, on page 2046, read as follows:

"Section 3, Relatives Liable For Support of Indigent Persons,

"(a)" a husband, wife, child, father, mother, grandparent and grandchild of every indigent person shall if of sufficient financial ability, care for and maintain or financially assist any indigent person at such rate as the court of the county"—now get this gentlemen—"as the court of the county where such indigent person resides shall order or direct."

I wonder how many of you have read that paragraph. I happened to attend a meeting of the Committee on Welfare, Public Assistance and Pensions last week, when Doctor Bowman from the Department of Public Assistance testified, and he said that that committee has prescribed their own rules and regulations.

Now, Mr. President, I am sorry we have but a handful here and there is so little interest shown in this important problem, the great problem of relief, where we appropriate millions and millions of dollars every year, to take care of the indigent, and now when the question comes up, there is only a handful of Senators present. However, I will talk if I have to talk to myself.

I wish to know and I wish to interrogate—I see he is missing now, the gentleman from Allegheny, Mr. Geltz, is not in the Senate Chamber and if he is about I trust a page will call him so I might obtain from him this information. The gentleman from Allegheny, Mr. Walker, will take his place I presume.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me whether he has knowledge of

how the Department of Public Assistance arrived at how much a responsible relative shall pay for the aid of an indigent person in the family?

Mr. WALKER. Mr. President, I have no knowledge as to how the Department of Public Assistance arrives at the scale that they use.

Mr. HALUSKA. Mr. President, does the gentleman know that we have in certain counties of this Commonwealth young men who are making as low as fifty dollars per month and they are told by the Department of Public Assistance that they must pay over the entire amount to take care of the mother who might be on old age assistance.

Mr. WALKER. Mr. President, I know that that practice is followed. I am not certain about the fifty dollars a month, but I know the Department does follow the practice of requiring relatives or insisting upon relatives taking care of indigent persons who are applicants for relief.

Mr. HALUSKA. Mr. President, will the gentleman from Allegheny tell me then whether or not the Department of Public Assistance is inconsistent in their procedure, when the law states very specifically, and I wish to quote once again: "Husband, wife, child, father, mother, grandparent and grandchild of every indigent person shall if of sufficient financial ability, care for and maintain and finance the assistance of indigent persons at such rate as the court of the county where such indigent persons reside shall order or direct." Therefore, Mr. President, does the court have the right to stipulate the amount or does the Department of Public Assistance do that?

Mr. WALKER. Mr. President, may I say in answer to that question that I think the Department of Public Assistance is inconsistent.

Mr. HALUSKA. Mr. President, I am glad to hear that. I am glad to hear the gentleman from Allegheny say they are inconsistent, because he is a lawyer and should have knowledge of the law, I am sure.

Mr. WALKER. Of course, Mr. President, that is a rebutable presumption, as to whether or not I have a knowledge of the law and may I say in explanation that of course that answer should not bind my colleague, the very distinguished gentleman from Allegheny, Senator Geltz.

Mr. HALUSKA. Then, Mr. President, it is the thought of the gentleman from Allegheny that the Department of Public Assistance is very inconsistent in their procedure when they state that in a county a relative must pay a certain amount of money toward the aid of an indigent person in that family; is that correct?

Mr. WALKER. Mr. President, I think the Department of Public Assistance is very technical in its requirement that relatives who can contribute to indigents' support do so. There may be instances where the relatives could take care of them, and perhaps there are times when the Department of Public Assistance is correct, but in my experience the only instances that have been brought to my attention are instances where the Department is very inconsiderate of the financial condition of the relatives required to furnish that support. My sympathies are entirely with what the gentlman from Cambria is trying to perform.

Mr. HALUSKA. I thank the gentleman from Allegheny, and I should like to call upon him at some future time.

Mr. WALKER. Mr. President, any time at all that I can be of assistance to the gentleman from Cambria, I shall be only too glad to do so.

Mr. HALUSKA. Mr. President, I am glad that I have one person who is going to assist me.

Mr. WALKER. Mr. President, may I suggest to the gentleman from Cambria that he has many people who are willing to assist him.

Mr. HALUSKA. That is fine, Mr. President. Then I have hopes of getting my bill out.

Mr. WALKER. That raises another question, Mr. President, which we should not raise at this time.

Mr. HALUSKA. All right, take that off the record.

Mr. President, once again, and very, very sincerely, I am firmly decided that something must be done at this assembly to set a ceiling by this assembly to say when a person shall be responsible to assist. I have introduced on January 13th Senate Bill No. 21, which is a bill in which you will find I have set the ceiling, in which I have said that any person who makes less than one hundred dollars a month is deemed not financially able to assist any applicant within his family.

Now, Mr. President, if that is too high, if it is your thought it should be seventy-five dollars, of it should be sixty dollars, if it should be fifty dollars, let us stand up once and for all and say we shall arrive at some figure. Certainly it is our duty. This department down here is running wild, gentleman, running wild.

I have absolute proof when I say that. Back in my county an elderly man was receiving twenty-five dollars per month as a grant under old age assistance and because of the fact that his son obtained a job paying fifty dollars per month, within ten days time they informed that person that he shall no longer receive this grant, because his son was able to assist him.

Mr. President, I think it is our duty to tell the department when a son shall be called upon. I have set the figure at one hundred dollars per month. If you gentlemen think it is too high, let us make it seventy-five dollars, but let us put a ceiling on it so that this son, this daughter might be in position that he or she may have some of the great necessities of life. Under the present ruling there is no ceiling, every county has a different ruling, so I trust that this afternoon, when the Committee on Welfare, Public Assistance, and Pensions meets, they might consider this most important bill, Senate Bill No. 21, and, gentlemen, if you do not like it in its present form, amend it and bring it out, give this body an opportunity to discuss it, so when we leave here we will have some knowledge as to who is responsible to assist an indigent applicant.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 2, 1941, at 11:00 o'clock, a. m.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:38 o'clock, p. m. until Wednesday, April 2, 1941, at 11:00 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, April 1, 1941

The House met at 1:00 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

O God, our heavenly Father, we pray that through Thy Holy Spirit we may receive sufficient strength to keep us faithful in times of perplexity; that out of confusion may come renewal of confidence; and that from our renewed hope may issue a deeper and a surer faith. Help us to estimate aright our partnership with Thee and share through humble service the burden of the world's need. Hear our prayer we beseech Thee, Our Father and our God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. RUSSELL E. REESE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. STOCKHAM and YEAKEL.

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled 'An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "new member."

Referred to the Committee on State Government.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1036.

An Act to amend subsection (b) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent, the natural parent shall retain his or her status as such, and shall, for purposes of inheritance and devolution, be regarded as an adopting parent.

Referred to the Committee on Judiciary General.

By Mr. AUKER. HOUSE BILL No. 1037.

An Act to amend Sections 103, 104, to add Section 201.1 to amend Section 305, Subsections (a) (c) and (h) of Section 306, and Sections 307 and 308 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as reenacted and amended, changing the provisions of said act as to employers and employes to be effected thereby; and imposing additional penalties, and additional duties upon employers as to posting notices; changing certain legal presumptions, rules of evidence, and compensation payments.

Referred to the Committee on Workmen's Compensation.

By Mr. MODELL. HOUSE BILL No. 1038.

An Act making it unlawful for any individual, partnership, association or corporation, to carry on or conduct any business in this Commonwealth, unless there is displayed on the exterior of such establishment, the identity of the owner; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. MODELL. HOUSE BILL No. 1039.

An Act to further amend section one of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further regulating retirement allowances.

Referred to the Committee on Cities—First Class.

By Mr. VAN ALLSBURG. HOUSE BILL No. 1040.

An Act to further amend subsections (a) and (b) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the dismissal and suspension of professional employes.

Referred to the Committee on Education.

By Mr. VAN ALLSBURG. HOUSE BILL No. 1041.

An Act making an appropriation to the Department of Agriculture for use in investigating, controlling, combating and exterminating the Grape-Berry moth (Polychrosis viteana).

Referred to the Committee on Appropriations.

By Mr. JAMES. HOUSE BILL No. 1042.

An Act to amend section sixteen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," authorizing the entry of liens in the prothonotary's office for unpaid county or city and county taxes; and providing for the enforcement thereof.

Referred to the Committee on Municipal Corporations.

By Mr. McKINNEY. HOUSE BILL No. 1043.

An Act to add section six hundred ninety-three and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," imposing penalties for the throwing of refuse, garbage or trash alongside highways.

Referred to the Committee on Judiciary Special.

By Mr. CHARLES H. BRUNNER.
HOUSE BILL No. 1044.

An Act authorizing boroughs, incorporated towns and townships to appoint special police officers to serve during fires; prescribing their powers and duties; and providing for their compensation.

Referred to the Committee on Municipal Corporations.

By Mr. DALRYMPLE. HOUSE BILL No. 1045.

An Act making an appropriation to the Pennsylvania Historical Commission to complete the restoration of the Flagship Niagara, to purchase a site for its permanent location, to construct a cradle thereon, and to remove the vessel thereto.

Referred to the Committee on Appropriations.

By Mr. OWENS. HOUSE BILL No. 1046.

An Act to amend Section 233.1 of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," providing for solicitors to registers of wills.

Referred to the Committee on Counties.

By Mr. HEATHERINGTON. HOUSE BILL No. 1047.

An Act to add section one thousand one hundred fifteen to article eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

Referred to the Committee on Motor Vehicles.

By Messrs. RUSSELL E. REESE and NAGEL.
HOUSE BILL No. 1048.

An Act relating to and regulating the practice of the healing profession of chiropractic, and the licensure and registration of practitioners therein; creating a Chiropractic Board of Examination and Licensure in the Department of Public Instruction; defining its powers and duties, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. ACHTERMAN. HOUSE BILL No. 1049.

An Act creating a temporary State commission to investigate all State hospitals; conferring powers and duties on said commission; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. DiGENOVA. HOUSE BILL No. 1050.

An Act requiring cities of the first class to furnish all police officers employed by such cities, all firearms, cartridges and all other firearm accessories free of charge.

Referred to the Committee on Cities—First Class.

By Messrs. PETROSKY and LOVETT.
HOUSE BILL No. 1051.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by establishing additional routes in the City of Jeannette.

Referred to the Committee on Highways.

By Mr. POWERS. HOUSE BILL No. 1052.

An Act to add subsection thirty-one to section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for the consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State Stores and of fees; and imposing penalties," providing additional restrictions on certain types of sales.

Referred to the Committee on Liquor Control.

By Messrs. SHAW and REYNOLDS.

HOUSE BILL No. 1053.

An Act to further amend sections six hundred four and six hundred six, and to amend section six hundred seven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the licensing of operators.

Referred to the Committee on Motor Vehicles.

By Mr. RUSH. HOUSE BILL No. 1054.

An Act requiring every board of school directors, board of public education, board of trustees, or other governing body of any school, or other public institution supported in whole or in part from public funds, or granted tax exemption, to exercise exclusive supervision and control over any band, orchestra, or other musical organization maintained by such institution; authorizing the adoption of rules and regulations by such governing bodies relating to the activities of such musical organizations; prohibiting any person having charge of such musical organization from permitting any use of the equipment thereof, or any performance thereby, except in connection with some function of the institution, and prescribing penalties.

Referred to the Committee on Education.

By Mr. CHUDOFF. HOUSE BILL No. 1055.

An Act to amend section five hundred four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. (1937) 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for the cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," allowing interest on claims in certain cases.

Referred to the Committee on Labor.

By Mr. HARMUTH. HOUSE BILL No. 1056.

An Act to further amend section one of the act, approved the twelfth day of June, one thousand nine hundred and thirteen (P. L. 471), entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or of the Commissioner of Health, incurred in administering health laws in any borough or township of the first class, shall be paid," eliminating certain requirements and the necessity of certification in the appointment of health officers.

Referred to the Committee on Municipal Corporations.

By Mr. O'MULLEN. HOUSE BILL No. 1057.

An Act to add subsection thirty-one to section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts and districts attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," making it unlawful for licensees to sell or give liquor, malt or brewed beverages to uniformed police officers or privately employed uniformed police officers, guards or bank messengers publicly carrying firearms.

Referred to the Committee on Liquor Control.

By Mr. POWERS. HOUSE BILL No. 1058.

An Act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of salaried employes in borough fire departments (except volunteer departments); providing for the appointment of a Civil Service Board; defining its powers and duties; and imposing powers and duties on boroughs councils with regard thereto.

Referred to the Committee on Boroughs.

By Messrs. CHARLES H. BRUNNER and CADWALADER. HOUSE BILL No. 1059.

An Act relating to consolidations and annexations of political subdivisions under existing laws; requiring in all cases the preliminary consent of the lesser political subdivision concerned therein, and the assent of property owners in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. ACHTERMAN. HOUSE BILL No. 1060.

An Act to apportion the State into congressional districts.

Referred to the Committee on Congressional and Judicial Apportionment.

By Messrs. GALLAGHER and KOMOROFSKI.
HOUSE BILL No. 1061.

An Act providing for the creation and administration of a State Fund for the insurance of the liability of employers for injuries to employes sustained in their course of employment; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation.

Referred to the Committee on Workmen's Compensation.

By Mr. MELCHIORRE. HOUSE BILL No. 1062.

An Act making an appropriation to the Department of Forests and Waters for the proper conduct of work of the Navigation Commission for the Delaware River and its navigable tributaries.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1063.

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1064.

An Act making an appropriation to the Department of Forests and Waters for the maintenance of a National School located at the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1065.

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. MELCHIORRE and REUBEN E. COHEN.
HOUSE BILL No. 1066.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. CULLEN and MODELL.
HOUSE BILL No. 1067.

An Act making an appropriation to the Board of Trustees of the Philadelphia Commercial Museum Exhibition and Convention Halls.

Referred to the Committee on Appropriations.

By Messrs. MODELL and CULLEN.
HOUSE BILL No. 1068.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. REUBEN E. COHEN
and EDWIN F. THOMPSON. HOUSE BILL No. 1069.

An Act making an appropriation to St. Luke's and Children's Medical Center of Philadelphia for the purpose of establishing and maintaining an industrial medical laboratory and mobile laboratory in the Philadelphia industrial area.

Referred to the Committee on Appropriations.

By Mr. McLANAHAN. HOUSE BILL No. 1070.

An Act prohibiting owners of restaurants, pool rooms, bowling alleys, confectionery stores, barber shops, grocery stores or hotels from encouraging or permitting gambling; and prescribing penalties.

Referred to the Committee on Law and Order.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 1071.

An Act to further amend section sixteen of the act, approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing for the payment of costs by the Commonwealth in certain cases.

Referred to the Committee on Highways.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 1072.

An Act to amend section five hundred and nineteen of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment of the costs of viewers by the Commonwealth in certain cases.

Referred to the Committee on Counties.

By Mr. McCLANAGHAN. HOUSE BILL No. 1073.

An Act to add subsection E to section two hundred two, and to further amend sections one thousand thirteen and one thousand fourteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled 'An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," requiring domestic or foreign business corporations to transact business only under their corporate name, and imposing penalties.

Referred to the Committee on Corporations and Industry.

By Messrs. NAGEL and GATES. HOUSE BILL No. 1074.

An Act to amend section six hundred and forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 879), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting admission of children under fifteen to moving picture theatres on Sundays unless accompanied by a parent or guardian; and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. LEVY and LESKO. HOUSE BILL No. 1075.

An Act to promote equality of bargaining power between employer and employe; to diminish the causes of industrial disputes by encouraging collective bargaining; creating a Pennsylvania Labor Relations Commission; confering powers and imposing duties upon the Pennsylvania Labor Relations Commission, officers of the State Government, and courts, providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the commission to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the commission to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the commission to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the commission by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the commission with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through the application to the proper court; providing for service of papers and process of the commission; prescribing certain penalties.

Referred to the Committee on Labor.

By Messrs. GALLAGHER and KOMOROFSKI. HOUSE BILL No. 1076.

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing practice and rules of evidence; defining earning power after accident; authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; changing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act.

Referred to the Committee on Workmen's Compensation.

By Messrs. GALLAGHER and KOMOROFSKI. HOUSE BILL No. 1077.

An Act to reenact and amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining and extending the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment; modifying the procedure and determination of liability thereunder; making an additional appropriation; and prescribing penalties.

Referred to the Committee on Workmen's Compensation.

By Mr. BONEY. HOUSE BILL No. 1078.

An Act creating a revolving fund in the State Treasury for the purpose of administering Federal surplus commodities on the food stamp plan throughout the Commonwealth; conferring powers and imposing duties on the Department of Public Assistance and on local boards of assistance, providing for the payment of the cost of administering the fund out of appropriations made for administering public assistance; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. HAMILTON. HOUSE BILL No. 1079.

An Act to further amend section four, nine, and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent do-

main on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," in building electric light plants as projects; and authorizing the transfer to, and acquisition by purchase or eminent domain by Authorities.

Referred to the Committee on Workmen's Compensation.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GOODWIN. RESOLUTION No. 65.

In the House of Representatives, March 31, 1941.

Whereas, Newspapers have carried reports of diplomatic representatives of foreign countries who, while stationed in this country, are engaging in active conspiracy with saboteurs to ruin our national defense program; and

Whereas, It is impossible to properly punish such diplomatic representatives, their staffs, domestics or employes, when engaged in such insidious activity, because of the diplomatic immunity they enjoy; and

Whereas, A member of Congress from Pennsylvania has introduced a bill which would abolish the diplomatic immunity of such individuals, and make them amenable to our criminal laws, to the same extent as all our citizens now are; therefore be it

Resolved, That the House of Representatives hereby memorializes Congress to pass H. R. 3977, abolishing diplomatic immunity; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of this House to both Senators and all Congressmen from Pennsylvania.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Chair for Mr. WRIGHT for today's session

COMMUNICATION

The Speaker laid before the House a communication which was read by the Clerk as follows:

Monessen, Pa.

Hon. Elmer Kilroy,
Speaker, House of Representatives,
Harrisburg, Pa.

Dear Mr. Kilroy:

In Westmoreland County, little girls grow real fast. Here I am ten days old, and if you please, already a young lady.

I would have written you last week, but I knew that you and Mr. Moran were so busy with St. Patrick, that I would be lost in the shuffle. I want to take this means of thanking all of you for making it possible for my daddy to meet me when I arrived.

I am looking forward to the pleasure of meeting my daddy's friends when I get to Harrisburg very shortly. I want to see for myself if he is telling the truth when he says that they are the swellest bunch of fellows in the world.

My mother sends her kindest regards. So will close my first letter with oceans of love to all the nice men.

Your Newest friend,
YETTA ROCHELLE WEISS.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. The Chair requests that Members who ask for long lists of bills, please send their requests direct to Mr. Miller in the Chief Clerk's Office. This is necessary in order to expedite the work in the bill room and so as to not interfere with the picking and filing of bills on the Members' desks thereby holding up the sessions of the House. Members receiving requests by mail for bills, if they will file these requests with the Chief Clerk, he will send out the bills marked as having been sent at the request of the members.

The Chair asks the cooperation of the entire membership in giving as much time as possible to the Chief Clerk to fill these special orders for bills. Sign your requests and when asking for white bills always do so by Printer's number.

A change in the daily calendar has been made for the convenience of the Members. Bills amended either in committee or on the floor of the House, will follow in their order under the heading of "Amended Bills" on the respective readings.

REPORTS FROM COMMITTEES

Mr. MOONEY, from the Committee on Labor, reported as committed, House Bill No. 100, entitled:

An Act granting to representatives for collective bargaining designated by employes of anthracite or bituminous mines or collieries, the right to accompany mine inspectors on all tours of inspection of such mines.

Mr. MOONEY, from the Committee on Cities—First Class, reported as committed, House Bill No. 62, entitled:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

Mr. PAUL A. BRUNNER, from the Committee on Highways reported as committed, House Bill No. 646, entitled:

An act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

Mr. LOVETT, from the Committee on Liquor Control, reported as committed, House Bill No. 799, entitled:

To further amend clauses nine and ten of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by increasing the allowed value of advertising matter displayed on the inside or outside of licensed premises.

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 849, entitled:

An Act to amend the act approved the nineteenth day of July, one thousand nine hundred thirty five (P. L. 1356), entitled, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointments of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use and keeping of weighmaster's certificates; conferring powers and imposing duties upon the State, city, and county inspectors of weights and measures and the Department of Internal Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the act; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

Mr. LESKO, from the Committee on State Government, reported as committed, House Bill No. 593, entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

Mr. YESTER, from the Committee on State Government, reported as committed, House Bill No. 755, entitled:

An Act to further amend section seventeen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

Mr. EDWIN F. THOMPSON, from the Committee on Highways, reported as committed, House Bill No. 916, entitled:

An Act making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg, and for the construction of the necessary approaches thereto.

Mr. EWIN F. THOMPSON, from the Committee on Highways, reported as committed, House Bill No. 917, entitled:

An Act establishing certain public roads and streets in the borough of West Leechburg, Westmoreland County, as a state highway; providing for their construction and maintenance by the Department of Highways, and making an appropriation.

Mr. HARMUTH, from the Committee on Highways, reported as committed, House Bill No. 726, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages; and making an appropriation.

Mr. D'ORTONA, from the Committee on Liquor Control, reported as committed, House Bill No. 473, entitled:

An Act to further amend clause (i) of section two of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by changing the definition of eating place.

Mr. D'ORTONA, from the Committee on Liquor Control, reported as committed, House Bill No. 474, entitled:

An act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by changing the definition of restaurant.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 667, entitled:

An Act creating an independent board to be known as The Regulatory Board of Review; conferring powers and duties on said Board, describing procedure on appeals to said Board and to the courts of common pleas; and making an appropriation.

Mr. ROSENFELD, from the Committee on Judiciary

Special, reported as committed, House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

Mr. WOODRING, from the Committee on Judiciary Special reported as committed, House Bill No. 145, entitled:

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 316, entitled:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

Mr. MODELL, from the Committee on Cities-First Class reported as committed, House Bill No. 850, entitled:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class.

Mr. CULLEN, from the Committee on Law and Order, reported as committed, House Bill No. 510, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by changing the method whereby future referendums be initiated.

Mr. HARRIS, from the Committee on Highways, reported as committed, House Bill No. 650, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 477, entitled:

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania, to allow all employes of state penal and correctional institutions twenty-four consecutive hours of rest each week; authorizing the Department of Welfare to provide additional employes.

Mr. FRENCH, from the Committee on Highways, reported as committed, House Bill No. 648, entitled:

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, twelve hundred and seventy-eight) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" providing roads to be county roads as soon as so determined and maintenance of such roads within the limits of boroughs and cities.

Mr. KLINE, from the Committee on State Government, reported as committed, House Bill No. 505, entitled:

An Act providing for the licensing, bonding and regulation of junk dealers, and prescribing penalties.

Mr. McKINNEY, from the Committee on Judiciary General reported as committed, House Bill No. 375, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Mr. BRETHERICK, from the Committee on Judiciary General reported as committed, House Bill No. 674 (Senate Bill No. 187), entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax or the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

Mr. LEONARD, from the Committee on Labor, reported as amended, House Bill No. 590, entitled:

An Act relating to wages, regulating the time and manner of payment of wages, providing for the enforcement of wage claims, imposing certain new liabilities upon contractors, and certain duties and liabilities upon employers, and waiving certain exemptions in certain cases, and conferring certain powers and imposing certain duties on the Department of Labor and Industry, and providing penalties, and repealing existing laws.

Mr. STANK, from the Committee on Liquor Control, re-reported as committed, House Bill No. 550, entitled:

An Act to repeal the act approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

PAGES THANKED

The SPEAKER. The Chair thanks the pages for the fast work during the session.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to reenact and amend the title and the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment of milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines, and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations." by substituting the term "handler" for the term "milk dealer"; defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase by giving certain additional rights to producers' and farmers' unions or organizations producing milk; setting up a price fixing procedure; providing for the division of the Commonwealth into license districts; restricting powers of the Governor; and providing for the payment of funds in the hands of the commission owing to producers and handlers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. GOODWIN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to authorize cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEISS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "authorize" the following: "counties".

Amend Sec. 1, page 1, line 1, by inserting after the word "any" the following: "county".

Amend Sec. 1, page 2, line 5, by inserting after the word "the" the following: "county".

Amend Sec. 1, page 2, line 18, by inserting after the word "the" the following: "county".

Amend Sec. 1, page 2, line 25, by inserting after the word

"such" where it appears the second time in said line, the following: "county".

Amend Sec. 1, page 4, line 4, by inserting after the word "the" where it appears the second time in said line, the following: "county".

The amendments were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 657, entitled:

An Act to amend section one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" prohibiting the sale of striped bass or rock fish under eighteen inches in length

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 832) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the qualifications of historical societies to receive appropriations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the qualifications of historical societies to receive county appropriations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 631, entitled:

An Act authorizing courts of common pleas to stay writs of execution against sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 791, (Senate Bill No. 244), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks," by providing for the appointment of additional probate clerks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. MARKS,

The House resumed the consideration on second reading of House Bill No. 314, entitled:

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. MARKS, Mr. Speaker, I rise in defense of the Committee on Counties that reported this bill out. On February 10 I introduced this bill and it was in the Counties

Committee. On February 19 two Members from Berks County who are members of the Counties Committee failed to put in an appearance when this bill was called up in the committee meeting. The Committee called me up there on March 19 and I explained to them exactly what this bill would do. I can see no reason why Mr. Readinger would oppose this bill because in 1937 he voted to repeal this bill—

POINT OF ORDER

Mr. READINGER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. READINGER. A motion to recommit is not debatable.

The SPEAKER. The point of order is not well taken. A motion to recommit is debatable. For the information of the gentleman from Berks, Mr. Marks, he is required to confine his remarks to the motion to recommit. The merits of the bill are not debatable. The gentleman will proceed.

Mr. MARKS. After I introduced this bill, I wrote to every Member of the Counties Committee asking them to support this bill and report it out. The bill was reported out on March 19. I ask this House to vote against recommitting of this bill.

Mr. READINGER. Mr. Speaker, I ask for a division on a vote.

A division having been called for, eighty-two members having voted in the affirmative and sixty-nine in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 364, as follows:

An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" amplifying the provisions thereof as to persons entitled to such payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the termination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" is hereby amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employe" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies of the various cities boroughs incorporated towns and townships who shall be and are hereby declared to be "employes" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while performing any other duties of such companies

Section 2 This act shall become effective ten days after final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Flynn,	Lyons,	Rosenfeld,
Allmond,	Foor,	Malloy,	Royer,
Auker,	French,	Marks,	Rush,
Baker,	Gallagher,	Maxwell,	Sarge,
Balthaser,	Gates,	McClanaghan,	Sarraf,
Baugher,	Gerard,	McClester,	Scanlon,
Bentley,	Gillan,	McDermott,	Schwab,
Bentzel,	Gillette,	McDowell,	Serrill,
Boies,	Goodwin,	McFall,	Shaffer,
Boney,	Greenwood,	McGrath,	Shaw,
Boorse,	Gross,	McIntosh,	Shepard,
Bower,	Gryskewicz,	McKinney,	Simons,
Bradley,	Gyger,	McLanahan,	Snyder,
Breth,	Habbyshaw,	McLane,	Sollenberger,
Bretherick,	Haberlen,	McMillen,	Sorg,
Brown,	Haines,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hall,	Melchiorre,	Stank,
Brunner, P. A.,	Hamilton,	Mihm,	Stine,
Burns,	Hare,	Modell,	Stockham,
Burris,	Harkins,	Monks,	Tarr,
Cadwalader,	Harmuth,	Mooney,	Tate,
Chervenak,	Harris,	Moran,	Taylor,
Chudoff,	Heatherington,	Moul,	Thompson, E. F.,
Cochran,	Helm,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Hering,	Munley,	Trout,
Cohen, R. E.,	Herman,	Nagel,	Turner,
Cook,	Hersch,	Nunemacher,	Van Allsburg,
Cooper,	Hewitt,	O'Brien,	Verona,
Cordier,	Hirsch,	O'Connor,	Vincent,
Corrigan,	Holland,	O'Dare,	Vogt,
Croop,	Huntley,	O'Mullen,	Voldow,
Cullen,	Imbrie,	O'Neill,	Voorhees,
Dalrymple,	James,	Owens,	Wagner,
Dennison,	Jefferson,	Petrosky,	Watkins,
D'Ienova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Finnerty,	Lesko,	Reynolds,	Yeakel,
Fisher,	Levy,	Rhea,	Yester,
Fiss,	Leydic,	Riley,	Young,
Fleming,	Lichtenwalter,	Rooney,	Kilroy,
Fletcher,	Longo,	Rose, S.,	Speaker.
	Lovett,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 487, as follows:

An Act to add clause (1) to section four and to repeal clause (o) of section seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board by eliminating requirement that the names of general assistance recipients be made public and requiring that the names of all applicants or recipients of assistance be kept confidential

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended by adding thereto after clause (k) which was added to said section by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) a new clause to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * *

(1) To keep the names of all applicants or recipients of general and special assistance confidential

Section 2 Clause (o) of section seven of said act which was added to said section by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VANALLSBURG. Mr. Speaker I rise to say a few words in opposition to the bill before the House sponsored by the gentleman from Philadelphia, Mr. Levy.

This bill consists of two parts. In the first place it repeals paragraph "o" in section 4, which defines the powers of the County boards of public assistance. The paragraph in question which this bill seeks to repeal is as follows

"To make available for inspection and examination during office hours to any taxpayer, in such manner as the county board of assistance may prescribe, the names, addresses, amount of assistance granted to all persons then receiving general assistance."

This particular paragraph is an amendment to the Act of 1937 which was placed in the act in the last session of the legislature in 1939.

It is the intent of the program at that time to localize the administration of relief, to make local communities responsible for their duty in making contributions and to help solve the problem of relief. At that time you will remember the relief rolls were running as high as $2,000,000. a week. This is merely one paragraph among three or four words and I want to read to you very briefly, in order that you may understand fully this paragraph and the preceding ones that have reference to it, namely,

The County Board may appoint a "To appoint committees of the county board of local citizens in various communities of the county, as circumstances may require, to cooperate with the county board in (1) supplying information as to the eligibility of persons applying for assistance; (2) recommending local policies and (3) stimulating local employment."

The section (1) states:

"To encourage employable recipients of assistance to accept full or part-time employment by providing that such recipients will again be granted assistance upon the termination of such employment, if in need thereof."

Mr. LEVY. Mr. Speaker, I believe the gentleman has the right to be heard. Some of us that are interested in this bill have a right to listen. I request that the House be in order.

The SPEAKER. The gentleman is correct. The House will be in order. Members and visitors will please cease their conversation. The gentleman will proceed.

Mr. VANALLSBURG. This paragraph, Mr. Speaker, enables for example an individual living in a community, if he happens to know of a person in his community whom he believes, or hears any way, is on relief and at the same time and he knows that the person has employment and that he is working, this provision enables him to go to the county office to consult with the executive director and find out whether this person is on relief and to convey to him the information he has, that this man is working. In that way his relief is checked up and in that way he cooperates with the executive director in removing persons who are not deserving of relief.

On the other hand he may know of someone who is suffering and not properly cared for by the Department of Public Assistance, and it may be also that the visitor has not properly adjudged this person's needs, and that the person is suffering and not enjoying the privileges to which he is entitled. Then this neighbor can go around to the county board of assistance and say, "I came here to inquire about the circumstances of John Brown or Mary Jones. I understand that person is getting no relief, I came to explain to you the needs of this person."

I speak from experience when I say I have helped many persons to the full benefits of the law, who were fully en-

titled to it, but because of the misjudgment or the failure to understand the situation on the part of the visitor, these people were suffering and were not getting the full benefits of relief.

Now, friends, there have been no complaints made about this particular paragraph. For two years I have been devoting my entire time to the study of relief as a member of the Sub-committee on Relief of the Joint State Government Commission. We had eight different boards before us and not one of them made a single complaint about this particular paragraph. No county board has made a complaint to us. I personally conversed with the Secretary of Public Assistance this morning, and he says, "Van Allsburg, regarding that paragraph it is true that in the large cities where neighbors are not well acquainted with each other it is of little value, but it is of value in the other counties outside of the big cities."

To illustrate concretely the effect on the beneficiary himself, I want to say this to you, that the people who are on part time employment, for instance those who work in canning factories, who go out on the farms in the summer to work, people on relief who go out and get jobs and work three or five or six weeks and perhaps the farmer for whom they work, in sympathy with their needs, they appear to be poor, he gives them potatoes or apples or what not, depending on how generous he is. Then when pay day comes or at the close of the service they say, "Well now, Mr. VanAllsburg or Mr. Brown, please don't say anything as I am on relief."

Those are the conditions that exist. The same thing is true in other places. I would like to read for your information just a few words taken from the Public Assistance Manual of the State of New York, which says on page forty-one. "income resulting from occasional or odd jobs is difficult to verify in large urban areas; nevertheless constant effort should be made to verify the facts. In rural areas, the tendency of the community to advise public welfare officials offsets income by recipients lessons this problem.

Seasonal incomes of communities are more easily watched. Some of the seasonal income sources in any community which will require watching are: Canning, bean picking, buliding and allied trades; farm labor; summer resort concessions and allied summer employment; fishing and home industries, particularly fields in which labor may be performed or manufactured in the homes of individuals.

This is a very wise provision. It has not been abused, and I cannot see why in the world anyone would want to remove it from the present act. I can understand full well why Mr. Levy would be a party to doing it, because I recall very distinctly Mr. Levy said two years ago in speaking against my bill, and I quote from the Legislative Journal, page 2188, "The VanAllsburg bill attempts to starve out millions of people in Pennsylvania," and then again on page 2199 the gentleman from Philadelphia said, now, get this please, every Member of the House, because I would like you to hear it, "I ask every member of the House to insert amendments in the bill the VanAllsburg bill) so as to take away the power from the county boards to say who shall get assistance and who shall not."

Can we conceive of such a highly centralized system of relief as the gentleman from Philadelphia advocates? The amendments he is submitting to the bill read as follows, carrying out that same idea that he expressed two years ago:

> "The Department of Public Assistance shall have the power to keep the names of all applicants or recipients of general and special assistance confidential."

It will keep the whole matter of who is on the relief roll a secret. If that isn't playing into the hands of the professional social worker and the bureaucracy we know they would like to establish, then I want to know. It seems the provision we have here, is a pretense to comply with the request of the Federal Social Security Board. That request is complied with in the bill I introduced, but my bill lies in committee and this bill has been reported out. It does not meet the requirements of the Federal Social Security Board relating to special assistance.

I repeat in closing there is no need of talking very long on this bill. I repeat, this law has not embarrassed anyone and it has been very beneficial to see that people who need relief, if there is reason to believe they are not getting it, should get it and have the full benefit of the law. On the other hand cooperate with the county board in a friendly way to remove people who are not entitled to relief.

Mr. LEVY. Mr. Speaker, I rise to ask the House to support House Bill 437 as introduced and subsequently amended in committee or on the floor of this House. I might say in answer to the gentleman from Erie, that he probably gave the House the wrong impression when he said he also introduced a bill but his bill lies in committee while Mr. Levy's bill has been reported out. I might call to the attention of Mr. VanAllsburg and to the members of the House, that Mr. Levy introduced his bill on February 18, 1941. Mr. VanAllsburg introduced his bill on March 18, 1941, so that on the surface apparently the committee did not show preference in dealing with these bills, because as I recall it, my bill was reported out of Committee before Mr. VanAllsburg's bill was ever introduced.

I want to say to the Members of the House, and particularly the Republican members, that if the gentleman from Erie has decided to make this a party measure, his challenge is very willingly accepted. It is true that in 1939 the Democratic Party opposed the amendments introduced by the gentleman from Erie to the 1937 act and I think the story will probably be left with the people rather than with the Members of the Assembly. I only want to say to the membership of this House, and particularly to the Republican membership, that the disclosure of confidential information in regards to assistance is probably not so much the business of the Democratic membership of this House, but a long time ago in answer to a request by the President of the United States to the Chairman of the Social Security Board in Washington, and the letter was dated December 30, 1938, the Chairman of that respective board reported to the President, as per the desire of Congress on the status of the various provisions in the Social Security Act and requested the Chairman of the Social Security Board to suggest to the Ways and Means Committee of the House of Representatives in Washington what steps should be taken to improve the setup federally and in relation also to the various States. I might say to the members of this House that in that report to the President of the United States, the

chairman of the committee Mr. Altmeyer, along with the members of its Federal Agency had this to say, regarding confidential information, and I quote from the hearings held in Washington before the Committee on Ways and Means in the 76th Congress, first volume, page 16:

> "The Board recommends that State Public Assistance plans be required as one of the conditions for the receipt of Federal grants and to include reasonable regulations governing the custody and use of its records designed to protect their confidential character. The Board believes that such a provision is necessary for efficient administration and that it is also essential in order to protect beneficiaries against humiliation and exploitation."

Mind you humiliation and exploitation, such as resulted in some states where the public has had unrestricted access to official records. The Board's recommendation follows:

> "Efficient administration depends to a great extent upon enlisting the full cooperation of both applicants and other persons who are interviewed in relation to the establishment of eligibility for assistance. This cooperation can only be assured if there is the complete confidence that the information obtained will not be used in any way to embarrass the individual or jeopardize his interests. Similar considerations are involved in safeguarding the names and addresses of recipients and the amounts of assistance they receive. Experience has proved that publication of this information does not serve the avowed purpose of deterring ineligible persons from applying for assistance. The public interest is amply safeguarded if this information is available to official body."

Mr. Speaker, House Bill 487 does nothing more nor less than bring the State Public Assistance Act into conformity with the request of the Federal Social Security Board. We go one step further in that we of the Democratic Party request this Legislature to write into the law the fact that general assistance be governed by the same principles as special assistance.

I wonder if the gentleman from Erie can distinguish between general and special assistance when it comes to the publication of names. I have the greatest regard for the opinions of the gentleman and I know that every time he opposes or favors a certain piece of legislation he does so, and I have told him so in private conversation, believing that what he believes is the right thing to do, but I would say to him and also say to every Republican member on the other side of the House, what difference is there between the publication of special assistance names and the publication of general assistance names.

The underlying principal of section "O" of the 1939 ac' if Mr. VanAllsburg will read his journal more thoroughly, was advocated by him and the other members on the other side of the House when they said "This is a fine opportunity to stop chiseling on relief." I remember quite vividly those very words. I want to say to the gentleman from Erie as a member of the Joint State Government Commission, if that was the purpose of disclosing names of this confidental nature, then why did his committee report to this House that today in Pennsylvania the condition exists that sixteen to seventeen percent of chiseling still exists on general assistance rolls. If the purpose of the 1939 session in writing this amendment to the Assistance Act was to prevent chiseling, and if we are to believe the report of the Joint State Government Commission, then I say to the gentleman from Erie his amendment has failed to materialize as he said it would. I would say to the Republican membership that if this disclosure of names has not stopped chiseling, then what purpose as an act has it served. The minority floor leader has told me in private conversation that he did not know of many cases where requests had been made to the department for a confidental list. Then I say to the gentlemen on the other side, why the necessity of having it in the 1939 act. I say to you men of the House, if we are going to do the humane thing, the proper thing, if we are going to write into this 1937 law what is supposed to be written into it, you will gladly and willingly vote for House Bill 487 and bring it into conformity with the Federal Social Security act.

Mr. WOODSIDE. Mr. Speaker, I think this bill should be defeated because in principle it is wrong. I don't know of another single instance—there may be, but I don't know of any—that the government, where money is extensively spent has not the right to know to whom it is given, and is consistently denied to the public. The Governor's salary is a matter of public record; the judges' salaries are a matter of public record; the salaries of the members of the Legislature are a matter of public record; the salaries of the officials of the Legislature, down to the Page boys are matters of public record; the salaries of all the state employes are a matter of public record; the salaries of all county officials and all county employes, the salaries of all federal and municipal officials and every employe wherever the government spends public money is a matter of public record as to who gets it and as to how much is being spent.

Why should we think about this particular instance and say this is a matter that shall not be made public, specifically, by law. I cannot see any real reason.

Let us take another instance. You people have gone so far as to say that the names of people who are exonerated from the payment of taxes may be made public and they are published in the newspapers. I believe the law requires in some instances advertising in the papers by the municipalities. If all those matters can be made matters of public record I can see no reason why we should specifically forbid the public to know who is on relief and who is not.

The gentleman read a rather extensive report. I think there ought to be some rule or regulation of the board as to what information can be made public, but it is not the desire of anybody to make public all the information that can be gathered by the board, such as what each member of the family is making and a whole lot of other confidential information that can be covered by the visitor. That is not now required by the act or the provision of the law. The question is, permission to make public under proper circumstances and under the rules and regulations adopted by the board, the information as to who is receiving relief, and I do not think there is any objection that can be made to that proposition.

There is no very great use made of it, and as far as I can determine there has been no abuse of the privilege whatsoever. The question has been raised as to the Federal Government and what is required. I think it is a very unfortunate circumstance that the Federal Government is more and more laying down rules and regulations so that government is being centralized more and more people in the totalitarian states, little by little they are being taken away from the people of Pennsylvania, in

exactly the same manner they were taken away from the people in the totalitarian states. little by little they are being centralized into one power. We must submit because if we do not, we do not get enough money to feed our people and therefore, we must comply with the rules and regulations that are made. If the Federal Government insists, no matter how wrong they may be in our opinion, we cannot make public any information as to those on special assistance, but of course we would not have to comply on general assistance, since the Federal Government gives us no money whatever to help us take care of those on general assistance.

It seems to me a matter of principle that has been adopted in government for many many years, and has been adopted in many of the other states, that there is no reason why those people on general assistance should feel that they are entitled to keep the information secret and prevent the public from knowing, not all the confidential information that the investigator has gotten on the subject, but to keep from the public the fact that they are on relief.

I have carefully gone into this bill, and it occurred to me during the debate, I am not sure but that under this amendment even official bodies are in many instances forbidden under this amendment to obtain information which they certainly, and the gentleman has agreed, they are entitled to. I may not be strictly accurate in all instances,—there may be some instances in which they can,—but I believe there are a number of instances where official bodies are forbidden under this amendment the right to receive the information which they ought to have in connection with the people on general assistance.

Mr. LEVY. Mr. Speaker, I do not want to prolong this debate. I merely want to answer two questions raised by the gentleman from Dauphin and the gentleman from Erie.

Mr. Woodside asked the House, and logically so, what other Bureaus held their information confidential. I might inform the gentleman from Dauphin that official records are not disclosed and the rules applying to them are in vogue in old age assistance, survivors insurance, the United States Census Bureau and the United States Veterans Administration and incidentally, the rule in vogue in the United States Veterans Administration Bureau is also in the State set-up and is in vogue by the State itself. I would say to the gentleman from Dauphin that there is nothing new about non-disclosure of confidential information. We have in State matters had the customary policy of the same confidence entrusted in records as that of a patient to his physician, as a lawyer to his clients, as the records of the Department of Public Welfare to the State Department of Public Health. I would say in answer to the gentleman from Dauphin that certainly there is nothing more serious in all these bureaus under the State and Federal set-up that there might not be incurred in the State Department of Public Assistance.

I want to say to the gentleman from Erie, if that is what he says he is trying to correct, then I say to him the answer lies not with the disclosure of public records, but the answer probably lies with the Administration of Public Assistance in Pennsylvania. When the gentleman from Erie has seen fit to read from the New York Department of Public Assistance Manual, he might also have found out that in New York the visitors assigned to relief work are given a case load of from fifty to sixty cases, and in Pennsylvania, very surprisingly, the load per visitor is from one hundred and seventy-five to two hundred, if the Governor of the Commonwealth, were true to his own conviction, he would see to it that he brought before this House a proper appropriation bill for the Department of Public Assistance so that the relief load might be decreased rather than increased. I would say to the gentleman then that probably the reason for this deficiency is because of mal-administration in the Department of Public Assistance rather than in the bill that is brought before the House this afternoon.

Mr. DIX. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. Mr. Speaker, I shall.

Mr. DIX. Mr. Speaker, I would like to ask the gentleman from Philadelphia if he were contributing to the support of some individual in his community, would he have the right to know who that person was.

Mr. LEVY. In answer to the gentleman from Wayne, Mr. Speaker, I would say that if I were directly contributing to the support of an individual in my district I would certainly know who he might be, but certainly in answer to the gentleman from Wayne, it would not be very ethical or gentlemanly to broadcast that fact.

Mr. DIX. Mr. Speaker, I did not ask that question. I asked that if he were supporting or contributing to the support of someone in his community or neighborhood, would he have the right to know who that persosn was. Will he answer me yes or no?

Mr. LEVY. Mr. Speaker, in answer to the gentleman—

Mr. DIX. Mr. Speaker, he is an attorney and is accustomed to questioning witnesses and I ask that he answer yes or no.

Mr. LEVY. Mr. Speaker, to the attorney from Wayne, permit me to answer him in this manner: if he is referring to the contributions made to recipients on relief, then I wish him to so state it emphatically. If he is not, then let him divulge the name of the person to whom I am contributing. It may be something new to me and to the other members of the House who are not so fortunate financially.

Mr. DIX. Mr. Speaker, it is very evident that the gentleman does not want to answer my question. I submit to you that any taxpayer has the right to know where his tax is going and to whom it goes. I think that rule is as old as the centuries and if you make contributions to anyone whether it is a church, or an individual or whether it is the Government, you have a right to know where those contributions go. This bill will prevent people from having the right to know who the recipients of relief are. The purpose of this bill, as I understand it, is not to hold up to ridicule or scorn or permit people to pry into other person's affairs. It is merely for the purpose of protecting the public. As a newspaper man I believe in publicity and the more publicity the better, I know there are certain gentlemen on the other side of the House who believe in doing things in the dark, who believe in doing things behind closed doors, and who

believe in going down in cellars and fighting it out. On the other hand I believe that publicity is the cure for a great many of our public evils and there is no reason in the world why any recipient of relief should object to having his name made known to some body of taxpayers.

I know very well that if I were on relief, getting fifteen or twenty dollars a week, I would not only be glad to have that known, but I would be glad to have it published in the newspapers.

Mr. Speaker, the floor leader, Mr. Woodside covered most of the things that I would like to say. I do say this however as a newspaper reporter, or as a taxpayer, you could go into your county seats and you can find out how many sales have been made, you can find out their appraisement, you can find out how much tax has been paid and you can find out who holds a judgment note. Now if these things are open to the public, and they certainly are, there is no reason why persons receiving relief should object to a taxpayer's having access to his records.

I would like to further interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, I would like to make one more try at getting this answer.

I asked the gentleman whether he thought he had the right to know who was receiving contributions from him in case he was contributing to someone's support? I would like to have an answer to that question.

Mr. LEVY. Mr. Speaker, I want to be fair about it, but the gentleman asks me a question that is parallel to the fellow that runs over to your office and says suddenly have you stopped beating your wife?" I mean he is indefinite. I want to say to the gentleman from Wayne in all seriousness if he is going to ask a question, will he define what he means by contributing to someone's support. If he is going to ask whether I, as a taxpayer am contributing to people on relief then I will answer the question, but if he is going to make it vague and indefinite, I in all honesty cannot answer it.

Mr. DIX. Mr. Speaker, I do not mean people coming into his office. What I was going to ask him was inasmuch as he is a taxpayer and he contributes to relief then I ask, has he a right to that information?

Mr. LEVY. No, Mr. Speaker, I would say I have not.

Mr. DIX. I am glad to know that.

Mr. SAMUEL ROSE. Mr. Speaker, I would like to state for the information of the gentleman from Wayne that the Republican Party has been in the dark for the past ten years and is still groping around there.

Mr. TURNER. Mr. Speaker, the Republican Party may at times have been in the dark but at least it knows how to throw light on dark places which is a great deal more than we can say for some of our friends in this House. I hope the gallery didn't get an idea, as far as the gentleman from Philadelphia, Mr. Levy, is concerned that the gentleman from Wayne, Mr. DIX, had any suspicion as to whom Mr. Levy was supporting in the dark. I will rise to the defense, never having had that privilege before, of Mr. Levy insofar as his integrity and the propriety of his conduct is concerned on the floor of this House. I understand each week he goes home and it is a question there, but not on the floor of the House.

Mr. Speaker, this is quite a famous day. I have not received a message that the Governor wanted to see me, nor that the Senate was waiting for me to address them, but it happens to be April Fool's Day. I am wondering whether this bill which the gentleman from Philadelphia has offered is not somewhat of an April Fool joke. I rather smell some thing—and I don't want somebody to get up and criticise me for smelling something in this bill —but I rather smell something about it that does not appear in the ordinary print of this bill, nor is it exactly in the Printers ink.

The Joint State Government Commission made some investigation and found some very interesting results. I am convinced from reading this bill, as the gentleman from Dauphin stated, if this bill is enacted and becomes effective the Joint State Government Commission would not have the right to secure lists of names from any of the assistance boards.

During the time we were making our investigations of relief we came into a period when employment in Pennsylvania seemed very distinctly on the rise, and very suddenly we found that the relief rolls were on the rise also. We became curious as to how that could happen. We got a list of those who were put on relief in the preceding two weeks, and we gave them to certain members—we got a list of those counties where certain members of the Commission resided and we gave them to the Members of the Commission and asked them to make some little investigation. We got some information and some very startling results from those little investigations made by the members of the Commission in their own counties where they were able to get down to brass tacks and find out from their own knowledge of these people or from conditions in the neighborhood just what happened. We had a sneaking suspicion, and I had a conviction, that some of the people in the assistance department in the state were trying to boost the relief rolls a little bit to take care of the depletion that was happening because of the excess of unemployment in Pennsylvania.

Since the Joint State Government Commission's report has been filed we have received from time to time, from different county boards and from different groups, criticism of that report. I would like to say that most of it has been in commendation, but it is very interesting to note that the committee's report in almost all instances where it was criticized, the most violent criticism was heaped upon the attack on the visitor's qualifications and upon the question of chiseling. Therefore, I am wondering whether there isn't some one, or some group, in the background that has instigated this bill, in the belief that in the future they will want that power and will not want the legislature or any other group to seek to investigate the relief rolls. There is no reason why anybody should be alarmed about this power of the board to make known the names of those on relief. They can set up their own rules and regulations. I believe we all have confidence, certainly in the administration of the trained social workers, that they are going to protect those lists in every way from improper use, but there does come a time when it is essential for parties investigating relief and others to know who are on relief.

I am wondering if the Auditor General who conducts extensive investigations throughout this state from time to time, and sends representatives into the counties to make

investigations, would be able to do that under such a provision in this bill. I therefore feel that it is against public policy, and it is an unsafe procedure to place upon the statute books a law that would deny that right to the board, and to deny that right to the Department of Public Assistance, to make the names known of those on relief.

Mr. ACHTERMAN. Mr. Speaker, I differ with the gentleman from Delaware Mr. Turner, in his interpretation of this particular bill now before the House. I do not agree with him in the thought that the Joint State Government Commission or this Assembly or this Legislature would not have the power to demand and receive from the Department of Public Assistance the names of the recipients who are receiving alms, shall we say. from this Commonwealth. It is an inherent right of the parent government to know where and how its money is being spent, but not that the general public,—and when I speak of the general public I mean citizens or small groups of citizens constituting the general public, should ask who is receiving relief. I think it is fit and proper that that information should not become property, for general publicity. Certainly the information can be demanded by an organization or any Commission that has been or may be set up in the future by this Legislature, and I am saying to the gentleman from Delaware, Mr. Turner, that certainly he is groping in the dark when he infers that this government may not then learn what it is doing with its money after it passes this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—112.

Achterman,	Gerard,	McDermott,	Reynolds,
Allmond,	Goodwin,	McFall,	Rooney,
Baker,	Gryskewicz,	McIntosh,	Rose, S.,
Balthaser,	Haberlen,	McLanahan,	Rosenfeld,
Baugher,	Hamilton,	McLane,	Sarraf,
Bentzel,	Harkins,	Melchiorre,	Scanlon,
Boles,	Harmuth,	Mihm,	Schwab,
Boney,	Harris,	Modell,	Shaffer,
Bradley,	Heatherington,	Monks,	Shaw,
Breth,	Hering,	Mooney,	Stank,
Brown,	Herman,	Moran,	Stine,
Brunner, P A	Hersch,	Moul,	Tarr,
Burns,	Hirsch,	Munley,	Tate,
Chervenak,	Holland,	Nagel,	Thompson, E. F.,
Chudoff,	Jefferson,	O'Brien,	Verona,
Cohen, M. M.,	Keenan,	O'Connor,	Vincent,
Cohen, R. E.,	Kenehan,	O'Mullen,	Vogt,
Croop,	Kline,	O'Neill,	Voldow,
DiGenova,	Kolankiewicz,	Owens,	Weiss,
Dolon,	Komorofski,	Petrosky,	Welsh, E. B.,
D'Ortona,	Leonard,	Pettit,	Welsh, M. J.,
Early,	Lesko,	Polaski,	Williams,
Elliott,	Levy,	Polen,	Wolf,
Falkenstein,	Longo,	Powers,	Woodring,
Finestone,	Lovett,	Prosen,	Wright,
Finnerty,	Malloy,	Rausch,	Yester,
Flynn,	Marks,	Readinger,	Young,
Gallagher,	Maxwell,	Reese, R. E.,	Kilroy, Speaker
	McClanaghan,		

NAYS—71.

Auker,	Greenwood,	McClester,	Sorg,
Boorse,	Gross,	McDowell,	Stambaugh,
Bower,	Gyger,	McKinney,	Stockham,
Bretherick,	Habbyshaw,	McMillen,	Taylor,
Brunner, C. H.,	Haines,	Muir,	Thompson, R. L.,
Cadwalader,	Hare,	O'Dare,	Trout,
Cook,	Helm,	Rank,	Turner,
Cooper,	Hewitt,	Reagan,	Van Allsburg,
Cordier,	Huntley,	Reese, D. P.,	Voorhees,
Dennison,	Imbrie,	Rhea,	Wagner,
Elder,	James,	Riley,	Watkins,
Fiss,	Jones, G. E.,	Rose, W. E.,	Weingartner,
Fleming,	Knoble,	Royer,	Winner,
Fletcher,	Krise,	Sarge,	Wood, L. H.,
Foor,	Lee, E. A.,	Serrill,	Wood, N.,
Gates,	Leisey,	Simons,	Woodside,
Gillan,	Leydic,	Snyder,	Yeakel,
Gillette,	Lyons,	Sollenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, as follows:

An Act to further amend sections 402 411 703 704 705 and 903 and to repeal section 706 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encombrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the registration and fixing registration fees of commercial motor vehicles truck tractors trailers and semi-trailers according to gross weight fixing the maximum gross weight of such vehicles which may be used and operated on the highways and eliminating existing provisions relating to the chassis of such vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the definition of the word "chassis" in section 102 of the act approved May first one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing

for refunds" as last amended by the act approved June twenty-seventh one thousand nine hundred and thirty-nine (P. L. 1135) which reads as follows

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to the wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

Be and the same is hereby repealed

Section 2 That section 402 of said act as amended by the acts approved June twenty-second one thousand nine hundred and thirty-one (P. L. 751) and July nineteenth one thousand nine hundred and thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 402 Application for Registration (a) Application for the registration of a motor vehicle trailer or semi-trailer shall be made to the department upon a form furnished by the department The application shall contain the full name and the actual or bona fide address of the owner or owners together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of commercial motor vehicles the gross weight [of the chassis] as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross [maximum] weight [of chassis battery body and load] as given and certified to by the manufacturer and in the case of trailers and semi-trailers the [combined weight of the chassis and body if so constructed or the] gross weight of the trailer or semi-trailer [exclusive of the load to be transported] as certified to by the manufacturer and also such description of the motor vehicles trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by said corporation copartnership or association to sign the same and shall be accompanied by the fee provided in this act

(b) Applicants for registration who are not residents of this Commonwealth shall by their application in addition to the above requirements designate the secretary as their authorized agent upon whom process may be served

(c) Annual renewals of the registration of a motor vehicle shall be made in such manner as the department may require upon a form furnished by the department accompanied by the fee provided in this act The department shall mail such forms to the last address of the owner as it appears on the department records

Provided That annual renewal forms will not be mailed to owners of motor vehicles not registered by such owners during the previous year Such renewal forms may however be obtained upon presentation of certificate of title or such other information as the secretary may deem satisfactory

Section 3 That section 411 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 411 Transfer Of Registration (a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the Department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight [of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross [maximum] weight [of chassis battery body and load] as given and certified to by the manufacturer and in the case of trailers and semi-trailers the [combined weight of the chassis and body] gross weight as certified to by the manufacturer and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation co-partnership or association by an executive officer thereof or some person specifically authorized by the said corporation co-partnership or association to sign the same

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification Immediately upon receipt of such transfer registration card the owner shall return to the department the original registration card unless such card has been lost or destroyed

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to April [January] first of such succeeding year the transfer fee provided in this act shall not be required

Penalty Any person violating any of the provisions of subsections (b) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 That section 703 of said act as last amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

[Section 703 Commercial Motor Vehicles And Truck Tractors With Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on] [the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds	Fee
R	Less than 2000	$ 16.50
S	2000 and over but less than 3000	26.00
T	3000 and over but less than 4000	35.00
U	4000 and over but less than 5000	45.00
V	5000 and over but less than 6000	63.00
W	6000 and over but less than 7500	90.00
Y	7500 and over but less than 9000	110.00
Z	9000 and over	155.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds	Fee
RZ	2000 and over but less than 3000	$ 40.00
SZ	3000 and over but less than 4000	50.00
TZ	4000 and over but less than 5000	60.00
UZ	5000 and over but less than 6000	90.00
VZ	6000 and over but less than 7500	155.00
WZ	7500 and over but less than 9000	175.00
YZ	9000 and over but less than 12000	200.00
ZZ	12000 and over	225.00

Section 703 Commercial Motor Vehicles and Truck Tractors Commercial motor vehicles and truck tractors shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross weight as given and certified to by the manufacturer shall be as follows

Class	Gross Weight In Pounds	Fee Pneu Tires	Cushion Tires	Solid Tires
Two Axle				
R	Less than 5001	$ 16.00	$ 21.00	$ 27.00
S	5001 and over but less than 7001	23.00	28.00	40.00
T	7001 and over but less than 11,001	35.00	44.00	60.00
U	11,001 and over but less than 15,001	45.00	60.00	76.00
V	15,001 and over but less than 19,001	70.00	92.00	120.00
W	19,001 and over but less than 23,001	93.00	124.00	160.00
Y	23,001 and over but less than 27,001	120.00	156.00	204.00
Z	27,001 and over but less than 30,001	175.00	228.00	296.00
Three Axle				
RZ	Less than 12,001	40.00	52.00	68.00
SZ	12,001 and over but less than 16,001	52.00	63.00	88.00
TZ	16,001 and over but less than 20,001	72.00	92.00	120.00
UZ	20,001 and over but less than 24,001	104.00	136.00	176.00
VZ	24,001 and over but less than 28,001	136.00	176.00	232.00
WZ	28,001 and over but less than 32,001	168.00	216.00	284.00
YZ	32,001 and over but less than 36,001	200.00	260.00	340.00
ZZ	36,001 and over but less than 40,001	232.00	300.00	392.00

Section 5 That section 704 of said act as amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

[Section 704 Commercial Motor Vehicles And Truck Tractors with solid rubber or cushion rubber tires Commercial motor vehicles and truck tractors with solid rubber or cushion tires approved by the Secretary [of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds (Solid Rubber Tires)	Fee
R	Less than 2000	$ 23.00
S	2000 and over but less than 3000	45.00
T	3000 and over but less than 4000	60.00
U	4000 and over but less than 5000	75.00
V	5000 and over but less than 6000	105.00
W	6000 and over but less than 7500	150.00
Y	7500 and over but less than 9000	190.00
Z	9000 and over	300.00
Six-Wheeled (3 Axles)		
RZ	2000 and over but less than 3000	65.00
SZ	3000 and over but less than 4000	75.00
TZ	4000 and over but less than 5000	90.00
UZ	5000 and over but less than 6000	150.00
VZ	6000 and over but less than 7500	275.00
WZ	7500 and over but less than 9000	300.00
YZ	9000 and over but less than 12000	325.00
ZZ	12000 and over	350.00

Four-Wheeled

Class	Chassis Weight in Pounds (Cushion Rubber Tires)	Fee
R	Less than 2000	$25.00
S	2000 and over but less than 3000	35.00
T	3000 and over but less than 4000	50.00
U	4000 and over but less than 5000	60.00
V	5000 and over but less than 6000	85.00
W	6000 and over but less than 7500	125.00
Y	7500 and over but less than 9000	150.00
Z	9000 and over	200.00
Six-Wheeled (3 Axles)		
RZ	2000 and over but less than 3000	$55.00
SZ	3000 and over but less than 4000	65.00
TZ	4000 and over but less than 5000	70.00
UZ	5000 and over but less than 6000	125.00
VZ	6000 and over but less than 7500	200.00
WZ	7500 and over but less than 9000	225.00
YZ	9000 and over but less than 12000	250.00
ZZ	12000 and over	275.00

Section 704 Trailers and Semi-Trailers Trailers and Semi-Trailers shall be divided into classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross weight as given and certified to by the manufacturer shall be as follows

Class	Gross Weight in Pounds	Pneu Tires	Cushion Tires	Solid Tires
One Axle Semi-Trailer				
A	Less than 3001	$5.00	$6.00	$8.00
B	3001 and over but less than 6001	8.00	10.00	15.00
C	6001 and over but less than 10,001	15.00	20.00	25.00
D	10,001 and over but less than 12,001	25.00	30.00	35.00
E	12,001 and over but less than 14,001	30.00	40.00	50.00
F	14,001 and over but less than 16,001	45.00	60.00	75.00
G	16,001 and over but less than 18,001	75.00	85.00	100.00
H	18,001 and over but less than 22,401	100.00	125.00	150.00
Two Axle Trailer or Semi-Trailer				
A	Less than 3001	$5.00	$6.00	$8.00
B	3001 and over but less than 6001	8.00	10.00	15.00
C	6001 and over but less than 10,001	15.00	20.00	25.00
D	10,001 and over but less than 16,001	25.00	30.00	35.00
E	16,001 and over but less than 20,001	30.00	40.00	50.00
F	20,001 and over but less than 24,001	45.00	60.00	75.00
G	24,001 and over but less than 26,001	75.00	85.00	100.00
Three Axle Trailer				
AZ	Less than 12,001	40.00	45.00	50.00
BZ	12,001 and over but less than 15,001	45.00	50.00	60.00
CZ	15,001 and over but less than 20,001	50.00	60.00	70.00
DZ	20,001 and over but less than 26,001	60.00	75.00	90.00
EZ	26,001 and over but less than 30,001	75.00	100.00	125.00
FZ	30,001 and over but less than 34,001	85.00	110.00	135.00
GZ	34,001 and over but less than 38,001	100.00	125.00	150.00

Section 6 That section 705 of said act as amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 705 Electrically Operated Commercial Motor Vehicles and Truck Tractors Electrically operated commercial motor vehicles and truck tractors shall be divided into (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Weight of Chassis Battery Body and Load in Pounds	Fee
R	Less than 5001	$16.00

S	5001 and over but less than 7001	26.00
T	7001 and over but less than 11001	35.00
U	11001 and over but less than 15001	45.00
V	15001 and over but less than 18001	63.00
W	18001 and over but less than 22001	90.00
Y	22001 and over but less than 25001	110.00
Z	25001 and over but less than 26000	155.00

Six-Wheeled (3 Axles)

RZ	Less than 12001	$40.00
SZ	12001 and over but less than 14001	50.00
TZ	14001 and over but less than 16001	60.00
UZ	16001 and over but less than 22001	90.00
VZ	22001 and over but less than 26001	155.00
WZ	26001 and over but less than 30001	175.00
YZ	30001 and over but less than 34001	200.00
ZZ	34001 and over but less than 36000	225.00

Section 705 Registration of Certain Vehicles Heretofore registered Commercial motor vehicles truck tractors trailers and semi-trailers which were registered in this state or elsewhere on January 1, 1942 shall continue to be registered in the same registration class as heretofore or be first registered in this state in said class and such vehicles shall be governed as to gross weight by the provisions of this act applicable to said class without the gross weight therefor having been certified to by the manufacturer Provided however that in those cases where a commercial motor vehicle has been titled or registered anywhere prior to January 1, 1942 as a passenger vehicle that its registration hereafter shall be on the same basis as vehicles registered as commercial vehicles prior to January 1, 1942

Section 7 That section 903 of said act as amended by the acts of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) and June twenty-ninth one thousand nine hundred and thirty-seven (P. L. 2329) and June twenty-seventh one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 903 Weight of Vehicles And Loads (a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles)

Class	Chassis Weight in Pounds	Maximum Gross Weight In Pounds
R	Less than 2000	5000
S	2000 and over but less than 3000	7000
T	3000 and over but less than 4000	11000
U	4000 and over but less than 5000	15000
V	5000 and over but less than 6000	18000
W	6000 and over but less than 7500	22000
Y	7500 and over but less than 9000	25000
Z	9000 and over	26000

Six-Wheeled (3 Axles)

RZ	2000 and over but less than 3000	12000
SZ	3000 and over but less than 4000	14000
TZ	4000 and over but less than 5000	16000
UZ	5000 and over but less than 6000	22000
VZ	6000 and over but less than 7500	26000
WZ	7500 and over but less than 9000	30000
YZ	9000 and over but less than 12000	34000
ZZ	12000 and over	36000

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows:

Four-Wheeled (2 Axles)

Class	Maximum Gross Weight in Pounds
R	5000
S	7000
T	11000
U	15000
V	18000
W	22000
Y	25000
Z	26000

Six-Wheeled (3 Axles)

RZ	12000
SZ	14000
TZ	16000
UZ	22000
VZ	26000
WZ	30000
YZ	34000
ZZ	36000

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles) Class	Trailer or Semi-Trailer Weight in Pounds	Maximum Gross Weight in Pounds
A	Less than 1000	6000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	16000
E	4000 and over but less than 5000	20000
F	5000 and over but less than 6000	24000
G	6000 and over	26000

Six-Wheeled (3 Axles) Trailer

AZ	Less than 3000	12000
BZ	3000 and over but less than 4000	15000
CZ	4000 and over but less than 5000	20000
DZ	5000 and over but less than 6000	26000
EZ	6000 and over but less than 7000	30000
FZ	7000 and over but less than 9000	36000
GZ	9000 and over	36000

Two-Wheeled (1 Axle) Semi-Trailer

A	Less than 1000	3000
B	1000 and over but less than 2000	6000
C	2000 and over but less than 3000	10000
D	3000 and over but less than 4000	12000
E	4000 and over but less than 5000	14000
F	5000 and over but less than 6000	16000
G	6000 and over	18000

(a) No commercial motor vehicle or truck tractor shall be used or operated on any highway with a gross weight exceeding the maximum specified in section 703 for the registration class represented by registration plate displayed thereon

(b) No trailer or semi-trailer shall be used or operated on any highway with a gross weight exceeding the maximum specified in section 704 for the registration class represented by the registration plate displayed thereon

(c) No commercial motor vehicle truck tractor trailer nor semi-trailer shall be used or operated on any highway with a gross weight exceeding the maximum specified in sections 703 and 704 respectively for the registration class within which the gross weight as given or certified to by the manufacturer requires that it be registered

(d) No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [eighteen thousand (18,000)] twenty-two thousand four hundred (22,400) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire

(e) No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of [twenty-six thousand (26,000) pounds or in excess of eighteen thousand (18,000)] thirty thousand (30,000) pounds or in excess of twenty-two thousand four hundred (22,400) on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [thirty-six thousand (36,000) pounds or in excess of eight thousand (8,000)] forty thousand (40,000) pounds or in excess of ten thousand

(10,000) pounds on the front axle or in excess of [sixteen thousand five hundred (16,5000)] twenty-two thousand four hundred (22,400) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

[(g) No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of thirty-nine thousand (39,000) pounds or in excess of eighteen thousand (18,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor]

(g) No truck tractor and semi-trailer combined except Fire Department equipment shall be operated upon any highway with a gross weight in excess of fifty thousand (50,000) pounds nor in excess of two hundred twenty (220) per cent of the allowable gross weight of the truck tractor if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the truck tractor if manufactured with three axles nor in excess of twenty-two thousand four hundred (22,400) pounds on any one axle nor in excess of eight hundred (800) pounds on any one axle for each nominal inch of width of tire on such wheel the axle or axles of a semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor

(h) No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of two hundred twenty (220) per cent of the allowable gross weight of the commercial motor vehicle if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the commercial motor vehicle if manufactured with three axles nor in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of two hundred twenty (220) per cent of the allowable gross weight of the truck tractor if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the truck tractor if manufactured with three axles nor in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles

Penalty Any person operating any vehicle upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight or axle load exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 8 That section 706 of said act is hereby repealed

Section 9 This act shall become effective thirty days after final enactment except as to registration fees which shall first become effective for the registration year commencing April first one thousand nine hundred forty-two and until said date the provisions of law now in force as to registration fees shall continue in full force and effect

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. Speaker and members of the House, first of all I want to clear the matter that was discussed last night. There was a request made for a public hearing on March 18th, and this request was made in a letter signed by Mr. H. A. Thompson, representing and speaking for the State League of 3rd Class Cities, State Association of Boroughs, the State Association of Township Commissioners and the State Association of Township Supervisors.

It is very interesting to study the history: of legislation in different eras that have existed in past years and what exists today. If one takes the trouble to make a study of our legislative branches both in Harrisburg and in Washington, you will find that different industries have influenced legislators' minds—by pressure groups that have been well organized by these particular industries, and by political donations to political parties.

For years river transportation secured any type of legislation, because it dominated the political field. Then railroads came along and they had the ready cash and some of the greatest scandals known in our political life were exposed from time to time. Then we went into the manufacturing era and manufacturers' associations dictated to government for they made the biggest political contributions of that day. Then public utilities came into the field and had control and have some control even today, but not as much as they had before the downfall of "Insul in Chicago". About this time the people revolted against special interests in government and voted out of power the hold that the Republican Party had on government, and I want you to pay particular attention that I state "voted out of power" because the public did not vote for the Democratic Party. Their vote was a vote of protest against conditions that were permitted to exist in this democracy that we love to speak about. But now we find creeping into government again some of the evils that we thought we had banished from political life, and we find the "smell of oil" circulating through out legislative halls because they are now in the driver's seat so to speak, and by big political contributions are able to influence legislation. It seems a shame that all the ideals that we talked about so much in the last eight years are being put aside for what is termed "practical politics". However, I feel that there are many Members in this House who are still firm believers in their ideals of government and still have the desire to serve the great mass of people instead of any one particular interest. Of course, the "practical politician" tells you that the public will not appreciate this service. However, I still believe in the intelligence of the American public when it comes to voting.

Now let us consider the labor question because it has been injected into this argument. Labor leaders in this Commonwealth state that this bill will benefit the teamsters, or "truck drivers" as they are called today. It seems a shame that labor through some misapprehension can be played against labor, because one of the arguments is that these trucks must be raised to a higher weight to permit the truckers to meet in open competition with the

railroads. Now I remember as a boy these same arguments being used by he railroads against river transportation, when similar legislation was up for discussion as it is today. You talk to any old railroad man and he will tell you that in the old days they too, were falsely led on the assumption that by increasing train loads they would have more business for the railroads and more work for labor. But it didn't work out as the theory did on paper. I believe one of the best examples of how this thory has worked is to refer you to the national publicity issued by the Association of American Railroads in all the magazines last week under the heading that "Railroads Are Ready." In this item a paragraph appears which is as follows:

> "Railroads efficiency more than double. That is the net result of larger engines and cars, longer trains, faster schedules, and improved operation methods. Comparing 1929 with 1918 they state in the peak year of 1929 the railroads hauled eight and one-quarter million more carloads of freight than they did in 1918, although they had sixty thousand fewer cars and five thousand fewer locomotives."

Five thousand fewer locomotives means five thousand less engineers, and five thousand less firemen, and five thousand less conductors, and fifteen thousand less brakemen. This, I believe, emphasizes that if we increase the weight of each truck by seven tons, that for every fifth trip made under the new weight, one truck driver shall be denied employment. This is what experience teaches us in dealing with the railroad problem and this same experience will be learned in the future to those who earn their living as truck drivers.

Now we come to 1941 and we are asked to vote on a bill on the argument that other states permit larger trucks on their highways, and if we don't bring our standards up to their standards, we will lose the trucking industry. I have heard this same argument used in my four sessions of this House on every special piece of legislation, and on every tax measure that was ever debated on this floor, and in those seven years I have not seen any one leave Pennsylvania for that reason. Asking for legislation on this basis makes an endless chain for after it is secured in Pennsylvania the motor trucking interests will again start the rounds and through political pull and pressure will again have the trucks increased in weight and in another session will be back asking new legislation and using the same arguments on a new Assembly. However, one cannot compare conditions in one state to conditions in another state. The topography of each individual state must be considered, and I don't think anyone needs to be informed about the hills and mountains in Pennsylvania. Then again financing the improvement of streets and roads must be considered. In all the states that are being mentioned, gasoline funds are not kept exclusively by the state, but are distributed on a very substantial basis to every municipality in that state. This is not done in Pennsylvania with the exception of the second class townships and the one-half cent per gallon which goes to counties. I do not want to take too much time in the House in reading from papers, but if you will refer to any paper in any city in Pennsylvania, you will find items containing deplorable conditions of our city streets, as well as our boroughs and townships.

You who are in favor of this bill are going to say that the new tires used on trucks will not affect our streets, but you forget that when winter comes in Pennsylvania, heavy chains must be used on these tires and if any member of this House doubts my word, I will be only too glad to take him over the truck routes in our city of Pittsburgh and show him how these trucks have churned big holes in our pavements. Now then these holes are churned in, who pays for the repairs? It is the poor real estate owner who pays and pays and not the trucking company that comes from Maryland, New York, or some other state. It is these good people of Pennsylvania who have saved their money, depriving themselves of many luxuries to secure a home. These are the people of whom we speak of as being "the backbone of America," and the people we worry so much about before election. They do not have money to "lobby" in Harrisburg. They have elected you as their "lobbyists" as well as their "legislators". If you feel that these small home owners of Pennsylvania should pay the bills of maintaining our streets and permit the trucking industry to come in here session after session and impose upon their shoulders increases in real estate taxes, then it is up to you to vote accordingly. City streets have not been constructed to carry these loads. The vibration alone of our present trucks in our cities, where narrow streets are so prevelent, is not only destroying our streets, but destroying our homes. There isn't a day that some home owner does not come into my office in the city of Pittsburgh complaining of trucks causing plaster in their homes to crack because remember that the vibration of the truck works as when you throw a stone into the water. The vibration of the water caused by that stone disappears if the stream is wide enough and the same holds true for a truck that passes through one of our narrow streets.

Commissioner Kane of Allegheny County, who has a reputation of serving the people, and the people only, has pointed out through the newspapers that the roads of Allegheny County cannot take this added load. He has also pointed out that practically every bridge in Allegheny County cannot take this extra load and will have to be posted, but posting does not do any good unless you have a police officer stationed at the bridge. The city administration of the city of Pittsburgh through their engineering department has written to the law department that our city streets cannot take his load. The Cities of the Third Class in this Commonwealth have gone on record against this measure. The borough and township associations have gone on record that there will be very few streets left in their townships and boroughs if we are going to add more weight to trucks. These people have spoken on behalf of the local taxpayers and the small home owners of their communities, so it is up to us to decide whether or not we serve them or serve the special interests that ask for this legislation. Your vote, if it is in favor of this bill, means that you vote to compel every home owner in the state of Pennsylvania to subsidize the trucking industry.

Mr. ELLWOOD B. WELSH. Mr. Speaker, the gentleman from Allegheny, who has very effectively approached this question in his discussion of House Bill 690, has given his viewpoint and a conglomeration of history which in the main has been padded and exaggerated. The question of trucks traversing our highways is no new problem to us. For years the Legislature has done nothing about the question of regulating weights—since 1923 when heavy tires carried the truck convoys over the roadways of the Commonwealth.

In the matter of safety which has been mentioned by

many persons discussing the present measure we find that the National Safety Council, in computations based on that as compiled by the United States Census Bureau, states that during the period from 1927 to 1937 deaths resulting from accidents in which motor trucks were involved declined 15 percent and during the same period fatalities resulting from passenger car accidents increased 47 percent. The statement further points to the fact that motor truck registrations increased 38.07 percent, while passenger car registrations increased only 19.67 percent in the same period.

The National Safety Council states that motor trucks stood alone in showing a fatality rate decrease in 1937 as compared with 1936 in the amount of 10 percent. During the same period motorcycles, passenger cars and other vehicles had an increase in 1937 over 1936 of 2 percent each.

The National Safety Council reports that out of 45 thousand fatal accidents in 1937, 78 percent involved passenger vehicles while trucks were involved in only 18 percent. The remaining 4 percent were divided equally among buss, taxicabs and motorcycles.

The 1937 Annual Report of the Pennsylvania Public Utility Commission indicates that trucks engaged in merchandise and freight transportation were involved in only 2,969 reportable accidents which resulted in a total of 8 fatalities.

The Bureau of Highway Safety, Pennsylvania Department of Revenue, in reporting for the year 1937, indicated that 6 percent of the registered passenger car vehicles in Pennsylvania were involved in accidents that year; whereas for the same period 5 percent of the registered trucks were involved in accidents. The fatalities resulting from these accidents were in the ratio of .13 percent for passenger cars and .15 percent for motor trucks. Note that the average truck travels a considerably greater mileage each year than the average passenger car which indicates that the truck has a considerable better safety record on the basis of the above figures.

Statement 39, page S-86, of the Fiftieth Annual Report of the Statistics of Railways in the United States for the year ending December 31, 1936, issued by the Interstate Commerce Commission, states that all the railroads in the United States paid the sum of $321,271,709.

Using the statistics of the Federal Bureau of Public Roads, Department of Agriculture, as the basis and assuming that the average motor vehicle uses 12 hundred gallons of gasoline per year, the total registration and gasoline tax alone paid by the trucking industry in 1936 amounted to $342,475,618.

The report of the Interstate Commerce Commission, mentioned above, reveals that all the railroads in Pennsylvania in 1936 paid the sum of $12,890,077. For the same period using the records of registration the figures of the Pennsylvania Department of Revenue, and an estimated 12 hundred gallon, the trucks in the State of Pennsylvania paid the sum of $26,395,872 for registration and gasoline taxes alone. Note—in these figures pertaining to the taxes paid by the trucking industry no attempt has been made to estimate the Federal Excise Tax on new trucks in the amount of 2 percent of the wholesale value; on parts and accessories in the amount of 2 percent; on lubricating oil at 4 cents per gallon; on tires at 2¼ cents per pound; on inner-tubes at 4 cents per pound; nor has any estimate been included for special municipal, county gasoline tax and registration fees on trucks effective in many states and municipalities throughout the Nation. No cognizance has been taken of personal property taxes, general sales taxes, income taxes, corporation taxes and the like which are paid by the trucking industry to various governmental divisions.

Statement 39 on page S-86 of the statistics of railways in the United States for the year ending 1936, published by the Interstate Commerce Commission, indicates that the railroads in Pennsylvania pay an average of $1,281 per mile of road owned; in Ohio they paid $1,490; in New York $3,486; in Maryland $2,012; and in New Jersey $9,644.

Mr. Thomas H. McDonald, Chief of the Bureau of Public Roads, United States Department of Agriculture, in testifying before the Interstate Commerce Commission in Docket No. 23400, said "so we have a certain minimum thickness of road that is necessary to build if there were nothing heavier than ordinary passenger cars and farm trucks to use the road, and the whole question of heavier buses and heavier trucks, therefore, begins with a certain minimum thickness of road which is necessary regardless of whether they existed or not."

The Interstate Commerce Commission regulates the transportation of commodities for hire by motor vehicle between the several states. Practically every state in the Union has some form of commission regulation of intrastate transportation of commodities by motor vehicle for hire.

In Pennsylvania the transportation of commodities for hire by motor vehicles has been under regulation since 1914.

In practically no case to our knowledge does any state commission or the Interstate Commerce Commission govern the wages paid to employes of either truck transportation companies or the railroads.

The Interstate Commerce Commission has recently issued an order governing the hours of service of truck drivers engaged in interstate commerce. In Pennsylvania the Public Utility Commission is contemplating a similar order.

Statement No. 16A on page S-35 of the Statistics of Railway in the United States for the year ending December 31, 1936, issued by the Interstate Commerce Commission, indicates that the total number of employes for all classes of railways in the United States, including switching, terminal and miscellaneous employes numbered 1,128,532.

The same year considering the total truck registration figure compiled by the Bureau of Public Roads, United States Department of Agriculture, considering one employe for each truck, exclusive of trucks on farms, develops an approximate figure of 3,109,308 employes in the trucking industry. This does not take into consideration helpers on trucks, dispatchers, platform men, office employes, mechanics and miscellaneous employes.

From statistics compiled by the Automobile Manufacturers Association, we learn that there are 48,492 communities in the United States served exclusively by motor trucks. From the same source we learn that 3,835 communities in Pennsylvania depend solely upon truck transportation for service.

Mr. Paul G. Hoffman, President of the Automotive Safety Foundation and of the Studebaker Corporation, is authority for the statement relative to trucks and bus drivers of America, stating that they are "first gentlemen of the road." Doctor Miller McClintock of the Yale Uni-

versity Traffic School, states "truck drivers are the gentlemen of the highway."

Fred W. Sargent, President of the Chicago & Northwestern Railways, in one of ten-point suggestions to the Senate Railway Investigating Committee to approve conditions of the railroads, stated "the Motor Carrier Act should be amended so as to enable the railroads to engage in truck activities without the restrictions imposed by the Barker Case."

"The rails cannot go into the motor vehicle business as they thought they could when the Act was passed by Congress. This is because of the restrictions placed upon them to serving only their own points on their own line and at rail rates. If the Act were enlarged they could supplant rail lines with profitable truck and bus service when they cannot do at present."

I feel, Mr. Speaker, that this measure in no way will do the injury that Mr. Holland points out. I feel confident that unless the Commonwealth of Pennsylvania grants the same right as it granted by the surrounding states, the Commonwealth will lose in many respects. If a motor truck carrying a Pennsylvania license goes into the state of Delaware or Maryland and attempts to get the maximum weight allowed in those states it must get a permit and the driver will find it is not allowed. Those states allow Pennsylvania trucks to haul a load only equivalent to the load allowed in this particular state. Many trucks carrying loads from New York traverse the roads of New Jersey, which incidentally are no better than the roads of Pennsylvania, and there is no definite report indicating that the New Jersey roads have been ruined by the immense loads that have been carried there under the Trucking Act of the State of New Jersey. I feel sure that similar conditions would be revealed in the study of neighboring states.

I say, Mr. Speaker, and members of the House, that we are living in a different age, and the general and supplemental acts contained in the laws of Pennsylvania governing this matter do not meet the present conditions. Let us pass this bill so that the trucking industry in the various communities of our Commonwealth may enjoy all of the blessings of a real sound, conscientious trucking industry, one that is the pride of these United States. I ask you to vote for House Bill 690.

Mr. BENTZEL. Mr. Speaker, I want to talk to you this afternoon about Bill 690 and start out by saying that this bill has not been amended for eighteen years. The trucking industry has grown in that time, and I submit to you that there has probably been no expansion as great as that of the trucking industry made by any organization or industry of our Commonwealth.

The existing Pennsylvania truck weight law became effective in 1923 and has not been materially changed since.

In 1923 many trucks were still equipped with solid rubber tires which caused relatively high "impact" loads on the highways.

Since 1923 the solid tire has become practically obsolete. High pressure pneumatics have come into use and are rapidly passing from use in favor of the modern highly developed low pressure balloon tire, which has tremendously decreased "impact" loads on highways and has resulted in "spreading" of the vehicle load over greater areas of highway and reducing the unit load on the highway.

Since 1923 the quality of cement has increased. The quality of concrete has increased. The design of concrete pavements has improved. Concrete roads are now structurally stronger and more durable than those prevalent in 1923.

The design of commercial motor vehicles has been greatly improved since 1923. The loads which they carry are distributed more efficiently over the axles of the equipment.

The load carrying ability of roads has increased. The design of trucks has been improved. Tire equipment has been radically improved, but none of these factors have been reflected in changes in the Pennsylvania law since 1923. Bear in mind, no change in the law for the past eighteen years.

An examination of the table entitled "Legal Maximum Truck Weights" reveals Pennsylvania's relative position as compared with other states.

There has been an effort by a Joint Legislative Committee on Interstate Cooperation in Ten Northeastern States, beginning with Pennsylvania and Delaware on the south and continuing northward through the New England States group to secure uniformity of commercial motor vehicle requirements in those states. The committee studying this subject released a suggested standard table entitled "Weights and Dimensions—Ten Northeastern States." This table shows the existing requirements in the various states.

Since releasing its report, the Committee has withdrawn its approval of the 50 foot suggested length for combinations, and the so-called "bridge formula" for establishing maximum gross weights of combinations of vehicles. Without a suggested standard for the latter group of vehicles, uniformity is still not obtained.

It is pointed out that another outstanding disadvantage of the Ten State Proposal affecting Pennsylvania and Delaware is that uniformity does not extend to states west or south of our great Commonwealth.

Pennsylvania prides itself on its liberality in extending "reciprocity" to other states. Pennsylvania does make liberal license plate reciprocity agreements with other states, granting concessions similar to those granted by such states.

The true spirit of reciprocity is violated since it does not extend to recognizing the size and weight limitations of other states. True reciprocity in this respect would consist of attempting to approach uniformity with other states in sizes and weights.

Competition. The carrying capacity of trucks in Pennsylvania, New York and New Jersey are ample evidence that Pennsylvania carriers are at a competitive disadvantage with those of other states.

The effect of restricted carrying capacity on transportation costs relatively increases the cost of doing business in Pennsylvania for manufacturers and increases selling prices of distributors.

Trade Barriers. Trucks from New York and New Jersey, carrying legal loads in those states, can not enter or cross Pennsylvania when destined for points within the state or points to the west of Pennsylvania. This constitutes a trade barrier.

Trucks from many states west of Pennsylvania, destined for points within the State or points on the Atlantic Seaboard cannot operate through Pennsylvania legally when carrying loads legal in the state of origin, but in excess of those permitted in Pennsylvania, a trade barrier.

Such trade barriers have been denounced by the special Inter-Departmental Committee of the U. S. Department of Commerce and their elimination has been suggested.

The Pennsylvania Turnpike Commission, created by the Pennsylvania Legislature spent approximately seventy million in the construction of a so-called super highway between Harrisburg and Pittsburgh. The road is a military highway reported capable of carrying modern loads. However, the present Pennsylvania law prevents vehicles of this gross weight from legally reaching or leaving the Turnpike.

Trucks with gross weights legal in New York and New Jersey cannot reach the Pennsylvania Turnpike, nor could they leave it under the present restrictions of our Motor Vehicle Code carrying loads legal in New York and New Jersey.

Potential economic service of the Turnpike is curtailed by depressed gross weights in Pennsylvania.

What is the true military value of the Pennsylvania Turnpike in which seventy million has been investsed if Pennsylvania Law prohibits the use of roads leading to and from the Turnpike by vehicles which the road is capable of carrying?

A recent news report stated "Surveys completed by the Highway Planning Division of the Highway Department show approximately 80% of all vehicular traffic using about one-third of the roads in the state system. This figure was tabulated from studies made in all counties except Philadelphia."

It follows that 20 percent of the traffic is using the remaining two-thirds of the highway system. It is a reasonably safe assumption that the one-third of the highway system used by the major portion of the traffic is the primary highway system of the State capable of supporting modern truck traffic. The major need for the transportation of heavy loads is between population centers which are served by primary highways.

Where a new industry creates the need for transportation of heavy loads over secondary roads, we must determine whether industry must conform to limitations established by roads or whether roads will meet the requirements of the Industry. Facts in this particular case should permit the solution of specific problems.

Highway Damage. If the expressed fear that liberalizing gross weights of commercial motor vehicles in Pennsylvania will damage our highways is true, what accounts for the durability of highways in New York State where fifty-eight thousand pounds is permitted and in New Jersey where sixty thousand pounds is permitted on a tractor and semi-trailer, as compared with fifty thousand pounds being proposed for this combination of vehicles in Pennsylvania.

The so-called "axle load" of a truck is looked upon as a controlling factor in highway wear. New York State permits twenty-two thousand four hundred pounds.. New Jersey has no restriction. Therefore, it would appear that adopting the New York limitation of twenty-two thousand four hundred pounds in Pennsylvania would not seriously endanger our highways since no great difference in durability in New York, New Jersey and Pennsylvania roads seems to exist.

Many highway engineers are agreed that the true enemies of highway durability are sudden temperature changes and the action of the elements particularly alternate freezing and thawing.

Highways built to carry private passenger automobiles only are being constructed just as thick as highways carrying heavy vehicles. The West Chester County (N. Y.) Parkways are designed for private passenger automobiles only and restricted to that class of vehicles. After fifteen years' experience, during which several different types of pavements have been tried out, those sections more recently constructed are built of eight inches of concrete with double reinforcement. The Chief Engineer of the West Chester County Parkway Commission, commenting on this states: "Nowadays we find that the cost of a first-class eight inch reinforced concrete pavement is so reasonable that we can scarcely afford to gamble on the higher maintenance required for cheaper types."

It has been argued that increasing the gross weights of trucks in Pennsylvania would result in increased maintenance cost of our highways. Statistics of the Highway Department reveal that approximately 35 percent of the total cost per mile of maintaining state highways on the primary system and 48 percent of the total cost per mile of maintaining highways on the rural system are spent on the base and surface. The balance of these costs, namely 65 percent and 52 percent respectively, are spent on shoulders, gutters, embankments, signs, traffic lines, markers and other highway accessories having no direct relationship to the nature of the traffic or the weight of the vehicles using such highways. It appears therefore, that even if an increased maintenance cost would result, which is doubtful, its proportions would not be of a character suggested by some of those opposed to modernizing Pennsylvania's highway transportation system.

Defense. Pennsylvania has been characterized as the arsenal of the United States. Modern warfare is warfare of "motion", whether it be the movement of armies, or whether it is the movement of industrial products, armament, and so forth. If we in Pennsylvania are sincere in our defense efforts, we cannot and will not fail to modernize our highway transportation system by placing it at least on a par with what has proved practial in New York and in New Jersey.

The advantages in modernizing the Pennsylvania commercial motor vehicle gross weight limitations are numerous. Modernization now would be timely and in the interests of national defense. It would place Pennsylvania motor carriers and Pennsylvania industry on a basis of equality with those in surrounding states. It would give Pennsylvania the opportunity of increasing its revenue from commercial motor vehicles and from correcting the entirely undesirable condition of penalizing safe vehicles and encouraging those that might be classified as unsafe. It would permit the citizens of the Commonwealth of Pennsylvania to share in the true economic advantages of the highway system which has been created in this state since the advent of the motor vehicle. It would stamp Pennsylvania Legislators as recognizing at long last, the fact that they are aware of progress and recognize the necessity for changing our laws to meet changing conditions.

Poor highway foundations and weather conditions have been the major cause of highway damage in the opinion

of Commissioner Thomas H. MacDonald, U. S. Public Roads Administration, the nation's foremost highway engineer. He recounts, "One of the complaints is that the roads are being ruined by the operation of heavy trucks or heavy buses over them. To illustrate the approach of the highway engineer to that problem—after studying his road, he decided that the trouble did not lie in deterioration in the road surfaces themselves but in the foundation under the road; so, perhaps twelve to fifteen years ago, the highway engineer started the study of soils as foundations.

"After all, the road is nothing but a thin ribbon laid over the supporting ground. Regardless of what material is on top, it cannot support the load except as the foundation underneath gives support to that thin ribbon on top. Over a period of ten or twelve years now, a control has been established over soil, so that it is definitely possible to say today that these soils can be controlled in such a way that thin surfaces can be built to carry the loads—heavy loads—if properly distributed on the axles and under pneumatic tires, with very little deterioration". This statement was made in an address before American Association of State Highway Officials, New York City, October 14, 1939.

Commissioner MacDonald has also stated, in referring to present-day highways, "If we built thinner surfaces they would curl up like tissue paper in the rays of the sun. They would warp; the frost heave would destroy them.... The whole question of heavier buses and heavier trucks therefore, begins with a certain minimum thickness of road which is necessary regardless of whether the trucks exist or not."

The "encircling movement" continues. Pennsylvania is now confronted with the following axle load limit in bordering states:—New York 22,400 pounds, New Jersey no restriction, Maryland 22,400 pounds, West Virginia 22,000 pounds, Delaware 22,000 pounds (proposed).

I would most respectfully ask your consideration to this bill and ask for its passage. I thank you.

Mr. REUBEN E. COHEN. Mr. Speaker, I believe from the engineering viewpoint and from the city officials viewpoint, the subject matters contained in House Bill 690 has been adequately and properly debated. I am not a city official and I am not a city engineer, but I am a lawmaker and I am interested in passing legislation which is far-reaching and comprehensive enough to look forward some years from the time we in this house pass on such bills. Therefore, I can see in this bill as advanced here a static condition to which I think we should pay great heed.

Reference was made by one of the former speakers to many years ago when the railroads were fighting river traffic. I suppose they wanted it because public opinion was behind a faster and a more economical system of transportation. The rivers had but one course they could follow and they could only properly serve the communities upon the course of those rivers. When the railroads came along they showed they could get away from the course of those rivers and dig deeper into the vast domain of this nation, and in that way help build up the nation to the point where it is now.

We now come to the argument that has been proposed between the trucks and the railroads. We find that the trucking industry is in the same position the railroads were in relation to the rivers, in that the trucks can go to points that the railroads now cannot serve and go beyond and deeper into the recesses of the rural districts of Pennsylvania, the rural districts of the nation, if you will, to better serve and more economically serve the users of comodities and the manufacturers of goods. Statistics have shown that there are thousands of small manufacturers throughout the nation which have become a greater part, a closer part of this nation than the railroads have been able to afford in the way of service in transportation of persons and commodities.

We have another problem to look at. The statement has been made that this proposed legislation might cut down the number of employes in the system. May I point out to the Members of the House, that upon inquiry I determined that the State Federation of Labor, which has approximately seventy-thousand members engaged in this particular business, has wholeheartedly given its support to this bill. It seems to me that the State Federation of Labor would have hesitated to give its whole-hearted support to this bill if it had the effect of putting men out of employment. I feel if the trucking industry is permitted to grow there will be more employment because of a greater number of trucks used in the state of Pennsylvania.

May I call attention, Mr. Speaker and Members of the House, to our Department of Commerce that has been talked about so much and which has spent a great deal of it's money in attracting the tourist trade into Pennsylvania. The tourists is the fellow who drives his car over the state and goes through it in one day, whereas the driver of the truck goes through day after day. I think we ought to encourage the tourist truck drivers and in that way we might have more tourist business which seems to be so important and so attractive to the Department of Commerce.

May I say further, Mr. Speaker, that only last night I was informed that the Assembly of the State of Maryland raised its truck limit to fifty thousand pounds which makes it nine out of ten states in this northeastern part of the United States with a limit of fifty thousand pounds.

We, of Pennsylvania, are still back where we were in 1923 when every community surrounding this state had up to fifty thousand pounds. Let me say further, if fifty thousand pounds is good enough for the roads in the State of New York and the State of New Jersey, and I am sure that the roads of Pennsylvania would measure up to them, if no damage has been caused the highways in New York and New Jersey, I cannot see how any damage can arise to the roads in Pennsylvania, because after all eighty percent of the traffic in Pennsylvania travels only over twenty percent of the highways. Our primary road system is twenty percent of the State Highways. A good transportation system looks for the shortest route to go from one point to another, it does not go by any devious route; it doesn't go by any back roads, and I think the majority of the roads in Pennsylvania will be safe from any possible damage because our permanent system of roads in Pennsylvania is a good system, and such a permanent system certainly can stand the rolling of trucks on roads in this state which are comparable to the roads in other states. I think the matter has been put rather plainly from all sides and I can see no reason why we of this House today, looking forward to the necessities of the state and nation in the future, can con-

scientiously support this bill.

May I call one other matter to your attention? The Governor of the Commonwealth in his address to this House at the beginning of this session made mention of the fact that the President of the United States had called Pennsylvania the great arsenal of democracy, while the Governor of Pennsylvania called Pennsylvania the great arsenal of America. Quoting from rather authoritative statistics only very recently concerning the loss of shipping world, we find worry by many officials of high places that this shipping might not last. They then worry about American shipping which totals about four and a half million tons, half of which is coastwise shipping may eventually, God willing it may not happen, but may eventually be used in some phase of that struggle. None of us here look for it nor want it. But if such a thing should happen the railroads of America would be hopelessly and positively unable to carry the load of the national defense of America. I think we ought to look forward to the time when such an eventuality may arise because in so doing we would prepare ourselves for that eventuality, that we may have to have a system prepared to take the load without having to quickly call a special session of the Legislature to do a patch work job.

Mr. Speaker and members of the House, I solicit your support for House Bill 690.

Mr. FISS. Mr. Speaker, I assure you I am going to be brief. I do not want to take up much more of the time of this House. It is like the fellow who said he didn't care how much a fellow talked if he could only say it in a few words. I am going to try to say this in a few words.

After all, let us get back on our feet and try to find out the intent and purpose of this bill. In the first place this bill reduces the license fee for the "R" and "S" licenses. In the second place it gradually increases the license fee and the weight of the larger trucks. It attempts to establish uniform gross weight regulations governing interstate trucks in the state of Pennsylvania. This, after all, was the intent and purpose of this bill. I know that every one of you have read the bill and you are acquainted with the figures that it contains and it is not necessary to go into any lengthy argument or to produce any statistics as to what it might do. If I felt for one minute that it would do any road or any bridge of the Commonwealth of Pennsylvania any injury certainly I would not want to vote for this bill. Let me say just a little bit more about the gross weight and the intent to make a uniform law in regard to the gross weight. Pennsylvania has many things that we like to describe as "first". We like to talk about it. We say we are a great empire, a great industrial empire. Yet if we bound our state, the state of Pennsylvania, north, east, south and west, to the north we have a higher rate up to 60; to the east we have a higher rate, even 60; down towards the south and southeast, Delaware, we have 40; immediately to the south in Maryland we have 42; bounding our state, in a little corner, lies the State of West Virginia with 66; while in Ohio to the west 42,000 pounds is permitted. Pennsylvania lies in the center of all our neighboring states, and it has a lower weight permitted on the highways. It seems to me, Mr. Speaker and members of the House, if we are going to remain as the "first", if we look back over the economic value or even the historical tradition of Pennsylvania, we certainly cannot come to the belief that we in Pennsylvania cannot afford to set up any such barrier to restrain trade, to encumber and injure interstate trucking or a great transportation system. This bill may not be perfect in that regard but it is a great step forward.

Let me close by just saying this, that a very few of the other speakers mentioned anything about the reduction on the "R" and "S" licenses. Many of the older Members of this House of course realize that this question has been a great question before this House for a number of years. Just let me go over a group of people that the reduction of this "R" and "S" license affects. Let us go over the list briefly to see whom it affects. The farmer usually has one or two or more of these trucks, the milkman, the electrician, the plumber, the small business man, the large business man, the butcher, the baker, the florist, the mortician, the lumber man, the druggist, the builder and contracter, an almost endless list, who have been discriminated against when the "R" and "S" licenses were granted to these people. Those are the things this bill tries to accomplish. This is the intent and purpose of this measure.

I say to you, Members of the House, it is not the intent or purpose to injure anyone. I know, and so do you, that many times the proponents of a measure will go far because they have a selfish interest; many times the opponents will go far because they have a selfish interest, but, Members of the House, this is larger than any one single district, than any one single industry, in the Commonwealth of Pennsylvania, because it regulates and attempts to regulate and make uniform the entire transportation system in this as well as other Commonwealths in this country.

I ask you to vote "yes" on 690.

Mr. BENTLEY. Mr. Speaker, I rise in opposition to this bill. My remarks will be very brief and right to the point. The gentlemen who have preceded me have spoken of this bill as being a matter of principle. My opposition is an opposition to methods. I should have liked to have been able to vote for this bill on principle but I am unable to do so. I find on the one hand it is stated that labor is for the bill, and on the other hand it is against it. It is stated on one side of the ledger that the revenue will be increased from the truck licenses; again it is stated it will be reduced. It is said that our streets will be shattered, and again it is said that they are ample to take care of the load. Those questions should have been answered fully and adequately before the members of this House can vote intelligently on this bill. An opportunity was afforded last night when a motion to recommit for a public hearing was made and refused. So, we do not have a full and adequate understanding of this bill.

Mr. Speaker, I detect a familiar parallel in the method by which this bill is being shoved through the House. There is the same unseemly haste, the same pell mell rush that we saw in House Bill 481, the Moul-Woodring Bill, getting it through the House and saying if it was necessary to have a hearing, they would have it later. It is in opposition, Mr. Speaker, to that method of jamming things through this House without adequate information, because this measure calls for a full understanding by everyone of us before we vote on this. it is in opposition to that type of legislation, in its passage, that I am going to vote "no".

I dare say there is no one in this House who has not regretted the great whirl wind that has been reaped following the passage of 481. We want no more of that and I call on you, members of the House, who felt that that bill was passed with undue haste, to protest against a similar refusal of a public hearing on this bill.

Mr. REUBEN E. COHEN. Mr. Speaker, last night I stood on this floor and oposed the recommitting of this bill for a public hearing or for any other purpose, and I stated my reasons, but to-day we were just told a moment ago that we are jamming it through the House. It seems to me there is no wild fire about this bill, there is no cyclone, there is no hurricane. This bill has been wafted about through this House for fourteen calendar days. It was rather like a gentle zephyr and no one said anything against it until yesterday, the last day of the calendar. If there had been any necessity for a public hearing or there had been a request for a public hearing it might have been made on time. There was no sudden bomb. It is no cyclone, it was merely a bomb of opposition and I think, members of the House, this being the only piece of legislation that was on the calendar for fourteen full calendar days in this session before it came off the second reading calendar, we cannot be accused of jamming through the House this particular bill.

Mr. BENTLEY. Mr. Speaker and members of the House, may I remind the gentleman from Philadelphia that it was just such a gentle zephyr that which occurred with reference to the Moul-Woodring Bill that blew into hurricane proportions and is still blowing.

Mr. HOLLAND. Mr. Speaker, on March 18th two weeks ago, a request was made in writing for a public hearing on this bill. I might also add that this bill did not come out of committee until the Motor Truck Association had a twenty-five thousand dollar spread at a certain hall in this city of Harrisburg.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Holland and Harmuth asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—144

Achterman,	Foor,	Malloy,	Sarraf,
Allmond,	French,	Marks,	Scanlon,
Baker,	Gallagher,	McClanaghan,	Schwab,
Balthaser,	Gerard,	McClester,	Serrill,
Baugher,	Gillette,	McDermott,	Shaw,
Bentzel,	Greenwood,	McGrath,	Simons,
Boorse,	Gross,	McIntosh,	Snyder,
Bower,	Gyger,	McKinney,	Sollenberger,
Bradley,	Habbyshaw,	McMillen,	Stambaugh,
Bretherick,	Haberlen,	McSurdy,	Stank,
Brown,	Haines,	Melchiorre,	Stine,
Brunner, C. H.,	Hall,	Mihm,	Stockham,
Burns,	Hare,	Modell,	Tarr,
Chervenak,	Harris,	Monks,	Tate,
Chudoff,	Helm,	Mooney,	Thompson, E. F.,
Cochran,	Hering,	Moul,	Trout,
Cohen, M. M.,	Herman,	Muir,	Turner,
Cohen, R. E.,	Hersch,	O'Brien,	Van Allsburg,
Cook,	Hewitt,	O'Dare,	Verona,
Corrigan,	Hirsch,	O'Mullen,	Vincent,
Croop,	Imbrie,	O'Neill,	Voldow,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
Dennison,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Knoble,	Powers,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Prosen,	Wilkinson,
Elliott,	Komorofski,	Rank,	Williams,
Ely,	Krise,	Readinger,	Winner,
Falkenstein,	Lee, T. H.,	Reese, R. E.,	Wood, L. H.,
Finestone,	Leonard,	Reynolds,	Wood, N.,
Finnerty,	Lesko,	Rooney,	Woodside,
Fisher,	Levy,	Rose, S.,	Yeakel,
Fiss,	Lichtenwalter,	Rosenfeld,	Young,
Fletcher,	Lovett,	Royer,	Kilroy,
Flynn,	Lyons,	Rush,	Speaker.

NAYS—57

Auker,	Fleming,	Longo,	Rhea,
Bentley,	Gates,	Maxwell,	Riley,
Boles,	Goodwin,	McDowell,	Rose, W. E.,
Boney,	Gryskewicz,	McFall,	Sarge,
Breth,	Hamilton,	McLanahan,	Shaffer,
Brunner, P. A.,	Harkins,	McLane,	Sorg,
Burris,	Harmuth,	Moran,	Taylor,
Cadwalader,	Heatherington,	Munley,	Thompson, R. L.,
Cooper,	Holland,	Nagel,	Vogt,
Cordier,	Huntley,	Nunemacher,	Voorhees,
Dix,	Keenan,	O'Connor,	Welsh, M. J.,
Dolon,	Kline,	Polen,	Wolf,
Early,	Lee, E. A.,	Reagan,	Woodring,
Eckels,	Leisey,	Reese, D. P.,	Yester,
Elder,	Levdic		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. WOODRING filed the following reasons for his vote:

I am constrained to oppose the subject Bill on the principal ground that the streets and roads of the secondary system of highways are not presently adequate to receive the travel and tonnage proposed by the increased maximum weights. Many 3d class city streets are not of sufficient durable construction to handle the increased loads. However, the cities have the power to enact ordinances whereby traffic can be routed over the more desireable streets. The cities by this corporate power, to some degree, can protect themselves against the larger truck loads. The boroughs and townships have no such authority. They must permit all vehicles to travel over all of their streets and roads. These are not of sufficient width nor strength to accommodate the increased weights. Not only that, but the countless hand-holes, man-holes, culverts and bridges are grossly inadequate to safely bear the load. The State Highway Department, by its Secretary, has announced that more than 3800 bridges on the secondary roads are not strong enough to safely receive the traffic.

Industry, I favor. Commerce, I favor. Increased maximum weights, as such, I favor. Until such time as Pennsylvania prepares, not only primary highways, but its secondary roads and streets, with their hand-holes, man-holes, culverts and bridges, I must oppose the subject Bill and, therefore, vote against it.

WOMAN'S REPUBLICAN CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House the Woman's Republican Club of Camp Hill, Cumberland County. The House is indeed pleased to have them as its guests.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

Mr. SARGE. Herr Schwetzer, Ich date glicka unanimous recht tsu hava for swetza su de fasumling fun du House.

Ance fun de Democrata hut de wadt hell gaused und doo hust socket, aar set de wadt hell net usa. Whas Ich wissa will is, we wide con mer ga. Con mer de wadt darn usa?

INTERROGATION

Mr. REUBEN E. COHEN. Signor Speaker, desidiro interogarre il Signor Sarge. di Lebanon, Pennsylvania.

The SPEAKER. Will the gentleman from Lebanon, Mr. Sarge, permit himself to be interrogated?

Mr. SARGE. Ya, Herr Schwetzer.

Mr. REUBEN E. COHEN. Signor Speaker, desidiro sapere che cosa ha detto il Signor Sarge, di Lebanon, Pennsylvania?

The SPEAKER. The gentleman recognizes the gentleman from Lancaster, Mr. Royer.

Mr. ROYER. Herr Schwetzer, de iss der airst tag von Avril. Der mon von Lebanon County, der Sarge, vill epas sawa weaga unsu Schwetzer, der Kilroy.

The SPEAKER. The Chair has great difficulty in understanding the Members.

The Chair recognizes the gentleman from Lancaster, Mr. Trout.

Mr. TROUT. Mr. Speaker, I recognize the difficulty in which the Speaker finds himself, and I feel as though - -

The SPEAKER. Will the gentleman act as interpreter for the gentleman from Lancaster and the gentleman from Lebanon?

Mr. TROUT. Mr. Speaker, after an explanation and an apology.

Mr. TURNER. Mr. Speaker,- -

The SPEAKER. The gentleman from Delaware is out of order.

The gentleman from Lancaster will proceed.

POINT OF ORDER

Mr. TROUT. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Lancaster will state his point of order.

Mr. TROUT. Mr. Speaker, upon what ground does the gentleman from Delaware interfere with my business?

The SPEAKER. The gentleman is the official interpreter.

Mr. TROUT. Mr. Speaker, I have the floor and I propose to hold it.

The SPEAKER. The gentleman from Lancaster, Mr. Trout, has the floor and he refuses to yield it. The gentleman will proceed.

Mr. TROUT. Mr. Speaker, under the Constitution of Pennsylvania I occupy an official position as interpreter for two members of this House.

Mr. Speaker and members of the House, the gentleman from Lebanon asked permission to address the House. My friend, the gentleman from Lancaster, in an effort to explain what he wanted apparently was not thoroughly understood. I recognize the fact, Mr. Speaker, that this is the first day of April, and after listening to a great deal of oratory on very important legislation, I take it that you should grant the gentleman from Lebanon an opportunity to address this House in his native tongue.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to say that the gentleman is not living up to the rules, and I would like to know how in the hell the stenographer is geting it down.

Mr. BRETH. Mr. Speaker, I arise to a point of something or other, which I cannot describe, but inasmuch as a few of my remarks were stricken from the record, I move that these remarks be stricken out, the part which sounded like "hell, hell, hell,"

Mr. REUBEN E. COHEN. Mr. Speaker - -

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Levy.

POINT OF ORDER

Mr. LEVY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. LEVY. Mr. Speaker, I resent the implication.

The SPEAKER. I do not blame you.

Mr. REUBEN E. COHEN. Mr. Speaker, - - -

The SPEAKER. The Chair is in trouble again.

Mr. SARGE. Herr Schwetzer, ich vill der mon an question froga.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Cohen, permit himself to be interrogated?

Mr. REUBEN E. COHEN. I shall, Mr. Speaker.

Mr. SARGE. Herr Schwetzer, ich hob nicht fersta wass da Cohen gasacht hud.

Mr. REUBEN E. COHEN. Mr. Speaker, I can imagine it, speaking in Jewish.

Mr. SARGE. Mr. Speaker, in order to wind up this rather complicated affair I would like to tell the gentleman I do not understand Latin.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act prescribing presumptions of authority and rules of evidence where payments are made on account of the principal of mortgages in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Hereafter any person firm or corporation duly authorized to accept or receive any payment of interest on account of any mortgage shall be presumed to have authority to accept or receive any payment on account of the principal of said mortgage unless such person firm or corporation has in fact no such authority and the person making such payment on account of the principal has knowledge of such lack of authority

Section 2 In any proceeding involving any payment of principal on account of a mortgage the burden of proving lack of authority in the person firm or corporation accepting or receiving such payment and the burden of proving knowledge by the person making such payment of the lack of such authority shall be on the party asserting the lack of authority

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Fletcher,	Lovett,	Rosenfeld,
Allmond,	Flynn,	Lyons,	Royer,
Auker,	Foor,	Malloy,	Rush,
Baker,	French,	Marks,	Sarge,
Balthaser,	Gallagher,	Maxwell,	Sarraf,
Baugher,	Gates,	McClanaghan,	Scanlon,
Bentley,	Gerard,	McClester,	Schwab,
Bentzel,	Gillette,	McDermott,	Serrill,
Boies,	Goodwin,	McDowell,	Shaffer,
Boney,	Greenwood,	McFall,	Shaw,
Boorse,	Gross,	McGrath,	Simons,
Bower,	Gryskewicz,	McIntosh,	Snyder,
Bradley,	Gyger,	McKinney,	Sollenberger,
Breth,	Habbyshaw,	McLanahan,	Sorg,
Bretherick,	Haberlen,	McLane,	Stambaugh,
Brown,	Haines,	McMillen,	Stank,
Brunner, C. H.,	Hall,	McSurdy,	Stine,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stockham,
Burns,	Hare,	Mihm,	Tarr,
Burris,	Harkins,	Modell,	Tate,
Cadwalader,	Harmuth,	Monks,	Taylor,
Chervenak,	Harris,	Mooney,	Thompson, E. F.,
Chudoff,	Heatherington,	Moran,	Thompson, R. L.,
Cochran,	Helm,	Moul,	Trout,
Cohen, M. M.,	Hering,	Muir,	Turner,
Cohen, R. E.,	Herman,	Munley,	Van Allsburg,
Cook,	Hersch,	Nagel,	Verona,
Cooper,	Hewitt,	Nunemacher,	Vincent,
Cordier,	Hirsch,	O'Brien,	Vogt,
Corrigan,	Holland,	O'Connor,	Voldow,
Croop,	Huntley,	O'Dare,	Voorhees,
Cullen,	Imbrie,	O'Mullen,	Wagner,
Dalrymple,	James,	O'Neill,	Watkins,
Dennison,	Jefferson,	Owens,	Weingartner,
DiGenova,	Jones, G. E.,	Petrosky,	Weiss,
Dix,	Keenan,	Pettit,	Welsh, E. B.,
Dolon,	Kenehan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kline,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winner,
Eckels,	Komorofski,	Rank,	Wolf,
Elder,	Krise,	Readinger,	Wood, L. H.,
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, D. P.,	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Yeakel,
Finnerty,	Lesko,	Rhea,	Yester,
Fisher,	Levy,	Riley,	Young,
Fiss,	Leydic,	Rooney,	Kilroy,
Fleming,	Lichtenwalter,	Rose, S.,	Speaker.
	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 919, as follows:

An Act to amend subsections two five and six of section seven hundred and twenty-four of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the killing of elk or bear destroying property.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections two five and six of section seven hundred and twenty-four of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

* * * * *

Section 724 Killing Game Destroying Property

(2) Any [elk] deer [or bear] may be legally killed only through the use of a firearm which discharges a single ball or bullet not smaller than a twenty-five calibre under the foregoing provisions provided a report is made as hereinafter required and other conditions stipulated are complied with [and]

(5) The person killing any such animal or bird except woodchucks and red squirrels and the birds commonly known as blackbirds shall within twelve (12) hours after killing either orally or in writing report such killing to the nearest game protector or the office of the commission at Harrisburg setting forth the date and time of killing the species killed and in the case of [elk or] deer [or bear] the sex thereof and shall except in the case of red squirrels or the birds commonly known as blackbirds immediately after killing remove the entrails and transfer the carcass to a place of safekeeping to be turned over to any game protector upon demand except as hereinafter specified

(6) One [elk or] deer [or bear] so killed and reported in accordance with the foregoing provisions may be retained for food provided all portions of the carcass generally considered edible shall be consumed only within the household of a person residing upon such lands and having a legal right to kill the same No additional animals shall be retained for food until the entire carcass of the animal previously retained has been entirely consumed under the foregoing provisions Any additional [elk or] deer [or bears] legally killed under the provisions of this section so long as there is any unconsumed or edible portion of [an elk or] a deer [or a bear] retained within the household of any person legally entitled to possess the same under the provisions of this section shall be turned over to a game protector as hereinbefore specified

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Flynn,	Lovett,	Rose, W. E.,
Allmond,	Foor,	Malloy,	Rosenfeld,
Baker,	French,	Marks,	Royer,
Balthaser,	Gallagher,	Maxwell,	Rush,
Baugher,	Gates,	McClanaghan,	Sarge,
Bentley,	Gerard,	McClester,	Sarraf,
Bentzel,	Gillette,	McDermott,	Scanlon,
Boies,	Goodwin,	McDowell,	Schwab,
Boney,	Greenwood,	McFall,	Shaffer,
Boorse,	Gross,	McGrath,	Shaw,
Bower,	Gryskewicz,	McIntosh,	Simons,
Bradley,	Gyger,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sorg,
Bretherick,	Haines,	McMillen,	Stambaugh,
Brown,	Hall,	McSurdy,	Stank,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stine,
Brunner, P. A.,	Hare,	Mihm,	Stockham,
Burns,	Harkins,	Modell,	Tarr,
Burris,	Harmuth,	Monks,	Tate,
Cadwalader,	Harris,	Mooney,	Taylor,
Chervenak,	Heatherington,	Moran,	Thompson, E. F.,
Chudoff,	Helm,	Moul,	Thompson, R. L.,
Cochran,	Hering,	Muir,	Trout,
Cohen, M. M.,	Herman,	Munley,	Turner,
Cohen, R. E.,	Hersch,	Nagel,	Van Allsburg,
Cooper,	Hewitt,	Nunemacher,	Verona,
Cordier,	Hirsch,	O'Brien,	Vincent,
Corrigan,	Holland,	O'Connor,	Vogt,
Croop,	Huntley,	O'Dare,	Voldow,
Cullen,	Imbrie,	O'Mullen,	Voorhees,
Dalrymple,	James,	O'Neill,	Wagner,
Dennison,	Jefferson,	Owens,	Watkins,
DiGenova,	Keenan,	Petrosky,	Weingartner,
Dolon,	Kenehan,	Pettit,	Weiss,
D'Ortona,	Kline,	Polaski,	Welsh, E. B.,
Duffy,	Knoble,	Polen,	Welsh, M. J.,
Early,	Kolankiewicz,	Powers,	Wilkinson,
Eckels,	Komorofski,	Prosen,	Williams,
Elder,	Krise,	Rank,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
	Lee, T. H.,	Reagan,	Wood, L. H.,

Ely,	Leisey,	Reese, D. P.,	Woodring,
Falkenstein,	Leonard,	Reese, R. E.,	Woodside,
Finestone,	Lesko,	Reynolds,	Yeakel,
Finnerty,	Levy,	Rhea,	Yester,
Fisher,	Leydic,	Riley,	Young,
Fiss,	Lichtenwalter,	Rooney,	Kilroy,
Fleming,	Longo,	Rose, S.,	Speaker.
Fletcher,			

NAYS—9

Auker,	Jones, G. E.,	McKinney,	Sollenberger,
Dix.	Lyons,	Serrill,	Wood, N.,
Habbyshaw,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 325, as follows:

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils for educational trips and other school activities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The board of school directors in any school district may permit any vehicle purchased hired or placed in use for the transportation of pupils to be used for the transportation of pupils members of the faculty and necessary employes on trips for educational purposes and activities fostered sponsored or endorsed by the school authorities The aforesaid uses of transportation equipment shall be considered approved school purposes and shall not reduce in any manner any payments authorized by existing law to be made by the Commonwealth to such school district for reimbursement of transportation expenses including depreciation and repairs of vehicles used therefor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Fletcher,	Lovett,	Rosenfeld,
Allmond,	Flynn,	Lyons,	Royer,
Auker,	Foor,	Malloy,	Rush,
Baker,	French,	Marks,	Sarge,
Balthaser,	Gallagher,	Maxwell,	Sarraf,
Baugher,	Gates,	McClanaghan,	Scanlon,
Bentley,	Gerard,	McClester,	Schwab,
Bentzel,	Gillette,	McDermott,	Serrill,
Boles,	Goodwin,	McDowell,	Shaffer,
Boney,	Greenwood,	McFall,	Shaw,
Boorse,	Gross,	McGrath,	Simons,
Bower,	Gryskewicz,	McIntosh,	Snyder,
Bradley,	Gyger,	McKinney,	Sollenberger,
Breth,	Haberlen,	McLanahan,	Sorg,
Bretherick,	Habbyshaw,	McLane,	Stank,
Brown,	Haines,	McMillen,	Stambaugh,
Brunner, C. H.,	Hall,	McSurdy,	Stine,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stockham,
Burns,	Hare,	Mihm,	Tarr,
Burris,	Harkins,	Modell,	Tate,
Cadwalader,	Harmuth,	Monks,	Taylor,
Chervenak,	Harris,	Mooney,	Thompson, E. F.,
Chudoff,	Heatherington,	Moran,	Thompson, R. L.,
Cochran,	Helm,	Moul,	Trout,
Cohen, M. M.,	Hering,	Muir,	Turner,
Cohen, R. E.,	Herman,	Munley,	Van Allsburg,
Cook,	Hersch,	Nagel,	Verona,
Cooper,	Hewitt,	Nunemacher,	Vincent,
Cordier,	Hirsch,	O'Brien,	Vogt,
Corrigan,	Holland,	O'Connor,	Voldow,
Croop,	Huntley,	O'Dare,	Voorhees,
Cullen,	Imbrie,	O'Mullen,	Wagner,
Dalrymple,	James,	O'Neill,	Watkins,
Dennison,	Jefferson,	Owens,	Weiss,
DiGenova,	Jones, G. E.,	Petrosky,	Weingartner,
Dix,	Keenan,	Pettit,	Welsh, E. B.,
Dolon,	Kenehan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kline,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winner,
Eckels,	Komorofski,	Rank,	Wolf,
Elder,	Krise,	Readinger,	Wood, L. H.,
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, D. P.,	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Yeakel,
Finnerty,	Lesko,	Rhea,	Yester,
Fisher,	Levy,	Riley,	Young,
Fiss,	Leydic,	Rooney,	Kilroy,
Fleming,	Lichtenwalter,	Rose, S.,	Speaker.
	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 868, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and and prescribing penalties" by further defining "contributions" to be paid by certain employers changing the procedure and administrative details for the determination and payment of compensation further regulating the appointment promotion dismissal suspension and furlough of civil service employes further defining the powers of and procedure before the board making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board and making the Administration Fund subject to certain charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal

Government and its agencies creating certain special funds in the custody of the State Treasury and prescribing penalties' is hereby amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * * *

(b) "Benefit year" with respect to any individual means the fifty-two consecutive weeks beginning with the first [week] effective day occurring after January first one thousand nine hundred thirty-eight with respect to which compensation is payable to him and thereafter the fifty-two consecutive weeks beginning with the first [week] effective day with respect to which compensation is properly claimed by or next payable to him after the termination of his last preceding benefit year

Section 2 Clause (i) of section four of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * * *

(i) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some [twenty (20)] two (2) days during the calendar year one thousand nine hundred thirty-six or any calendar year thereafter each day being in a different week in covered employment or (II) who or which has elected to become fully subject to this act and whose election remains in force

Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes entirely without this Commonwealth with respect to which no contributions are required and paid under an unemployment compensation law of any other state if the employe or employes included in such election maintain a domicile within this Commonwealth Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years or until the department on its own motion cancels the election

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection (j) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of January first of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election

Section 3 Clause (l) (s) and (v) of section four of said act are hereby amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * * *

(1) "Full-time Weekly Wage" means the weekly wages that any individual would receive if he were employed at his most recent wage rate from employers during his base year and for the customary scheduled full-time week prevailing for his occupation in the enterprise in which he last earned wages from employers during his base year

If the department finds that the full-time weekly wage as above defined would be unreasonable or arbitrary or not readily determinable with respect to any individual the full-time weekly wage of such individual shall be deemed to be [one-thirteenth] one-tenth of his total wages from employers in that quarter in which such total wages from employers were highest during the first eight out of the last nine completed calendar quarters (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) immediately preceding the first day of his benefit year

* * * * *

(s) "Total Unemployment" means [that an employe during a particular week has had no work for which wages are payable to him] the total lack of any employment or wages payable on any day including employment not subject to this act

* * * * *

(v) "Week" means any calendar week ending at midnight Saturday or [the equivalent thereof as determined in accordance with general rules adopted by the department] any seven consecutive calendar days or each accumulation of five effective days which need not be consecutive

Section 4 Section four of said act is hereby amended by adding after clause (v) a new clause to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * * *

(w) "Effective Day" means a full day of total unemployment provided such day falls within a period of seven consecutive calendar days in which an employe had three or more days of total unemployment and provided further that those days of total unemployment in excess of two days within such period shall be deemed "effective days" An employe who is employed on a shift continuing through midnight shall be deemed to have been employed only on the day begining after midnight with respect to such shift

Section 5 Subsections (e) and (f) of section two hun-

dred and eight of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) are hereby further amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

* * * * *

(e) The secretary shall prescribe by rules and regulations the qualifications to be possessed by persons desiring employment in the various grades of employment in the administration of this act The qualifications shall be such as will best promote the most efficient administration of this act and shall provide that persons applying for positions in the offices designated by the secretary as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year before making application and persons applying for positions in district offices (which shall include all those whose jurisdiction is limited to a particular district created under the provsions of this act) shall be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year [and in the district in which such office is located for a period of not less than six months before making application] Transfers of employes from one location of work to another must have the prior approval of the employes involved

(f) Every individual desiring employment under the provisions of this act shall file with the board an application under oath or affirmation which shall be in a form prescribed by the board provided that such application shall be the same for all individuals desiring the same grade of employment and shall be so drawn as to reveal the qualifications as prescribed by the secretary In no case shall the board require of the applicant any information pertaining to his race creed color or political affiliations Upon receiving such application the applicant shall be admitted to the next competitive examination in the grade of employment which he or she seeks Such competitive examinations shall be practical in their character and so far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed but no applicant shall be required to be possessed of any scholastic education or training in order to be permitted to take any competitive examination or to be appointed to any position Such competitive examinations shall be in writing but in arriving at a final rating of applicants for such administrative and professional grades of emyloyment as are so designated by the board the board may take into consideration such experience and personal qualifications as are related to the grades of employment for which applicants are being examined provided that the same standards shall apply with respect to all applicants in the same grade of employment Provided however That in the final rating of all applicants persons who were engaged in the military or naval service of the United States during any war in which the United States was engaged and who have an honorable discharge from such service shall receive in addition to all other ratings an additional five per centum and any such person who shall have been disabled by wounds or in any other manner while engaged in such service (so long as he is able to perform the work of the employment for which he is examined) and who shall submit satisfactory evidence to the board that such disability was received while engaged in such service shall be rated an additional five per centum over and above the five per centum hereinafter set forth and in either case the total per centum mark or grade thus obtained shall determine the order of standing of such persons on any list of eligibles Applications of individuals who have been appointed and who have served the probationary period specified in this section shall not be further reviewed or re-evaluated by the board

Section 6 Subsection (i) of section two hundred and eight of said act is hereby amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

* * * * *

(i) The board shall certify to the secretary for each administrative district and for the State as a whole lists of the names of persons receiving a passing mark and shall rank such persons in the order of magnitude commencing with the highest rating for the specified grade of employment Such list shall be known as a list of eligibles and shall be valid until the next examination is held for the same grade of employment but in no event for a period of less than one year unless no more than two names remain on a list of eligibles in which case a new examination [may] shall be held within six months but those whose names remained on the list of eligibles shall be retained on the new list for a period of at least one year from the date of their original certification.

In certifying lists of eligibles for the various grades in any class of employment the board shall certify persons taking identical examinations on all lists of eligibles for all grades in such class of employment for which they are qualified

Section 7 Subsection (j) of section two hundred and eight of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) is hereby further amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

* * * * *

(j) The secretary shall make appointments to positions created under this act and shall fill vacancies as they may occur from the lists of eligibles certified to him by the board except with respect to positions filled by promotions as hereinafter provided and by the appointment of persons exempted by subsection (b) of this section In making appointments therefrom the secretary shall select from the three persons ranking highest on the list of eligibles for the grade of employment in the administrative district or in the State as a whole as the case may be the applicant most suitable for the position in the grade of employment for which a vacancy exists taking into consideration his experience and personal qualifications with sole reference to merit and fitness for the position to be filled If upon inquiry by the secretary a person on the list of eligibles is found to be not available for employment or cannot be located his name shall not for the time being be considered among the three names from which a choice is to be made For the second vacancy the secretary shall make selection from the highest three persons remaining on such list of eligibles who have not been within his reach for three separate vacancies The third and any additional vacancies shall be filled in like manner

Vacancies in positions subject to the provisions of this section whether such positions be newly created or vacated for any reason by any former incumbent shall be filled [in so far as practicall unless no qualified employes are available in a lower grade by promotions from among employes holding positions in the lower grades In all cases an employe to be promoted shall possess the qualifications specified for the position and shall have served not less than six months (including service during any probationary period but not including service during any provisional employment) in a position under the provisions of this act Promotions shall be based on merit and upon the superior qualifications of the employe to be promoted as shown by his or her previous service record under this act The secretary may promote an employe to a higher position to which such employe has been certified as eligible by the board provided that the board shall in certifying such employe satisfy itself that the employe possesses the qualifications prescribed by the secretary for the higher position Before making such certification the board may require any employe or employes to take such qualifying or competitive examinations as the board may prescribe

Section 8 Subsection (k) (n) (o) (p) and (s) of section two hundred and eight sections three hundred and one and four hundred and one of said act are hereby amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

* * * * *

(k) A person selected for appointment shall be duly notified by the secretary in writing and upon accepting and reporting for duty shall receive from the secretary a certificate of appointment The first nine months under this appointment shall be a probationary period If and when after full and fair trial during this period the conduct or capacity of the probationer be not satisfactory to the secretary the probationer shall be notified in writing with a full statement of reasons and this notice shall terminate his services provided that within ten days he may appeal his case to the board in the same manner as hereinafter provided for individuals receiving notice of dismissal The retention of such individual beyond the probationary period shall automatically confirm such individual as a permanent appointment and such an individual may not be dismissed suspended or furloughed except for the reasons specified in this section An appointment designated with an "acting" status shall be limited to three months and if such appointee is not removed he shall retain a permanent status with salary and title to the position

* * * * *

(n) When there are no more than two eligibles on a list of eligibles for any grade of employment in which a vacancy exists the secretary may in his discretion make an appointment therefrom or from any civil service list of eligibles of the same grade and similar specifications of duties established for State employment by the laws of this Commonwealth

* * * * *

(o) The secretary may when in his judgment the public interest or the efficiency of the service requires summarily dismiss any employe of the department engaged in the administration of this act who has been finally convicted of an offense in connection with his duties in the administration of this act or of any felony or any crme involving moral turpitude

The secretary may suspend for a period not to exceed thirty days or dismiss any employe of the department engaged in the administration of this act for delinquency or misconduct in his or her duties under this act

The secretary may by reason of lack of funds or curtailment of work furlough any employes of the department engaged in the administration of this act provided that such employes shall be reinstated to the lists of eligibles and shall be given preference over all other persons on such lists of eligibles for future appointments to their own grade of employment or a lower grade in the same class of employment in order of seniority Such eligibility for reinstatement shall remain effective for a period equal in length to an employe's service under this act but in no case shall it continue for a period longer than two years Furloughs shall be made in reverse order of seniority within grades but in cases where two or more employes have equal seniority the one with the lowest rank on the civil service list shall be furloughed Any employe displaced in this manner who has been previously promoted shall be returned to his previous position and salary by displacing the employe with the least service in that grade but in cases where two or more employes have equal seniority the one with the lowest rank on the civil service list shall be furloughed This system shall apply to all promoted employes

The secretary may demote to a vacant position in the lower grade in the same class of service any employe of the department who is unable to perform the duties of the position to which he or she was appointed and who is able to perform the duties of such lower grade

Employes may upon application in writing to the secretary and upon written approval by him obtain a leave of absence without pay

* * * * *

(p) All employes of the department engaged in the administration of this act who are given notice of dismissal suspension demotion or furlough shall be entitled to a hearing before the board by an appeal made within ten days after such notice of dismissal suspension demotion or furlough becomes effective and shall be furnished with copies of any charges preferred against them and shall be allowed a reasonable time for personally answering the same in writing and submitting affidavits in support thereof Any employe summarily dismissed or dismissed for delinquency or misconduct under a decision of the board or upon the expiration of the date for an appeal if no appeal has been taken shall be removed from all lists of eligibles for positions under this act Any employe after having been dismissed suspended demoted or furloughed or having received notice of dismissal suspension demotion or furlough and who has made appeal thereof to the board shall be restored by the secretary upon being sustained on such appeal by the decision of the board to the same grade of employment in which he had been employed and [in the discretion of the board] shall be fully reimbursed for any loss of salary caused by such dismissal suspension demotion or furlough The board shall hear such appeals and render a final decision in all cases under this section in not more than thirty days after the date of such appeals and shall keep records of such appeals as provided for appeals for compensation under section five hundred four of this act Appeals may be taken by the secretary or the employe from the board to the Superior Court within thirty days after the decision of the board in the same manner as provided in this act for appeals with respect to compensation

* * * * *

(s) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact or in any manner conceals any information in order to obtain employment either for himself or any other person under this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred dollars and in the default of the payment of such fine and costs shall be sentenced to imprisonment for not more than thirty days and each such violation shall be deemed to be a separate offense and his name shall be removed from all lists of eligibles and if appointed he shall be summarily dismissed

A material fact or item of information shall be limited to one which the board exercising due diligence is able to prove false within the nine months' probationary period The board shall have no authority to act under this section following the expiration of the nine months' probationary period for the employe involved

Section 301 Contributions by Employers of Eight or More Employes Each employer who has employed eight or more employes (whether or not the same employes) in employment for some portion of each of some two (2) days [(whether or not at the same moment of time) during a calendar year each day being in a different week] shall pay for each such calendar year begining with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to such employer for such calendar year by section nine hundred two of the Social Security Act against the Federal excise tax imposed by section nine hundred one of the Social Security Act with respect to employment Such payments shall be made at such times and in such manner as the department shall prescribe Such contributions in order to be no more and no less than the maximum credit allowable under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid or payable by the employer for such calendar year

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter

Section 401 Qualifications Required to Secure Compensation Compensation shall be payable to any employe who is or becomes totally unemployed on or after January first one thousand nine hundred thirty-eight and who

(a) Has within his base year earned wages from em-

ployers of not less than [thirteen times his weekly compensation amount] one hundred dollars except for casual labor

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least [three weeks five effective days which need not be consecutive (except as otherwise hereinafter provided in this clause) prior to [any] the first week for which he claims compensation provided that such [three weeks] five effective days of total unemployment shall occur after compensation first becomes payable under this act Such [three weeks] five effective days shall not include any [week] day in which the employe was ineligible for compensation under section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section The [three weeks] five effective days of total unemployment need not be consecutive but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment If the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute then he shall be ineligible for compensation for a further waiting period of three weeks or fifteen effective days in addition to the waiting period hereinbefore prescribed in this clause

(f) In claiming benefits hereunder an employe shall correctly report any days of employment including employment not subject to this act and the days on which he was totally unemployed and shall make such reports in accordance with such regulations as the department shall prescribe

Section 9 Section four hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any [week] period under the provisions of section four hundred one of this act

(a) In which his employment is due to failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work for his residence

(b) In which his unemployment is due to voluntarily leaving work except where as a condition of continuing in employment the employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bonafide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) Any employe ineligible for compensation under section four hundred one of this act because of the provisions of (a) and (b) of this section shall become eligible for unemployment compensation in accordance with his earnings if such employe has not secured any employment for a period of four weeks after he has become unemployed

Section 10 Sections four hundred and three four hundred and four five hundred and four five hundred and five six hundred and two and six hundred and three of said act are hereby amended to read as follows

Section 403 Rate and Payment of Weekly Compensation Compensation shall be paid only for each accumulation of five effective days which need not be consecutive and shall be payable at the rate of (fifty) sixty-six and two thirds per centum of the employe's full-time weekly wage but the amount shall not be more than (fifteen) twenty dollars nor less than (seven dollars and fifty cents) ten dollars a week An employe's weekly compensation amount as determined for the first week of his benefit year shall constitute his weekly compensation amount throughout such benefit year Compensation shall be computed to the nearest multiple of (five) fifty cents Compensation shall be paid through employment offices at such times and in such manner as the department may prescribe

Any claimant who begins a benefit year after the effective date of these amendments shall have his benefit and compensation rights determined in accordance with such amendments Provided That any claimant who may have accumulated one or more weeks of waiting within fifty-two weeks of the effective date of these amendments without having begun a benefit year may have on week of such accumulated time credited to him at the beginning of and for use in the benefit year beginning subsequent to the effective date of these amendments

Section 404 Amount of Compensation The maximum total amount of compensation payable to any eligible employe during any benefit year shall not exceed [one-eighth] one-fifth of his total wages from employers during the first eight out of the last nine completed calendar quarters immediately preceding each week with respect to which compensation is payable (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) or [thirteen] sixteen times his weekly compensation amount whichever is the lesser

The department may maintain a separate account for each employe and in such event shall credit his account with all wages earned by him from employers subsequent to January first one thousand nine hundred thirty-seven Compensation paid to an eligible employe shall be charged against amounts credited to such account in the chronological order in which the wages of such individual were earned from employers

Section 504 Powers of Board Over Claims The board shall have power on its own motion or on appeal to remove transfer or review any claim pending before or decided by a referee and in any such case and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the decision of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence When any claim pending before a referee is removed or transferred to the board the board shall afford the claimant and all other affected parties reasonable opportunity for a fair hearing The parties shall be duly notified of the board's final decision and the reasons therefor A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 505 Rules of Procedure The manner in which appeals shall be taken the reports thereon required from the department the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure Provided however That the board shall afford the claimant and all other affected parties a reasonable opportunity for a fair hearing which shall be public and wherein all evidence shall be taken under oath or affirmation

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be

used for administration of this act The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

In addition any law to the contrary notwithstanding this fund shall be subject to a charge by the Treasury Department for the costs incurred by said department in making disbursements arising from payments out of the Unemployment Compensation Fund and the fund created in this section

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund and the Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made by the State Treasurer under such systems of requisitioning and accounting as [the Governor] the State Treasurer [and secretary] shall determine with the approval of the Social Security Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. REUBEN E. COHEN. Mr. Speaker, House Bill 868 is the first real amendment to the Unemployment Compensation Act of Pennsylvania which was first passed in this House during the special session in Dececmber 1936. The authors of this bill feel that at this time amendments properly should be made, to the Unemployment Compensation Law of Pennsylvania in the light of reliably ascertainable information at our command. What we are attempting to do in this bill is to liberize the spending of the vast reserve which up to this time has accumulated into that special fund. By liberalizing it we are asking to raise the minimum compensation to be paid from seven and one half to ten dollars per week, but we are asking them to raise the maximum from fifteen to twenty dollars per week, and to extend the number of weeks in which compensation may be paid within the year to sixteen weeks from thirteen weeks, and to reduce the waiting period from three weeks out of five, as the law now provides, to one week, as this bill describes it five effective days. The bill will also provide that casual labor may indulged in by the recipients of unemployment compensation without giving up the right to their compensation to which they are entitled under the present Act. By using the terminology five effective days as a waiting period, and by using the five effective days as the indication or the standard of any one calendar week at the time the compensation may be paid, we are not going to penalize a person who is compelled to go on unemployment compensation from accepting casual employment for one or two days a week. There have been many instances where a small employer has been unable to get this casual labor for one or two days a week because by so doing they will give up their benefits. which is much higher than the income from a day or two of casual employment. We have taken all the available figures and we have come to this conclusion, there is one hundred and fifty million dollars in the Unemployment Compensation fund. That figures is approximate but very close. We believe that by giving greater benefits in the ensuing year, if these amendments are put into effect, taking into consideration the fact that employment is on the rise, employer contributions will thereby be greater and the demands on the funds will be smaller and that industry will not be burdened by the additional payment but that Pennsylvania will have the benefit of an increased amount of money in the hands of the consumer, which will help to keep Pennsylvania busy. We also feel that in this measure we are not in any way going to impair the cushion this particular fund represents, if there should be another serious situation of unemployment in Pennsylvania, that there can be a period of sixteen weeks or approximately four months time when those who are thrown out of employment may seek what is justly due them in the way of funds upon which to live before we as legislators can be compelled to rush up here in an emergency situation to figure out ways and means of increasing our appropriations to the Department of Public Assistance, in the way of relief.

That in brief, Mr. Speaker and members of the House, covers what the four amendments will do as far as the employer is concerned. There are other provisions in the bill concerning civil service and we have attempted to bring them more into line with the provisions of the Social Security Board: we are attempting to protect the workers in their work; we are attempting to make more reasonable regulations as to methods of employment and conditions of employment. I think that the reasonableness of this bill will appear to any member of this House, that these amendments are acceptable as a good gift to the people of Pennsylvania, and I ask you to support the bill.

Mr. TURNER. Mr. Speaker, I had hoped to avoid action upon this measure this afternoon because the hour is late and we have had a lot of debate and some fun, and I know that we all want to get away. However, I am going to try to make what I have to say as brief as possible.

Back in the session of 1939 a resolution was passed by the Legislature charging the study by a commission created under that resolution, of merit rating in unemployment Compensation. Likewise a resolution was passed in the 1939 session charging the Joint State Government Commission with the study of unemployment compensation. It seemed to those of us who were concerned with the Joint State Government Commission that the most sensible think to do would be to have a commission especially appointed under the resolution on merit rating, to take the whole question of unemployment compensation and make their study.

Senator Heyburn of Delaware County was the Chairman of that Commission to study unemployment compensation. Throughout the period between the Fall of 1939 and the opening of this session that commission worked very diligently, first through the staff of the Joint State Government Commission, in developing and securing necessary data and statistics on this whole question. Then that commission through a long series of hearings in which they had industry and labor and all sorts of groups and

Departments which administer unemployment compensation, they had those different groups present at the different hearings of the Commission and they sought to find from them the necessary changes in the things that should be done in the Unemployment Compensation Act. The Commission has finished its report and the report of the commission was submitted to the Joint State Government Commission. As a result of the recommendations of the commission of Unemployment Compensation, the Joint State Government Commission made recommendations, the same recommendations which were made by the commission and made those recommendations as recommendations of the Joint State Government Commission. Pursuant to the report of the Joint State Government Commission and the Commission on Unemployment Compensation and their recommendations a bill was drafted embodying the recommendations of that commission, and as it semed to us proper in discussing the matter, that was introduced in the Senate by Senator Heyburn, who was Chairman of that Commission, and who worked very diligently on it, and by Senator Dent who was a co-sponsor, who also had been a member of that Commission. It seems to me that there were two other Senators who appeared on the bill, but those two Senators were the two Senators on the Commission to study Unemployment Compensation. That bill was at the beginning of the week on the calendar of the Senate. I believe it has been held there according to my information for some further amendments that have been suggested and which seem proper to make on this question of unemployment compensation. The Joint State Government Commission announced back some time in either the early part of January or late in December, that it had reduced the waiting period in this bill from three weeks, or in its recommendations from three weeks to two weeks, that it was increasing the compensation and a number of other liberalizing features of the present Unemployment Compensation Act . Shortly after that announcement was made, some group of the Democratic Party announced that they were going to reduce the waiting period to one week, that they were going to increase the amount of benefits which the Commission recommended to some larger sum. Therefore, I presume that the bill which is now before the House is carrying out that same idea, and it seems to me that the attempt is purely to put in a bill to go one better in the recommendations of the Joint State Government Commission. That bill was sponsored by Senator Heyburn, a Republican, and by Senator Dent, a Democrat, in the Senate. It seems to me that the proper procedure here would have been to wait until that bill came out of the Senate. What is the use of the Commission spending from sixteen to eighteen months in stuyding a proposition and making its recmommendations based upon the fact which the Commission had? What is the use of us creating a commission to give us the benefit of that information and having a bill introduced carrying that out, if the minute that bill is introduced in the Senate somebody in the House is going to introduce a bill to go one step further? I think we are all interested in liberalizing the Unemployment Compensation Act. There are a lot of very grave problems involved in every move that we make, and contrary to what the gentleman from Philadelphia has said, we have found that many times, in the study of unemployment compensation we do not have sufficient experience or data or information upon which we can go as far as we might ordinarily have thought it was possible to go. You cannot just look at the fund and say, "we have got a lot of money at present, let us expand the benefits some place". As I said at the beginning, I had no desire to debate this bill this afternoon. I would much rather be out of here, but as this bill is as far reaching as it is and as it is extremely important, not only as a benefit to labor and to the working man but it involves a very heavy burden upon the small employer. I'm not thinking of the large employer who can meet these problems as long as they do not put him on a differential basis, which is unfavorable as compared with industry in other states, because this act is general, and the Federal Act does not so much affect the larger employer as it does the smaller employer in Pennsylvania who have felt the great burden of this unemployment compensation Act.

Therefore, it seems to me that the Members of the House might spend the next few moments, as much as it may be a strain upon them to do so, in learning something about this great problem which is before us. I will endeavor to say these things in a way that perhaps they will understand and give them as far as I can the benefit of the experience I have had in this work which has been done. Then again I say, what is the use of having this study, what is the use of introducing a bill in the Senate if immediately you introduce in the House a bill that simply goes one better. Why wouldn't it have been the better and more orderly procedure to have waited for the bill to come from the Senate, giving a result of the study, backed by the men who were on this Commission? Then if the House in its judgment, after it had a chance to study the measure, after it had an opportunity to study the amendments of the Senate or if there are amendments of this bill which you want to make which are not in the Senate bill, then offer them in the proper and orderly procedure, rather than to present to us a bill which most of the members of this House haven't had an opportunity to know whether it does meet the requirements, because they haven't had the advantage of prior study, they have had no opportunity to know whether the provisions of this bill are right or not. Many of the Members of this side of the House have felt that they ought to vote for this bill because it has many benefits for the people, but on the other hand we want to know we are not doing something to harm the people we are trying to help. Because unemployment has been reduced and because unemployment is down now and the fund is mounting very rapidly, now is the time in the sunshine to make hay, now is the time to store away for that day when we will be back to a greater volume of unemployment upon the backs of the people of Pennsylvania. We are all in favor of increased benefits, we are all in favor of going as far as we can possibly go, but it seems to me we should have waited for the bill to come from the Senate rather than introduce a bill in the House which goes one step farther.

MOTION TO RECOMMIT

Mr. TURNER. Therefore, Mr. Speaker, I move that this bill be recommitted to the Committee on Labor, rather than have two bills, one in the Senate and one in the House. It is just as easy to amend this bill when it arrives from the Senate when the bill comes on the floor. I am informed, I do not have the information to debate this

question, but I am advised by those who have carefully studied it that there are a lot of things in this bill that are not proper, and that there are some things in the draftsmanship of that bill which are not good. Therefore, why not recommitt the bill, Mr. Speaker?

On the question,

Will the House agree to the motion?

Mr. REUBEN E. COHEN. Mr. Speaker, in asking you to vote against this motion to recommitt may I say briefly this, in the early part of the session the Joint State Government Commission distributed amongst the members of this House a great number of pamphlets concerning their investigation and studies in the past eighteen months. I do not know what many members did with those pamphlets, but I saved mine and I made a study of many of the recommendations on unemployment compensation made by the Commission. The sponsors of this bill disagree in some parts and agree in some parts with what the Joint State Government Commission agreed upon.

We accepted their ideas where we thought they might be right, at any rate, this bill agrees with what we thought, the sponsors felt about the matter as to the ground work of the Joint State Government Commission. We have taken it and where we thought we could be a little more liberal in such cases we have done so because we made further studies to determine that there would be no great withdrawing of money that would prevent a proper margin of safety. We are not going to dissipate the money at this time and leave ourselves open later on. It seems to me that the disagreement we have had with Mr. Turner is not in reference to the purpose of the bill it is in reference to the method. I just received information that the bill has been recommitted this morning. If that bill was recommitted,—I may be wrong about that, but I do not know, if there are any amendments the House desires to make, why they cannot be considered. I only want to repeat here the liberalization that we on this side of the House have added to the measure which we put into the law in 1936. We in the Democratic Party initiated the program in Pennsylvania at a special session in December 1936, and the Democrats are now saying that the act could stand a lot of liberalization, and we are basing all our liberlized ideas fundamentally on what the Joint State Government Commission found in their study. We are not throwing out the report of the Joint State Government Commission I have treasured that report of the Commission, and I have kept the report close with me all the time, and if possible I took what they did. I find myself in agreement on some things and in disagreement on other things, and where I am in disagreement on certain things I am sure that the gentleman will say that I have the right to disagree. Again I say to the gentlemen on this side of the house and to the gentlemen on the other side of the House that what we have in this bill to-day is a fair solution to a problem that we have before us to-day, and it is a fair extension of the principals which this side of the House put into effect in December 1936.

Mr. TURNER. Mr. Speaker, I think I may properly say that the bill of the Senate was not recommitted for any disagreement as far as the general proposition is concerned because there was a number of amendments, as I said before, for which the bill has been held on the calendar awaiting their completion. I understood that they were completed but I may be wrongly informed, and therefore I know that there is no danger that a bill on unemployment compensation, sponsored by Senator Heyburn and Senator Dent will not come over to this House for action by this House, and I can see no reason why we should clutter up the record with further legislation which can be properly secured in this House by the gentleman from Philadelphia when the Senate bill comes over.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. TROUT. Mr. Speaker, I am in agreement with a great many provisions of this act. To a great extent it carries out the recommendations made by the committee which studied unemployment compensation, of which I happened to be a member. I would like, however, to state to the Members of the House that because of the fact that two of my colleagues who served on that commission are sponsoring the bill in the Senate, as stated by the gentleman from Delaware, Mr. Turner, which is a non-partisan bill, sponsored by Senator Dent and Senator Heyburn, I will vote against the bill, and I want to state my reason for doing so to the House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—139

Achterman,	Fleming,	Malloy,	Reese, R. E.,
Allmond,	Fletcher,	Marks,	Regan,
Auker,	Flynn,	Maxwell,	Reynolds,
Baker,	French,	McClanaghan,	Rooney,
Balthaser,	Gallagher,	McDermott,	Rosenfeld,
Baugher,	Gates,	McFall,	Rush,
Bentley,	Gerard,	McGrath,	Sarraf,
Bentzel,	Goodwin,	McIntosh,	Scanlon,
Boles,	Gryskewicz,	McLanahan,	Schwab,
Boney,	Haberlen,	McLane,	Shaffer,
Bower,	Haines,	McSurdy,	Shaw,
Bradley,	Hamilton,	Melchiorre,	Sorg,
Breth,	Harkins,	Mihm,	Stank,
Brown,	Harmuth,	Modell,	Stine,
Brunner, P. A.,	Harris,	Monks,	Tarr,
Burns,	Heatherington,	Mooney,	Tate,
Burris,	Helm,	Moran,	Thompson, E. F.,
Chervenak,	Hering,	Moul,	Thompson, R. L.,
Chudoff,	Herman,	Munley,	Verona,
Cochran,	Hersch,	Nagel,	Vincent,
Cohen, M M.,	Hirsch,	Nunemacher,	Vogt,
Cohen, R E.,	Holland,	O'Brien,	Voldow,
Cooper,	Huntley,	O'Connor,	Voorhees,
Cordier,	Jefferson,	O'Dare,	Watkins,
Corrigan,	Keenan,	O'Mullen,	Weiss,
Croop,	Kenehan,	O'Neill,	Welsh, E. B.,
Cullen,	Kline,	Owens,	Welsh, M. J.,
DiGenova,	Knoble,	Petrosky,	Williams,
Dolon,	Kolankiewicz,	Pettit,	Wolf,
D'Ortona,	Komorofski,	Polaski,	Woodring,
Early,	Leonard,	Polen,	Wright,
Elliott,	Lesko,	Powers,	Yester,
Falkenstein,	Levy,	Prosen,	Young,
Finestone,	Longo,	Rausch,	Kilroy
Finnerty,	Lovett,	Readinger,	Speaker.

NAYS—44

Bretherick,	Hare,	Muir,	Stockham,
Cadwalader,	Hewitt,	Reagan,	Taylor,
Dennison,	Imbrie,	Reese, D. P.,	Trout,
Eckels,	James,	Riley,	Turner,
Elder,	Krise,	Rose, W. E.,	Van Allsburg,
Ely,	Leisey,	Royer,	Wagner,
Fiss,	Lyons,	Sarge,	Wilkinson,
Gillette,	McClester,	Serrill,	Winner,

Gyger,	McDowell,	Simons,	Wood, N.,
Habbyshaw,	McKinney,	Snyder,	Woodside,
Hall,	McMillen,	Sollenberger,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class and for proof thereof and to make uniform the law with reference thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Fletcher,	Lovett,	Rosenfeld,
Allmond,	Flynn,	Lyons,	Royer,
Auker,	Foor,	Malloy,	Rush,
Baker,	French,	Marks,	Sarge,
Balthaser,	Gallagher,	Maxwell,	Sarraf,
Baugher,	Gates,	McClanaghan,	Scanlon,
Bentley,	Gerard,	McClester,	Schwab,
Bentzel,	Gillette,	McDermott,	Serrill,
Boles,	Goodwin,	McDowell,	Shaffer,
Boney,	Greenwood,	McFall,	Shaw,
Boorse,	Gross,	McGrath,	Simons,
Bower,	Gryskewicz,	McIntosh,	Snyder,
Bradley,	Gyger,	McKinney,	Sollenberger,
Breth,	Habbyshaw,	McLanahan,	Sorg,
Bretherick,	Haberlen,	McLane,	Stambaugh,
Brown,	Haines,	McMillen,	Stank,
Brunner, C. H.,	Hall,	McSurdy,	Stine,
Brunner, P. A.,	Hamilton,	Melchiorre,	Stockham,
Burns,	Hare,	Mihm,	Tarr,
Burris,	Harkins,	Modell,	Tate,
Cadwalader,	Harmuth,	Monks,	Taylor,
Chervenak,	Harris,	Mooney,	Thompson, E. F.,
Chudoff,	Heatherington,	Moran,	Thompson, R. L.,
Cochran,	Helm,	Moul,	Trout,
Cohen, M. M.,	Hering,	Muir,	Turner,
Cohen, R. E.,	Herman,	Munley,	Van Allsburg,
Cook,	Hersch,	Nagel,	Verona,
Cooper,	Hewitt,	Nunemacher,	Vincent,
Cordier,	Hirsch,	O'Brien,	Vogt,
Corrigan,	Holland,	O'Connor,	Voldow,
Croop,	Huntley,	O'Dare,	Voorhees,
Cullen,	Imbrie,	O'Mullen,	Wagner,
Dalrymple,	James,	O'Neill,	Watkins,
Dennison,	Jefferson,	Owens,	Weingartner,
DiGenova,	Jones, G. E.,	Petrosky,	Weiss,
Dix,	Keenan,	Pettit,	Welsh, E. B.,
Dolon,	Kenehan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kline,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winner,
Eckels,	Komorofski,	Rank,	Wolf,
Elder,	Krise,	Readinger,	Wood, L. H.,
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, D. P.,	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Yeakel,
Finnerty,	Lesko,	Rhea,	Yester,
Fisher,	Levy,	Riley,	Young,
Fiss,	Leydic,	Rooney,	Kilroy,
Fleming,	Lichtenwalter,	Rose, S.,	Speaker.
	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with out amendment.

BILL PASSED OVER

There being no objection House Bill No. 383, Printer's No. 147, was passed over at the request of the Speaker.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 70, as follows:

An Act to amend section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the compensation paid to township commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 703 Compensation [Each township commissioner] [shall receive a salary of one hundred dollars per year in townships having a population of less than five thousand two hundred dollars per year in townships having a population of five thousand and more but less than twenty-five thousand and three hundred dollars per year in townships having a population of twenty-five thousand and more payable quarterly as full compensation for the duties imposed by the provisions of this act] Each township commissioner shall receive a salary of not more than two hundred dollars per year in townships having a population of less than four thousand not more than three hundred dollars per year in townships having a population of four thousand and more but less than ten thousand and not more than four hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than five hundred dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than six hundred dollars in townships having a population of twenty thousand or more payable quarterly as full compensation for the duties imposed by the provisions of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Fletcher,	Lovett,	Rosenfeld,
Allmond,	Flynn,	Lyons,	Royer,
Auker,	Foor,	Malloy,	Rush,
Baker,	French,	Marks,	Sarge,
Balthaser,	Gallagher,	Maxwell,	Sarraf,
Baugher,	Gates,	McClanaghan,	Scanlon,
Bentley,	Gerard,	McClester,	Schwab,
Bentzel,	Gillette,	McDermott,	Serrill,
Boles,	Goodwin,	McDowell,	Shaffer,
Boney,	Greenwood,	McFall,	Shaw,

Boorse,	Gross,	McGrath,	Simons,
Bower,	Gryskewicz,	McIntosh,	Snyder,
Bradley,	Gyger,	McKinney,	Sollenberger
Breth,	Habbyshaw	McLanahan,	Sorg,
Bretherick,	Haberlen,	McLane,	Stambaugh,
Brown,	Haines,	McMillen,	Stank,
Brunner, C. H.,	Hall,	McSurdy,	Stine,
Brunner, P. A.	Hamilton,	Melchiorre,	Stockham,
Burns,	Hare,	Mihm,	Tarr,
Burris,	Harkins,	Modell,	Tate,
Cadwalader,	Harmuth,	Monks,	Taylor,
Chervenak,	Harris,	Mooney,	Thompson, E. F.,
Chudoff,	Heatherington,	Moran,	Thompson, R. L.,
Cochran,	Helm,	Moul,	Trout,
Cohen, M. M.,	Hering,	Muir,	Turner,
Cohen, R. E.	Herman,	Munley,	Van Allsburg,
Cook,	Hersch,	Nagel,	Verona,
Cooper,	Hewitt,	Nunemacher,	Vincent,
Cordier,	Hirsch,	O'Brien,	Vogt,
Corrigan,	Holland,	O'Connor,	Voldow,
Croop,	Huntley,	O'Dare,	Voorhees,
Cullen,	Imbrie,	O'Mullen,	Wagner,
Dalrymple,	James,	O'Neill,	Watkins
Dennison,	Jefferson,	Owens,	Weingartner
DiGenova,	Jones, G. E.,	Petrosky,	Weiss,
Dix,	Keenan,	Pettit,	Welsh, E. B.,
Dolon,	Kenehan,	Polaski,	Welsh, M. J.,
D'Ortona,	Kline,	Polen,	Wilkinson,
Duffy,	Knoble,	Powers,	Williams,
Early,	Kolankiewicz,	Prosen,	Winner,
Eckels,	Komorofski,	Rank,	Wolf,
Elder,	Krise,	Readinger,	Wood, E. H.
Elliott,	Lee, E. A.,	Reagan,	Wood, N.,
Ely,	Lee, T. H.,	Reese, David P.	Woodring,
Falkenstein,	Leisey,	Reese, R. E.,	Woodside,
Finestone,	Leonard,	Reynolds,	Yeakel,
Finnerty,	Lesko,	Rhea,	Yester,
Fisher,	Levy,	Riley,	Young,
Fiss,	Leydic,	Rooney,	Kilroy,
Fleming,	Lichtenwalter,	Rose, S.,	Speaker
	Longo,	Rose, W. E.,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former member of this House, now a councilman in the city of Pittsburgh, the Honorable Thomas J. Gallagher.

Mr. THOMAS J. GALLAGHER. Mr. Speaker and members of the House, it is indeed an honor to be introduced at this session of the General Assembly of Pennsylvania.

I want to say that I am highly pleased with this honor. When we think of what is going on across the waters we should be proud we are Americans, and that we have this great democratic representative form of government.

It reminds me of a story I heard last week told by our welterweight champion of the world, Fritzie Zivic of Pittsburgh. He told a story about a refugee from Holland who was over in Russia. He had a toothache and went to a dentist to get his tooth pulled. The Russian dentist said it would cost him twenty-five dollars.

The refugee from Holland said, "Over in America you can get your tooth pulled for two dallars."

The Russian said, "In America you can open your mouth, I will have to pull your tooth through your ear."

PERMISSION TO USE HALL OF HOUSE

Mr. SCANLON. Mr. Speaker, there was a hearing originally scheduled for the new House Caucus Room at 7:30 this evening, but due to the fact that we have quite a crowd of nurses here I am going to ask permission of the House to hold the public Hearing in the hall of the House at 7:30 this evening instead of in the new House Causus Room.

The SPEAKER. Will the House grant the request of the gentleman from Philadelphia?

The Chair hears no objections and permission is granted

RESOLUTIONS

SYMPATHY EXTENDED

Mr. CADWALADER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, April 1, 1941

The sudden passing of Joseph McElhatton, aged 57, of West Conshohocken, Montgomery County, came as a profound shock to the citizens of Montgomery County and to his innumerable friends throughout the Commonwealth.

A colorful political figure among the Montgomery County Democrats, he was serving his fourth term as burgess when he died.

His was that rare gift of friendship, to which all men aspire, and which so few can call their own. So well liked was he in his county that he was never opposed when he ran for office.

His life, therefore, stands as a model for all who enter the political arena. His single-minded devotion to the improvement of the community in which he resided, his devotion to the ideal of true public service, once he left the railroad on which he served as an engineer for the field of politics, and his inherent love for his fellowmen, so endeared him to one and all that he was respected and revered, especially by the younger people of his community, to an extent enjoyed by only a very fortunate few.

Whereas, The suddenness of his death accentuates more keenly the profound loss his community, county, and State have suffered at his passing; therefore be it

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to the bereaved sister and brother of the deceased as a symbol of the House of Representatives' profound sympathy for them on their great loss.

POLISH DAY

Messrs. SARRAF and BAKER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, April 1, 1941

Whereas, The pages of history nowhere show a greater love of country than that exhibited by the citizens of Poland over the course of the centuries; and

Whereas, Today, as two centuries before, the liberty-loving Poles have been trampled by the legions of a tyrant; and

Whereas, As history is indebted to Poland for the aid rendered our own cause during the Revolutionary War by great military leaders from Poland; and

Whereas, People of Polish descent have greatly contributed to the progress of the United States as citizens of the Republic. They have been loyal, progressive and law abiding. They have entered the various phases of American Life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding; and

Whereas, The least we could do for citizens of Poland and our own citizens of Polish descent is to recognize their contribution to our own cultural and economic advancements, and to offer some recognition of their fight for Poland's independence; be it therefore

Resolved, (if the Senate concur), That the Legislature of this State acknowledges the contribution made to our nation by persons of Polish origin by endorsing the cele-

bration of Polish Independence Day on May 3rd; and be it further

Resolved. That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the third day of May, as Polish Day.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. MUNLEY, from the Committee on Liquor Control, reported as amended, House Bill No. 854, entitled:

An Act to further amend sections three hundred four and four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the hours of when sales may be made at Pennsylvania Liquor Stores, and permitting hotel and restaurant licensees to sell by the bottle at certain times, for consumption off the premises.

Mr. FINESTONE, from the Committee on Judiciary General, reported as amended, House Bill No. 579, entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

BILLS RE-REFERRED

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 82, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or, other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to apply license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 83, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the state; and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency therof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 574 (Senate Bill No. 38), entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Counties, Wednesday, April 2 at 11:30 a. m. in Room 521.

Dairy Industries, Wednesday, April 2 at 11 a. m. in Room 326.

Education, Wednesday, April 2 at 10:30 a. m. in Room 329.

Game, Tuesday, April 1, immediately after the session in Room 324.

Elections, Tuesday, April 1 after today's session in Room 246.

Municipal Corporations, Tuesday, April 1, immediately after the session in Room 323.

Railroads and Railways, Tuesday, April 1 after the session in Room 522.

State Government, Wednesday, April 2 at 11 a. m. in Room 325.

Welfare, Wednesday, April 2 at 10 a. m. in Room 246.

Workmen's Compensation, Wednesday, April 2 at 11:30 a. m. in Room 522.

There will be a Public Hearing before the Committee on Professional Licensure on House Bill Nos. 462 and 675 on Tuesday, April 1, 1941 at 7:30 p. m. in the Hall of the House.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

There will be a meeting of the Editorial Staff of the "First Termers Dilemma" immediately after the session at the Usual place.

This fighting publication will make its first appearance next week. Watch for it.

ADJOURNMENT

Mr. DENNISON. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 2, 1941, at 12 m.

The motion was agreed to, and at (5:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., WEDNESDAY, APRIL 2, 1941. No. 30.

SENATE

WEDNESDAY, April 2, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

Lovely and beautiful and holy is Thy name, O Lord, and with the utmost confidence and trust do we come unto Thee and into Thy holy presence, Thou hast taught us boldly to come to Thee and ask whatsoever we will and it shall be done. O that we all fully believed in Thy promises and relied upon Thy power! O that we would only put the more important things first in our lives and behold the wondrousness of Thy salvation!

May our nation continue to live at peace. Give wisdom and judgment to those in authority over us. Grant us patience in the midst of trial. Let righteousness prevail in our nation against all her enemies. Make the robe of reconsecration to be the garment we shall wear at all times. And to Thee, Father, Son and Holy Ghost be all the praise in that world without end. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TYLER and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Walker asked and obtained leave of absence for the Senator from Allegheny, Mr. GELTZ.

Mr. Farrell asked and obtained leave of absence for the Senator from Lancaster, Mr. HOMSHER.

PETITIONS

Mr. CAVALCANTE. Mr. President, I have certain petitions received from many of my constituents, which I would like to have made part of the record of this Senate.

The first petition is addressed to the Honorable Arthur H. James, Governor of Pennsylvania, Governor's Mansion, Harrisburg, Pennsylvania. This is a copy of the original, which I have already delivered to the Governor.

The petition sets forth the following:

"TO THE HONORABLE ARTHUR H. JAMES, GOVERNOR OF PENNSYLVANIA GOVERNOR'S MANSION, HARRISBURG, PENNSYLVANIA

"We, the undersigned teachers and other employees of the North Union Township School District, Fayette County, Pennsylvania, being so financially embarrassed that it has become impossible to carry on our duties; do thereby urgently request that the Honorable Governor relieve the distress in this District by giving his personal favorable attention to the releasing of the second installment of State Appropriation due this District.

Note:—This district has paid five-twelfths of the current yearly salaries, with seven-ninths of the school year gone—i. e. We have worked nearly the entire year on less than half of the yearly salary.

By our signatures we earnestly pray our request be granted."

POINT OF INFORMATION

Mr. EALY. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Somerset will state his point of information.

Mr. EALY. Mr. President, did the Senator from Fayette ask that this whole list of names be copied into the record?

Mr. CAVALCANTE. Mr. President, I asked that it be made part of the files of the Senate.

The PRESIDENT. The Chair understands the gentleman from Fayette just wants it noted in the Journal.

Mr. CAVALCANTE. That is correct, Mr. President.

Mr. CAVANCANTE. Mr. President, I also have a petition from a large number of school districts from Dunkard Township School District in Greene County which sets forth the following:

Bobtown, Pa., March 4, 1941.

"Honorable Sir:

"We are sending you herewith a petition signed by the teachers of Dunkard Township School District, Greene County, Pennsylvania.

"We and they respectfully ask you to give your support and influence to secure the passage by the Pennsylvania Legislature of the proposed bill establishing the minimum salary schedule for elementary teachers in Fourth Class School Districts of our state at $1,000.00 per year with an increase of $100.00 per year for four years.

"We feel that since the requirements for teachers are the same in fourth class districts as for first, second, and third class districts that the salaries should be equal. Also in many instances teachers in fourth class districts are working under greater handicaps and difficulties than are the teachers in the other classes of districts, and that as good results are expected from them."

Mr. President, I would like the same thing done with this petition.

Also, Mr. President, I have another petition pertaining

to the optometrical profession. This petition is signed by a large number of optometrists from my county and I would ask that this petition be also made part of the record.

The PRESIDENT. If there is no objection the request of the Senator from Fayette will be complied with and the petition will be noted in the Journal.

Mr. CAVALCANTE. It reads as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 11 of the Constitution of the Commonwealth of Pennsylvania, I hereby advise you that the House of Representatives of the United States of America has certified to me, pursuant to Section 22. Subdivision (B), of the Act of the Congress of the United States of America entitled "An Act to provide for the Fifteenth and Subsequent Decennial Censuses and to Provide for Apportionment of Representatives in Congress," approved June 18, 1929, as amended by public, numbered 481, Seventy-Sixth Congress, approved April 25, 1940, that the State of Pennsylvania shall be entitled, in the Seventy-Eighth Congress and in each Congress thereafter until the taking effect of a reapportionment under said act, as amended, or subsequent statute, to thirty-three representatives in the House of Representatives of the Congress of the United States.

At Harrisburg, the first day of April, Anno Domini, one thousand nine hundred forty-one.

ARTHUR H. JAMES.

BY THE GOVERNOR:
Secretary of the Commonwealth

COMMUNICATIONS FROM MEMBERS OF U. S. CONGRESS

The PRESIDENT. The Chair lays before the Senate a number of communications from members of Congress, who were sent copies of Senate Resolution, No. 26, adopted March 25, 1941, in connection with the St. Lawrence Waterway. The Chair is of the opinion, if there is no objection, the communications should be spread in full upon the Journal:

The following is a list of members of Congress who replied to Senate Resolution on St. Lawrence Waterways (No. 26) adopted March 25, 1941.

Senator James J. Davis, Speaker Samuel Rayburn, Representative Charles L. Gerlach, James Wolfenden, Thomas E. Scanlon, J. William Ditter, Harve Tibbott, Louis E. Graham, James A. Wright, Robert T. Rich, James E. Van Zandt, Michael J. Bradley, J. Roland Kinzer, Francis J. Myers, Hugh D. Scott, Jr., Harry L. Haines, Guy L. Moser, John C. Kunkel, Albert G. Rutherford, Richard M. Simpson, Charles I. Faddis, Robert L. Roders, Ivor D. Fenton, Leon Sacks.

March 27, 1941.

Mr. Geo. F. Holmes, Secretary
Senate of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Holmes:

I have for acknowledgment your letter of March 26, 1941, transmitting a resolution adopted by the Senate of Pennsylvania.

Your letter together with the resolution will be referred to the committee of the House having jurisdiction over the subject matter.

Very truly yours,
(Signed) SAM RAYBURN,
Speaker, House of Representatives.

March 28, 1941.

Mr. George F. Holmes
Secretary, Senate of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Holmes:

I have your letter of March 25th and the resolution adopted by the Pennsylvania State Senate, March 25, 1941, opposing the St. Lawrence Waterway. I introduced the resolution into the Record yesterday and am enclosing copy clipped from the Congressional Record.

Seven years ago President Roosevelt submitted the project to the Senate in the form of a treaty. A treaty requires a two-thirds vote of approval to make it effective. Now the President returns, this time submitting it on the basis of an "agreement" which was recently signed in Ottawa which will not require a two-thirds vote of approval, but merely a majority vote to provide the necessary money. In 1934, on a treaty basis, the Senate rejected it, 48 to 43, I voted against the measure and for years have been fighting the proposal.

Although the President is attempting to justify the building of the project now on the basis of national defense, the diverting of men, money and materials away from defense industries would make the project a liability in that respect. Furthermore, the project cannot be of any use to the United States or Britain in the present crisis. It will take four to six years to build.

I have opposed the project in the past and will continue to do so.

With every kind wish, I am

Most cordially yours,
(Signed) JAMES J. DAVIS.

March 31, 1941.

Honorable George F. Holmes
Secretary
Senate of Pennsylvania
Harrisburg, Pennsylvania

My dear Mr. Holmes:

This will acknowledge receipt of your letter of March 26, enclosing a resolution adopted by the Senate of Pennsylvania.

You may be sure this resolution has been made a matter of record

Very truly yours,

(Signed) LEON SACKS, M.C.

March 31, 1941

Mr. George F. Holmes, Sec.,
Senate of Pennsylvania
Capitol,
Harrisburg, Pa.

Dear Mr. Holmes:

I have yours of the 26th inst. enclosing copy of resolution adopted by the Pennsylvania State Senate in opposition to the establishment of the St. Lawrence River as a seaway and power project. The contents of the resolution have been carefully noted.

Since becoming a Member of Congress I have consistently and emphatically opposed the plans of the present Administration to continue development of water power projects, including attempts to develop the St. Lawrence as a power project under the National Defense program.

It would take years to develop hydro-electric power on the St. Lawrence and efforts to accomplish such a program as an emergency defense measure, I believe, are pure camouflage of the real reasons behind the efforts again revived for such water power development.

I have already personally protested to President Roosevelt the further development of hydro-electric projects

which can only have ruinous effects on the coal industry, as well as the railroad industry.

Your support in opposing further water power development by the present Administration will be appreciated.

Sincerely yours,

(Signed) IVOR. D. FENTON.

March 27, 1941.

Hon. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

Receipt is acknowledged of your letter of March 26th with which you transmitted copy of a resolution adopted by the Pennsylvania State Senate voicing their opposition to the St. Lawrence Waterway-Power Project.

I am presenting this resolution in the House today and asking that it be referred to the proper committee for consideration.

Very sincerely yours,

(Signed) CHARLES L. GERLACH.

March 27, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

I thank you for your letter of March 26, 1941 together with copy of the Resolution adopted by the Senate relative to the St. Lawrence Seaway Bill.

Very sincerely yours,

(Signed) THOMAS E. SCANLON.

Ambler, Pennsylvania, March 29, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

Thank you for the copy of the resolution of the Senate of Pennsylvania which you sent in your letter of March 26th. I am very glad to know that the Senate has taken this action.

Very truly yours,

J. W. DITTER.

March 28, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Sir:

Receipt is acknowledged of your favor of March 26th, enclosing a resolution recently adopted by the Senate, setting out their opposition to the proposed construction of the St. Lawrence Waterway Project.

This objection has been inserted in the Congressional Record.

Very truly yours,

JAMES WOLFENDEN.

March 28, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

Thank you for your letter of March 26 with resolution adopted by the Senate on the St. Lawrence Seaway.

I am very much opposed to the passage of this project as I do not believe it is economically justified. In my opinion there is not the need for the power which the proponents of this project claim the St. Lawrence Waterway will give us. There are too many disadvantages proposed in its development which will work a hardship on American labor, industry and agriculture. It would, too, effect our railroads, the ultimate result of which would be a terriffic hardship on the coal mines and their employees throughout the State of Pennsylvania.

I shall do everything within my power to defeat the St. Lawrence Waterway and Power Project.

Sincerely yours,

(Signed) HARVE TIBBOTT.

March 28, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

This will acknowledge receipt of the resolution adopted by the Senate of Pennsylvania with reference to the St. Lawrence Seaway.

Yesterday I asked Hon. Roland Kinzer of Lancaster to have this inserted in the Congressional Record, which was done, and it was also referred to the Committee on Rivers and Harbors.

Assuring you of our desire to cooperate in every way, I am,

Cordially yours,

(Signed) LOUIS E. GRAHAM.

March 28, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

Thank you for your letter of March 26th enclosing a copy of a Resolution adopted by the Senate, opposing the proposed St. Lawrence Seaway. I am very glad to receive this resolution as I am at this time opposed to this project.

With kindest regards, I am

Very truly yours,

(Signed) JAMES A. WRIGHT.

March 27, 1941.

Hon. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Penna.

Dear Mr. Holmes:

Your letter of March 26th, transmitting copy of Resolution relative to the St. Lawrence Seaway has been received in the absence of Congressman Bradley, who is out of the office due to a slight illness. It will be held for his personal attention.

Sincerely yours,

(Signed) T. G. DAVIS,
Secretary.

March 27, 1941.

Honorable George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

I wish to acknowledge with appreciation your letter, enclosing copy of resolution opposing the St. Lawrence Waterway, which subject is now receiving the study of our entire Congress.

Sincerely yours,

(Signed) J. ROLAND KINZER.

March 27, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

My dear Mr. Holmes:

This is to acknowledge receipt of Resolution passed by the State Senate expressing opposition to the St. Lawrence Seaway proposal of President Roosevelt.

In reply would state that I am convinced that the proposal is not for the best interests of our nation and expect to oppose same.

Very respectfully,

(Signed) ROBERT F. RICH.

March 28, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

Receipt is acknowledged of your letter of March 26 transmitting a copy of the Resolution adopted by the Senate on March 25.

I have inserted this Resolution in the Congressional Record and am violently opposed to the St. Lawrence Seaway project because of its devastating effect on the coal and railroad industries of my District.

You may depend upon me to lend every effort to defeat this measure.

Thanking you for writing me, and with every good wish, I am

Very sincerely,

(Signed) JAMES E. VAN ZANDT.

Congress of United States,
House of Representatives,
Washington, D. C., March 27. 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

I am in receipt of your letter of March 26, transmitting a copy of a Resolution recently adopted by the Senate of Pennsylvania with respect to the St. Lawrence Seaway, the contents of which I have carefully noted.

Thanking you for sending this Resolution to me, I am,

Sincerely yours,

(Signed) FRANCIS J. MYERS.

Congress of the United States,

March 27, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear George:

Thank you for sending me a copy of the resolution adopted by the Senate of Pennsylvania in opposition to the St. Lawrence Seaway.

I am pleased to learn of this action, and to assure you of my full agreement with the views expressed therein.

Yours very truly,

(Signed) HUGH D. SCOTT, JR.

Congress of the United States,

March 27, 1941.

Honorable George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

Permit me to thank you for your courtesy in submitting to me the resolution adopted by the State Senate concerning the proposed St. Lawrence Seaway Project now pending in the Congress.

With kindest regards, I am,

Sincerely yours,

(Signed) HARRY L. HAINES.

Congress of the United States,

March 27, 1941.

Mr. George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

Your letter of March 26th, transmitting the Senate adopted resolution in opposition to the St. Lawrence Seaway Project, has been received and is hereby acknowledged. I have already gone on record to the Associated Press in opposition to the proposal, and your resolution will be taken to the House and presented in regular form for its appropriate routine reference.

With best wishes, I am

Sincerely yours,

(Signed) GUY L. MOSER, M. C.

March 27, 1941.

Honorable George F. Holmes,
Secretary, Senate of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Holmes:

Thank you very much for furnishing me with a copy of the resolution adopted by the Pennsylvania State Senate in opposition to the proposed St. Lawrence Waterways.

I have consistently opposed establishment of such a project and shall continue to do everything I can to defeat its passage. However, with the Administrations backing of the project, as a defense measure, it will undoubtedly be passed during the present Congress.

I am making the Resolution of the State Senate a part of my file for future reference.

Very sincerely,

(Signed) JOHN C. KUNKEL.

March 27, 1941.

Mr. George F. Holmes, Secretary
Senate of Pennsylvania
Harrisburg, Pa.

Dear Mr. Holmes:

I wish to acknowledge your letter of March 26, together with a copy of the Resolution passed by the State Senate with reference to the proposed St. Lawrence Seaway Project.

I am very much opposed to this proposed project and will work and vote against the measure when it comes before the U. S. House of Representatives.

Very sincerely yours,

(Signed) ALBERT G. RUTHERFORD.

March 27, 1941.

Mr. George F. Holmes, Secretary
Senate of Pennsylvania
Harrisburg, Pa.

Dear Mr. Holmes:

I thank you for your letter of March 26 enclosing copy of a resolution adopted by the Senate of Pennsylvania opposing the construction of the proposed St. Lawrence Seaway.

It is my intention to vote against this proposal when it comes before the House for passage, and am glad to have this expression of opinion on the part of the Senate of our State.

Sincerely,

(Signed) RICHARD M. SIMPSON.

March 27, 1941.

George F. Holmes, Secretary
Senate of Pennsylvania
Harrisburg, Pa.

Dear Mr. Holmes:

This will acknowledge receipt of your letter of March 26th, together with the resolution, relative to the St. Lawrence Seaway. Please be assured I will be glad to give your communication every consideration.

Very truly yours,

(Signed) CHAS. I. FADDIS.

March 27, 1941.

George F. Holmes, Secretary
Senate of Pennsylvania
Harrisburg, Pa.

Dear Mr. Holmes:

This is to acknowledge receipt of your communication of recent date enclosing Resolution of the Senate of Pennsylvania, adopted March 25, 1941, with reference to the

St. Lawrence Seaway and Power Project. Am glad to know that we are in agreement.

I am enclosing a few copies of my Extension of remarks which I inserted in the Congressional Record a short time ago, for such use as you may see fit to make of it.

Yours very truly,

(Signed) R. L. RODGERS.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, April 2, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

BUCKS COUNTY

Mrs. Emily Afflerbach, South Langhorne.

CHESTER COUNTY

Miss M. Rita Morgan, Kennett Square.

LANCASTER COUNTY

John H. Espenshade, Elizabethtown.

LEBANON COUNTY

Mrs Verna M. Miller, Myerstown.
Walter H. Stahley, Lebanon.

LEHIGH COUNTY

Miss Addie M. Baus, Allentown.

LUZERNE COUNTY

M. I. Williams, Wilkes-Barre.

MONROE COUNTY

Mrs. Dorothy S. Crane, Stroudsburg.

MONTGOMERY COUNTY

James F. Aquilani, Norristown.

PHILADELPHIA COUNTY

Mrs. Helen M. Green, Phila., 529 South 11th St.
Miss Anna M. Hardwick, Phila., 7208 Frankford Ave.
William H. Jackson, Phila., 1617 Pennsylvania Blvd.

VENANGO COUNTY

Mrs. Henrietta Bittenbender, Oil City.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

SNYDER COUNTY

Jacob B. Bulick, Selinsgrove, April 5, 1941.

NORTHAMPTON COUNTY

G. E. Kiefer, Easton, April 9, 1941.

ALLEGHENY COUNTY

Mrs. Emily Powell, Pittsburgh, 925 Grant Building, April 17, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	DiSilvestro,	McGinnis,	Tallman,
Bartlett,	Ealy,	McQuiddy,	Taylor,
Becker,	Edmonds,	Miller,	Thomas,
Carr,	Farrell,	Mundy,	Tyler,
Cavalcante,	Frey,	Reed,	Walker,
Chapman,	Haluska,	Ruth,	Watkins,
Coleman,	Heyburn,	Scarlett,	Wilson, H. I.,
Cox,	James,	Shapiro,	Wilson, T. B.,
Crider,	Lanius,	Snowden,	Woodward,
Crowe,	Letzler,	Stiefel,	Ziesenheim,
Deitrick,	Mallery,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF PEACE OF JEFFERSON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred L. Carlson, 917 Pleasant Street, Reynoldsville, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Reynoldsville, Jefferson County, until the first Monday in January, 1942, vice J. H. Ewing, resigned.

ARTHUR H. JAMES.

PERMISSION TO ADDRESS SENATE

Mr. BECKER. Mr. President, at this time I desire permission to address the Senate relative to a resolution introduced some time ago.

The PRESIDENT. The gentleman from Lebanon may proceed.

Mr. BECKER. Mr. President, on February 25, 1941, Senator Stiefel from Philadelphia and Senator Cox from Pittsburgh presented a resolution on the floor of this Senate suggesting that the Secretary of Public Assistance revise the determinant guiding the prorating of fees payable to physicians attending the recipients of assistance, as well as expedite the payment of amounts now due to such physicians.

Mr. President, I am reporting verbally from the Committee on Welfare, Public Assistance and Pensions, which has this resolution and which has been considering the resolution, and it appears from the Journal of the Senate on March 4, that in response to this resolution, Secretary Russell of the Department of Public Assistance addressed a letter to the chairman of our committee, as well as to the sponsors of this resolution, in which he pointed out that certain action had already been taken by the State Board of Public Assistance, approving allocation based upon thirty-five cents instead of twenty cents per person per month, made on a basis of a revised seasonal variation having less spread for a trial period of six months, and that the same board has approved the revision of the dental program as recommended by the State Dental Society.

Mr. President, the Committee on Welfare, Public Assistance and Pensions has directed me to ask the sponsors of this resolution, and particularly Senator Cox of Pittsburgh, whether under the circumstances the response of the Secretary of Assistance is satisfactory, or whether any further action of the committee is suggested thereon.

Mr. COX. Mr. President and members of the Senate, if the Senator from Lebanon, Mr. Becker, does not mind, in order for me to answer his inquiry it will be necessary for me to explain the motives which motivated the introduction of this resolution by the Senator from Philadelphia, Mr. Stiefel, and myself. Is that satisfactory?

Mr. BECKER. Yes, Mr. President.

Mr. COX. Mr. President, early in this session the Joint State Government Commission presented to the Senate a voluminous and historical study of the question of public assistance. I appreciate and I know the other members of this Senate appreciate that the question of public assistance during the depression was one of the most tremendous and difficult problems that confronted this Senate.

I am very happy as a junior Senator at this time to congratulate the members of the Legislature and of the Senate on the fine manner in which they handled this question of relief to the indigent during that period. I for one can say I was not particularly conversant with the entire problem until I read the report of the Joint State Government Commission. That I am not the only person who has read the report and to have interested himself in attempting to find a solution for some of the problems presented in that report is indicated by other resolutions and other bills which have been presented to the Senate by other members of the Senate. For instance, Mr. President, the Senator from Philadelphia, Mr. Kephart, has introduced a resolution in the Senate which would increase the amount which would be paid to indigent persons, so that when the increase comes in the payment of rents they would be able to meet that situation.

Yesterday, Mr. President, the Senator from Cambria, Mr. Haluska, addressed the Senate on a bill which had been introduced by him which calls attention to the fact that we have a Pennsylvania law which makes it necessary for persons to take care of their own relatives. Very early in this Session I became interested in this question of furnishing medical and surgical attention to persons on relief. My attention was drawn to this by experience which I had during the depression with my friends who were members of the medical profession, and particularly by a very close personal friend, a physician of years of experience, a very, very sincere man who was a member of one of the Healing Arts Committees of Allegheny County and who has had practical experience in this matter.

For that reason I wish to direct to the attention of the Senate this very serious problem and I feel that on the basis of the fact that at this time we are having some surcease from the pressure which came because of the great number of persons who were on relief prior to this time, that we are in a position to look over the experience of the past and determine what should be done in the future.

Mr. President, I am glad to have the opportunity to pay my personal tribute to the unselfishness of the physicians who have carried a great part of the burden of the care for the indigent during the depression. I feel I would be remiss in my duty and you members would be remiss in your duty if you and if I failed to correct at this time some apparent injustice to the physicians of our Commonwealth.

At the time of the depression, the physicians were agreed that they could not charge their full fees for services to indigent people, and voluntarily they agreed to diminish their fees by fifty percent. The rates established, and I believe agreed to by the Department of Public Assistance were, for instance, one dollar for an office visit, two dollars for a home visit, and twenty-five dollars for an obstetrical case and one-half of the fees set forth in the Workmen's Compensation act for surgical cases, such as fixing a broken arm. That this program fell down is a very apparent fact. For instance, in July of 1940, the physicians of Allegheny County—and I believe these figures are probably true for all of Pennsylvania—were paid thirty-six cents for a visit made by an indigent person to their office and they were paid seventy-two cents if they visited the home of an indigent person regardless of the distance that home was from the office or the home of the physician. They were paid nine dollars for an obstetrical case, regardless of how difficult or how protracted the case, they were paid $1.80 for an X-ray of a fracture.

Now I know you gentlemen are in accord with me that we can do something about this thing, and at this time I am asking you to do something about it. Perhaps the point of view of the physician could be best illustrated by my reading from a letter from Dr. C. Rinard, of Homestead, Pennsylvania, and old and honorable practitioner. The letter reads in part as follows:

"Dear Senator Cox:

"I read with a great deal of interest your resolution which you have introduced into the State Senate. I think it is just fine and to the point.

"I wish to inform you that at a meeting about two weeks ago of the State Board of Public Assistance and the Department of Public Assistance with the State Central Healing Arts Committee which I attended as a Kibitzer, the Department of Public Assistance granted

the Healing Arts Group of Pennsylvania an allotment of 35 cents per person on relief per month for a trial period of six months, beginning March 1, 1941. and increased the dental program, allowing the dentist not only to extract teeth as at present but also to fill cavities in teeth when necessary.

"The increase in the dental program, we as physicians agree with, as we believe a tooth should not be extracted always when it gives pain, when it could be cured by a proper filling, but this increase will increase the dental program about 7½%, and as it now is the dental program consumes approximately 7½% of the allocations, making the future dental program reach 15% of the allocation, which means the 35 cent allocation will be really cut down to 32 cents.

"We have during the last year in some months such as January or February or March when the incident of sickness is at its highest need, 38 cents per person on relief—therefore it is easily to see that 32 cents especially, when not made accumulative will still give us a 6 cents per person shortage, which I figure if we get a 6% increase in morbidity which we are liable to get, as we are now for last year running 6% below the normal morbidity, we will face a fairly large proration with the present increase of allocation.

"I think the pertinent points to number in this program is that our present agreed upon schedule of fees will give the Healing Arts Group only one-half their regular recognized fees, and that during this last year the costs of the program to the state has been low, the service has been good, and that the present program is the best program in existence, if sufficient allocation is made to give the Healing Arts Group one-half their regular recognized fees without prorations, and as near as can be calculated, 35 cents per person on relief per month made accumulative to the present program allocated for the next biennium will give the State of Pennsylvania, unequalled by any program in existence today in the United States."

By way of explanation as to the contents of this letter, Mr. President, I was tremendously surprised to find that up until I believe three weeks ago, when the adjustment was made by Mr. Russell, if an indigent person got a toothache, he could only gain relief from that toothache by having his tooth extracted; if it required a filling, the great Commonwealth of Pennsylvania was not financially in position to save that individual's tooth; it had to be extracted.

I also learned that during the period of the depression frequently physicians have requested an increase in the allocation, and that they were told by Mr. Russell that a change in allocation could not be made until the legislature met, but strange to say this change in allocation by Mr. Russell was made before there was any change in that provision by the legislature.

For the reasons I have indicated, Senator Becker, I would appreciate very much this resolution being reported to the floor of this Senate, and I feel all of the Senators would like to show their appreciation to the physicians I feel we should instruct Mr. Russell that in the future we would like the allocation set up on a fair and more equitable basis.

Mr. President, I want to thank the gentleman from Lebanon, Mr. Becker, and the gentleman from Northampton, Mr. Bartlett, for the very courteous manner in which they considered the resoution and also their treatment of the gentleman from Philadelphia, Mr. Stiefel, and myself.

We know you are in sympathy and we appreciate the fact your committee is one of the most difficult committees in the Senate, and that you require help from the rest of us in order to function properly.

Mr. STIEFEL. Mr. President, in law school we have two terms, the black acres and the white acres, and sometime between the black acres and the white acres lies a territory known as the gray acres, and now, Mr. President, I am interested in the gray acres, where politics vanish.

In this program, Mr. President, I am happy to see that for once politics vanish, and to have seen how Senator Bartlett and Senator Becker and the Republican members of the committee have shown an understanding of the problem.

Mr. President, I want to say in passing I recently have been taking a most wonderful course in political science here in the Senate of Pennsylvania. I have attended meetings of the sub-committee on Appropriations under the guidance of Senator Chapman, and I have learned more about the government of Pennsylvania than I ever learned in my course in the University of Pennsylvania.

During one of those meetings Dr. Shaw appeared and he was questioned in a most intensive manner by the arch-questioner and examiner, Senator Shapiro, and at that time Senator Shapiro, myself and other members of the committee were thrilled by the fight now being waged by Dr. Shaw against tuberculosis in Pennsylvania. It reminds me of a chapter from the book "Microbe Hunter," and I was looking for an opportunity to get up here and pay tribute to Dr. Shaw, just to illustrate that politics do not play any real part at a time when we are dealing with human life.

While expressing a tribute of gratitude to the membership of the Committee on Welfare generally and to Senator Becker in particular, I must state, much to my regret, that the letter of Secretary Russell does not cover the situation and that there is still a fly in the ointment. I can not agree to the statement made by Secretary Russell in his letter to Honorable Charles A. P. Bartlett. Chairman of the Welfare Committee of the Senate, because the increased allocation has not been made accumulative as it was asked by the Healing Arts Committee. Secretary Russell has shown an understanding sympathy to the problem confronting both the Healing Arts Committee and the Commonwealth of Pennsylvania, but the new determinants and the formula of computation are still far from satisfactory because of the absence of the factor of accumulation.

Thus, during the trial period of six months beginning March 1, 1941 there will be different degrees of sickness, and therefore, this period of six months beginning March 1, 1941 is not a fair trial period. March is a heavy-sickness month, and the incidence of sickness decreases in April, May, June, and July. If the allocation, as recently provided by the Department of Welfare, would have been made accumulative, as asked by the Healing Arts Committee, it would have resulted in a surplus from the light-sickness months.

The letter does not cover, also, the phase of the resolution introduced by Senator Cox and myself pertaining to promptness of payments. Because of many delays which are not entirely caused by the Department of Assistance, the physicians still have to wait about three months until they receive their checks. For these reasons my colleague Senator Cox and I intend to introduce within the next few weeks a new resolution which will

cover the drawbacks of the present rules and regulations governing the payment of fees by the Department of Public Assistance to the physicians throughout the Commonwealth, attending recipients of relief.

Mr. BECKER. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. Cox.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. COX. With great pleasure, Mr. President.

Mr. BECKER. Mr. President, specifically what would the gentleman from Allegheny like to have the committee do with the resolution, which it now has before it.

Mr. COX. Mr. President, I would appreciate it if the committee would report the resolution to the floor so that it could be voted on, but I feel Mr. Russell should know the entire membership of the Senate is conversant with this problem and that it is desirous of having a modification of the plan. You can appreciate the fact that the present allocation is only a temporary expediency and if the Legislature does not appropriate sufficient funds it is going to be an impossibility for them to pay the increase in this allocation.

Mr. BECKER. Mr. President, the answer is satisfactory and I shall report the statement of both of these gentlemen to the committee.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 70 (Senate Bill No. 468), entitled:

An Act to amend section seven hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the compensation paid to township commissioners.

Which was committed to the Committee on County Government.

House Bill No. 364 (Senate Bill No. 469), entitled:

An Act to amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 7736), entitled, as amended 'The Workmen's Compensation Act of 1915,'" amplifying the provisions thereof as to persons entitled to such payments.

Which was committed to the Committee on Workmen's Compensation.

House Bill No. 481 (Senate Bill No. 470), entitled:

An Act to repeal clause (o) of section seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "Public Assistance Law" by eliminating requirement that the names of general assistance receipients be made public.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 665 (Senate Bill No. 471), entitled:

An Act prescribing presumptions of authority and rules of evidence, where payments are made on account of the principal of mortgages in certain cases.

Which was committed to the Committee on Judiciary General.

House Bill No. 690 (Senate Bill No. 472), entitled:

An Act to further amend sections 402, 411, 703, 704, 705 and 903 and to repeal section 706 of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled, "Vehicle Code," providing for the registration and fixing registration fees of commercial motor vehicles, truck tractors, trailers and semi-trailers according to gross weight; fixing the maximum gross weight of such vehicles which may be used and operated on the highways; and eliminating existing provisions relating to the chassis of such vehicles.

Which was committed to the Committee on Highways.

House Bill No. 868 (Senate Bill No. 473), entitled:

To further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "Unemployment Compensation Law," by further defining "contributions" to be paid by certain employers; changing the procedure and administrative details for the determination and payment of compensation; further regulating the appointment, promotion, dismissal, suspension and furlough of civil service employes; and further defining the powers of and procedure before the board.

Which was committed to the Committee on Workmen's Compensation.

HOUSE CONCURS IN SENATE BILL No. 176 (HOUSE No. 769)

He also returned to the Senate, Senate Bill No. 176 (House Bill No. 769), entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

with the information that the House has passed the same without amendments.

RESOLUTION ENDORSING CELEBRATION OF POLISH INDEPENDENCE DAY ON MAY 3rd

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on State Government.

In the House of Representatives, April 2, 1941.

Whereas, The pages of history nowhere show a greater love of country than that exhibited by the citizens of Poland over the course of the centuries; and

Whereas, Today, as two centuries before, the liberty-loving Poles have been trampled by the legions of a tyrant; and

Whereas, As history counsels, the Polish nation will again be reborn stronger and more powerful than ever before; and

Whereas, This country is indebted to Poland for the aid rendered our own cause during the Revolutionary War by great military leaders from Poland; and

Whereas, People of Polish descent have greatly contributed to the progress of the United States as citizens of the Republic. They have been loyal, progressive and law abiding. They have entered the various phases of American Life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding; and

Whereas, The least we could do for citizens of Poland and our own citizens of Polish descent is to recognize their

contribution to our own cultural and economic advancements, and to offer some recognition of their fight for Poland's independence; be it therefore

Resolved (if the Senate concur), That the Legislature of this State acknowledges the contribution made to our nation by persons of Polish origin b endorsing the celebration of Polish Independence Day on May 3rd; and be it further

Resolved, That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the third day of May, as Polish Day.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 172, entitled:

An Act to amend section eight hundred one and nine hundred seventy-six of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying; revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining parties and political bodies, providing procedure for rejection of nomination petitions, papers or certificates in certain cases; imposing duties on the Governor and the Attorney General; and imposing additional duties on county boards of elections, the Secretary of the Commonwealth and the courts.

ASSISTANCE ALLOWANCES TO BE INCREASED TO COVER ACTUAL COSTS OF SHELTER

Mr. CROWE from the Committee on Welfare, Public Assistance and Pensions to which was referred resolution offered by Mr. Kephart on February 25, 1941, reported the same without amendment as follows:

In the Senate, February 25, 1941.

Whereas, The present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is $5.85 for families of one person, increasing to $9.75 maximum for families of three persons or more, and

Whereas, Recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, The report of the survey of the Pennsylvania Department of Public Assistance published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania" shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, The Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, The present inadequate shelter allowances make it impossible to carry out the provisions of law, therefore be it

Resolved, That the Senate of Pennsylvania hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowances to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, That a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the Secretary of Property and Supplies, and to the members of the Pennsylvania Board of Public Assistance.

Laid over for one day under the Rules.

Mr. BECKER, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 58, entitled:

An Act to further amend section nine of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization, jurisdiction, and procedure of the Orphans' Courts; the powers and duties of the judges thereof; and appeals therefrom;" as amended on the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 349), by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses, even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration.

Mr. EDMONDS, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, Senate Bill No. 206, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing for the furnishing of statements to persons against whom claims are due for support, maintenance and assistance.

BILL RE-REFERRED

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 310, entitled:

An Act to amend article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to take for the purpose of sale, sell or expose for sale any bittersweet growing in the wild; and providing a penalty.

with the request that it be re-referred to the Committee on Forests and Waters, Game and Fish.

REPORTS FROM COMMITTEES

Mr. HEYBURN, from the Committee on Workmen's Compensation, re-reported as amended, Senate Bill No. 80, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions; and the payment of such compensation providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer and prescribing penalties," changing the provisions thereof; and the rights, obligations and procedure thereunder.

Mr. MUNDY, from the Committee on Welfare, Public Assistance, and Pensions, reported as committed, Senate Bill No. 417 (House Bill No. 688), entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

RESOLUTION REQUESTING INCREASE IN AMOUNT OF INSURANCE CARRIED BY RELIEF RECIPIENTS

Mr. SHAPIRO from the Committee on Welfare, Public Assistance and Pensions to which was referred resolution offered by Messrs. HALUSKA and WADE on March 26, 1941, reported the same with amendment as follows:

In the Senate, March 26, 1941.

Whereas, The Department of Public Assistance has and is at the present time compelling all persons that apply or are receiving Public Assistance cancel any Life Insurance Policy whether held by the relief recipient or by any member of his family in excess of $500.00, and

Whereas, Many persons have paid premiums on such Life Insurance Policies for as long as thirty-five years and now are compelled to cancel these policies at a great loss and thereby depriving their dependents from any recovery after death in excess of $500.00, therefore be it

Resolved (if the House concur), That the Department of Public Assistance be requested and notified to at once raise the maximum amount of Insurance permitted to be carried by a relief recipient or by any or all members of his or her family directly affected from $500.00 to not less than $1000.00 in policy or policies either paid up or in premium paying period, and be it further

Resolved, That the Department of Public Assistance is requested to notify its various County Boards of Assistance of this request and resolution immediately upon its passage.

Laid over one day under the Rules.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS MEMBER OF UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley J. Davis, 144 Belmont Terrace, Scranton, Lackawanna County, for appointment as a member of the Unemployment Compensation Board of Review, to serve as a substitute for Henry S. Lawrence for and during the period that Mr. Lawrence shall be engaged in the military service of the United States, but not beyond the term for which Mr. Lawrence was appointed, to wit, July 1, 1943, and until his successor shall be appointed and qualified.

ARTHUR H. JAMES.

REPORT FROM COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, of the Commonwealth:

MEMBER OF THE REGISTRATION COMMISSION IN AND FOR THE CITY OF SCRANTON

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 13, 1941.

Ellsworth Kelly, Scranton, from May 17, 1940, until January 3, 1942, and until his successor is qualified.

(Mrs.) Emily Williams, Scranton, from May 17, 1940, until January 3, 1942, and until her successor is qualified.

J. Gerald Collins, Scranton, from May 17, 1940, until January 3, 1942, and until his successor is qualified.

Peter J. Reif, Scranton, from May 17, 1940, until Januuntil his successor shall be appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF WEST CHESTER STATE TEACHERS COLLEGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey R. Vanderslice, 1119 Oak Street, Coatesville, Chester County, for appointment as a member of the Board of Trustees of West Chester State Teachers College, for the term of four years, and until his successor is qualified, vice Gibbons Gray Cornwell, Jr., resigned.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE FOR YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 26, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Scott F. Wagner, R. D. 1, Dillsburg, York County, for appointment as Justice of the Peace in and for the Township of Franklin, York County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE IN CRAWFORD COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. D. Stevens, Main Street, Conneautville, Crawford County, for appointment as Justice of the Peace in and for the Borough of Conneautville, Crawford County, until the first Monday in January, 1942, vice O. B. Patterson, resigned.

ARTHUR H. JAMES.

RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. JAMES and Mr. TAYLOR

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. TAYLOR

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46

Barr,	DiSilvestro,	McCreesh,	Stiefel,
Bartlett,	Ealy,	McGinnis,	Tallman,
Becker,	Edmonds,	McQuiddy,	Taylor,
Carr,	Farrell,	Miller,	Thomas,
Cavalcante,	Frey,	Mundy,	Tyler,
Chapman,	Haluska,	Reed,	Wade,
Coleman,	Heyburn,	Ruth,	Walker,
Cox,	James,	Scarlett,	Watkins,
Crider,	Kephart,	Shapiro,	Wilson, H. I.,
Crowe,	Lanius,	Snowden,	Woodward,
Deitrick,	Letzler,	Stevenson,	Ziesenheim,
Dent,	Mallery,		

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 474, entitled:

A Further Supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Which was committed to the Committee on Education.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act to reenact and amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining and extending the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment; modifying the procedure and determination of liability thereunder; making an additional appropriation; and prescribing penalties.

Which was committed to the Committee on Workmen's Compensation.

He also read in his place and presented to the Chair Senate Bill No. 476, entitled:

An Act providing for the creation and administration of a State Fund for the insurance of the liability of employers for injuries to employes sustaining in their course of employment; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation.

Which was committed to the Committee on Workmen's Compensation.

He also read in his place and presented to the Chair Senate Bill No. 477, entitled:

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing the system of computation of wages for compensation purposes; changing practice and rules of evidence; defining earning power after accident; authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; changing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act.

Which was committed to the Committee on Workmen's Compensation.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 478, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time within which former employes of the Commonwealth may re-enter the retirement association and secure the status of an original member thereof.

Which was committed to the Committee on State Government.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 479, entitled:

An Act supplementing the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; pre-

scribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by requiring additional statements to accompany applications for the registration and re-registration of motor vehicles engaged in the transportation of inflammable liquids, specifying the required construction and equipment of such vehicles and the marking and operation thereof, making the provisions hereof a complete, exclusive and uniform system throughout the Commonwealth, and providing penalties.

Which was committed to the Committee on Highways.

Mr. CAVALCANTE. Mr. President, for a long time there has been an inhumanity attached to a situation in this Commonwealth and it came strikingly to my attention just a few months ago when in my county a dog running loose bit quite a number of school children and the dog was finally killed and an examinations of its head showed that the dog had rabies.

Now, Mr. President, it happened that quite a number of children bitten were the children of poor people who were on relief and who did not have the money to provide the proper serum in cases of that kind. The situation brought to my attention the present status of the law, where if a dog of this kind goes out and bites cattle of a farmer, a cow or a horse or any other domestic animal and the animal dies because of the bite of the dog, our law provides compensation for that domestic animal, but yet here if that same dog should go out and bite a child and damage the family to the extent that the family has to buy a proper serum to protect that human life, the life of that particular child, there is no compensation for that family.

It appeared to me that situation is very inhuman. So a number of doctors of my county brought the case more strikingly to my consideration and asked if something could not be done. I have prepared here a bill requiring the Department of Health to furnish free of charge to state and state aided hospitals certain vaccines or serum used in the Pasteur treatment and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum, free of charge.

Now, Mr. President, I appreciate the fact that it is going to take some money to do that, to do the thing that is provided in this bill, but I have prepared for a member of the assembly on the other side a bill to provide the revenue, for I can not introduce a bill to provide revenue or raise revenue here in this body because a revenue raising bill must originate in the House.

I feel and I think probably the majority of us feel when you consider this case it is no hardship on the dog owners of this Commonwealth to add about ten cents to the license fee every year. That is a very small sum for a dog owner, ten cents in addition to what they are paying now, to provide funds for this purpose and I really think it is a very humanitarian purpose and I am going to pursue the course of this bill in the Senate and I am going to do what I can over with the members of the House to see that the bill introduced there is given some consideration.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 480, entitled:

An Act requiring the Department of Health to furnish free of charge all State and State-aided hospitals certain vaccines or serum used in the Pasteur treatment, and requiring such hospitals to furnish and inoculate all persons bitten by dogs in this Commonwealth with such vaccine or serum free of charge.

Which was committed to the Committee on Public Health.

Mr. KEPHART, by request, read in his place and presented to the Chair Senate Bill No. 481, entitled:

An Act to amend the act, approved the twenty-sixth day of May, 1933 (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further defining the organization and powers of credit unions.

Which was committed to the Committee on Judiciary General.

Mr. SNOWDEN, by request, read in his place and presented to the Chair Senate Bill No. 482, entitled:

An Act to further amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 392), entitled "An act providing that highways, or sections thereof, abandoned as State highway routes, shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways," by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township, borough, incorporated town or city wherein they are located, and by adding a new section to provide that portions or sections of the old highway which are not included within the changed, altered or established widths, shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

Which was committed to the Committee on Highways.

He also, by request, read in his place and presented to the Chair Senate Bill No. 483, entitled:

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled 'An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

Which was committed to the Committee on Highways.

He also by request, read in his place and presented to the Chair Senate Bill No. 484, entitled:

An Act defining the rate of interest and fixing the rate and the time from which interest shall begin to run on any award for damages for the taking of property in the construction or improvement of highways.

Which was committed to the Committee on Highways.

Mr. MUNDY read in his place and presented to the Chair Senate Bill No. 485, entitled:

An Act to add clauses twenty-two and twenty-three to section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing townships of the second class to furnish rooms in public buildings for meeting places for certain veterans and patriotic organizations, and authorizing such townships to appropriate moneys to such veterans and patriotic organizations to assist in payment of rent for meeting places.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 486, entitled:

An Act relating to sheriffs' sales of personal property, providing that when personal property is sold at sheriff's sale to the plaintiff in the writ of execution, the sheriff shall accept in payment a receipt from such purchaser for the amount to which he is entitled under the writ, subject to certain deductions for costs and priority claims.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 487, entitled:

An Act to add clauses forty-seven and forty-eight to section one thousand five hundred and two of the act, approved the twenty fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled, "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing townships of the first class to furnish rooms in public buildings for meeting places for certain veterans and patriotic organizations and authorizing such townships to appropriate moneys to such veterans and patriotic organizations to assist in payment of rent for meeting rooms.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 488, entitled:

An Act making an appropriation to the Pittston Hospital Association, Pittston, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DEITRICK read in his place and presented to the Chair Senate Bill No. 489, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College, on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 490, entitled:

An Act making an appropriation to the Passavant Hospital, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 491, entitled:

An Act to protect property by making criminal certain unlawful entries on injuries to and interference with property and attempts or conspiracies to do so; and providing penalties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 492, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the purchase of furniture and furnishings of the proper period to complete the "Pennsbury Memorial," and to landscape the property connected therewith.

Which was committed to the Committee on Appropriations.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 493, entitled:

An Act defining and regulating labor organizations; imposing certain responsibilities and duties upon the officers of labor organizations; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth, and of said department; and prescribing penalties.

Which was committed to the Committee on Labor and Industry.

RECONSIDERATION OF SENATE BILL NO. 242

Mr. WALKER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 242, entitled:

A Supplement to an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the appointment of a deputy school controller in school districts of the first class; and prescribing duties.

was defeated finally.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "nay."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "nay."

The motion was agreed to,

And the question recurring,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "nay."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "nay."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 242 the bill just read, be re-committed to the Committee on Education.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

Mr. FREY. Mr. President, in connection with the several motions made by the gentleman from Allegheny, Mr. Walker, concerning Senate Bill No. 242, I desire to be recorded as being present but not voting.

The PRESIDENT. It will be so recorded.

RESOLUTION REQUESTING GOVERNOR TO ISSUE PROCLAMATION DESIGNATING MAY 12TH, AS HOSPITAL DAY AS A TRIBUTE TO FLORENCE NIGHTINGALE

Mr. SNOWDEN, on behalf of the Hospital Asso. of Pennsylvania offered the following resolution which was twice read, considered, and agreed to:

In the Senate, April 2, 1941.

The Hospitals of the Commonwealth are its safeguards and buwarks against attacks by disease and accident upon the health, safety and well being of our people,

These well equipped fortresses of mercy with their modern equipment and efficient staffs of trained physicians, surgeons and nurses have reduced the toll of death within this Commonwealth and have brought relief and happiness to most of its citizens,

Those physicians and surgeons have given freely and generously of their services for the alleviation of suffering among those who otherwise could ill afford the cost of such aid;

Those who manage the necessary business and financial affairs of our hospitals likewise contribute valuable services in the interests of humanity,

Those nurses who tirelessly and ceaselessly lend their cheerful aid to the task of bringing relief and comfort to those inmates who are seeking a way back to life and health, are, in turn, a major part in the united work of restoring health to the afflicted. They are true apostles of that great English woman Florence Nightingale who dedicated her life to the relief of the suffering and raised a menial task to an heroic profession.

It is as fitting and proper to observe and celebrate the achievements of a living institution as to observe and celebrate the glories of the past; therefore be it

Resolved (if the House concur) That in recognition of the work performed by the hospitals of the Commonwealth and the splendid achievements of their staffs of physicians, surgeons and nurses the Governor of the Commonwealth is hereby requested to issue his proclamation designating May twelfth, one thousand nine hundred and forty-one, the anniversary of the birth of Florence Nightingale, as Hospital Day as a tribute to the splendid service rendered the citizens of this Commonwealth by our hospitals and those responsible for their operation: and be it further

Resolved, That a copy of this resolution shall be immediately transmitted to his Excellency the Governor.

RULE 39 SUSPENDED

Mr. SNOWDEN. Mr. President, I ask unanimous consent that Rule 39, which require resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection. The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION REQUESTING GOVERNOR TO PROCLAIM MAY 3, AS POLISH DAY

Mr. FREY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY offered the following resolution which was twice read.

In the Senate, April 2, 1941.

Whereas, The pages of history nowhere show a greater love of country than that exhibited by the citizens of Poland over the course of the centuries; and

Whereas, Today, as two centuries before, the liberty-loving Poles have been trampled by the legions of a tyrant; and

Whereas, As history counsels, the Polish nation will again be reborn stronger and more powerful than ever before; and

Whereas, This country is indebted to Poland for the aid rendered our own cause during the Revolutionary War by great military leaders from Poland; and

Whereas, People of Polish descent have greatly contributed to the progress of the United States as citizens of the Republic. They have been loyal, progressive and law abiding. They have entered the various phases of American Life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding; and

Whereas, The least we could do for citizens of Poland and our own citizens of Polish descent is to recognize their contribution to our own cultural and economic advancement, and to offer some recognition of their fight for Poland's independence; be it therefore

Resolved, (if the House of Representatives concur), That the Legislature of this State acknowledges the contribution made to our nation by persons of Polish origin by endorsing the celebration of Polish Independence Day on May 3rd: and be it further

Resolved, That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the third day of May, as Polish Day.

On the question,

Will the Senate agree to the resolution?

Mr. EALY. Mr President, a resolution very similar in its form just came over from the House and was referred to the Committee on State Government.

The PRESIDENT. The gentleman from Allegheny,

Mr. Frey, did not ask immediate consideration of the resolution and it is therefore referred to the same committee, the Committee on State Government.

SENATE CONCURRENT RESOLUTION NO. 118 CALLED UP

Mr. HALUSKA. Mr. President, I now call up for action resolution Serial No. 118, reported by the Committee on Welfare, Public Assistance and Pensions. It appears on page 111 of the history.

The following resolution was twice read, considered and agreed to:

In the Senate, March 26, 1941.

Whereas, The Department of Public Assistance has, and is at the present time, compelling all persons that apply, or are receiving public assistance, to cancel any life insurance policy whether held by the relief recipient or by any member of his family in excess of $500.00; and

Whereas, Many persons have paid premiums on such life insurance policies for as long as thirty-five years and now are compelled to cancel these policies at a great loss, thereby depriving their dependents from recovery after death in excess of $500.00; therefore be it

Resolved, (if the House concur), That the Department of Public Assistance be requested and notified to at once raise the maximum amount of Insurance permitted to be carried by a relief recipient or by any or all members of his or her family directly affected from $500.00 to not less than $1000.00 in the aggregate in policy or policies either paid up or in premium paying period, and be it further

Resolved, That the Department of Public Assistance is requested to notify its various County Boards of Assistance of this request and resolution immediately upon its passage.

RULE 39 SUSPENDED

A motion was made by Mr. HALUSKA and Mr. WADE.

That rule 39, which requires resolutions reported from committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. EALY. Mr. President, this resolution as reported out contains the same objections which were raised to it the other day when it was before the Senate. It requires the department to raise the maximum amount to not less than one thousand dollars instead of not more than one thousand dollars, as was the general consensus of opinion in the Senate the other day.

Mr. HALUSKA. Mr. President, I think we are all very familiar with this resolution. Under this resolution the Department of Public Assistance now will have the privilege if they see fit, to adjust any policy that way; for instance, if some person should have a fifteen hundred dollar policy, as I understand it, and they deem it wise to continue that policy for reasons of their own this will give the department the right to allow that policy to remain in force.

However, under the present procedure the department is compelling all relief recipients to cancel the policies down to the amounts of five hundred dollars and many persons who have carried policies for many, many long years above a thousand dollars are now compelled to reduce the amount and in many cases many life insurance companies cancel the entire face value of the policy because they will not carry a policy that has a maturity value under a thousand dollars.

Therefore, Mr. President, I can not see where you are harming the Department of Public Assistance but you are certainly helping the relief recipients who must apply for relief.

Mr. WALKER. Mr. President, may I interrogate either one of the sponsors of this resolution?

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. Gladly, Mr. President.

Mr. WALKER. Mr. President, I would like to have the gentleman from Cambria, who is one of the co-sponsors of this resolution, advise me if the resolution does not say not less than one thousand dollars?

Mr. HALUSKA. That is correct, Mr. President.

Mr. WALKER. Mr. President, doesn't that mean the floor is a thousand dollars and if a man had a five hundred dollar policy he could not carry it?

Mr. HALUSKA. Oh, no, Mr. President, it does not mean that at all; it means any person carrying a policy above a thousand dollars could reduce it to a thousand dollars and if the face value of the policy is less than one thousand dollars there is nothing in the resolution compelling him or her to increase the value of it.

Mr. WALKER. Mr. President, I desire to interrogate the other sponsor of the resolution, the gentleman from Cumberland, Mr. Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WALKER. Mr. President, I should like to ask the gentleman from Cumberland if he heard the interrogation I just propounded to the gentleman from Cambria, his co-sponsor, Mr. Haluska?

Mr. WADE. Yes, Mr. President, I did.

Mr. WALKER. And, Mr. President, I desire to interrogate the gentleman from Cumberland further and ask him whether or not he agrees with the interpretation of the effect of this resolution as stated by his co-sponsor.

Mr. WADE. Mr. President, I would say I do not heartily agree with the wording of the resolution at the present time but I do agree with the motive back of the resolution. The purpose of the resolution, as I understood it, was to make it possible for a man who has twenty-five hundred dollars or four thousand dollars of insurance or a policy in any amount over a thousand dollars—or over five hundred dollars—to be able to reduce it in accordance with the company's rules and practice and by-laws so that they could retain part of the valuable asset that they have gained and so that they would not have to cancel the entire policy.

Now, Mr. President, the resolution as it has been amended and reamended and further amended sort of confuses the situation and requests the department to raise the limit to not less than one thousand dollars for all of the policies carried in the family.

Now, Mr. President, I think that is quite afield from the original intention, or at least it is from the original intention that I had in the resolution, which was to preserve a part of a man's insurance when he was no longer insurable and when the companies would no longer take him. As I have said on the floor of the Senate before, there are some 386 legal reserve life insurance companies registered to do business in the State of Pennsylvania and approximately three hundred and fifty of them do not issue policies of less than one thousand dollars and there-

fore when this requirement is put on the policy holder or relief recipient by the department he is forced to drop all of his life insurance with the hazard of not being able to purchase any new insurance.

Mr. WALKER. Mr. President, I am very desirous of seeing to it that those relief recipients who have insurance policies get a chance to carry some insurance and I am just as deeply interested in the purpose of the resolution as the co-sponsor, but I was confused when I read the resolution in the history and the interpretation placed on the resolution by the co-sponsors has further confused me.

Now, Mr. President, in order that I might be advised as to the present status of the resolution I would like to interrogate the gentleman from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. I will, Mr. President.

Mr. WALKER. Mr. President, as the gentleman from Philadelphia, Mr. Shapiro, is very capable of enlightening the Senate, and as he reported this resolution out as amended, for the information of the Senate I would like to inquire whether or not this amended resolution builds a roof or a ceiling on the policies a recipient is allowed to carry.

Mr. SHAPIRO. Mr. President, in order to answer the query I will have to remind the gentleman from Cambria that the resolution is now in exactly the same condition as it was when he and the gentleman from Cumberland jointly introduced it in the Senate. The only amendment which has been added by the committee is to add the words "in the aggregate" so that the aggregate amount of insurance would be up to not less than one thousand dollars.

In order to further enlighten the gentleman from Allegheny, Mr. Walker, I suggest that this committee discussed this resolution from the point of view with which it was discussed on the floor of the Senate when it was first introduced, as to whether or not this places a floor and not a ceiling on the amount of insurance. It was agreed it does and it was agreed it is necessary that it should be so because there are many cases in which the Department of Public Assistance finds relief recipients who have insurance in excess of a thousand dollars and because of the cash surrender value they have deemed it necessary and advisable under those circumstances to maintain those policies. Sometimes they find recipients having fifteen hundred dollar policies of insurance and with the larger surrender value they take the policies as security for the amount advanced and therefore the maintenance of those policies builds up the security which the department has.

It does not do so in all cases, but we came to the conclusion there might be some cases where the aggregate is eleven hundred dollars, or the aggregate may be twelve hundred dollars, and it would be difficult or inadvisable to cancel the insurance under those circumstances; so we put the resolution in such shape that it does not compel the department to allow them to carry the fifteen hundred dollars of insurance but it does say to the department it is our intention and our belief and it is our opinion that a thousand dollars should be made the minimum amount and anything above that is entirely within their discretion.

Now, Mr. President, this resolution has two points of view. One is the point of view of the insurance man, which has been so ably stated to you by the gentleman from Cumberland, Mr. Wade, who tells you most insurance companies do not carry policies of less than a thousand dollars, but the other and the real point of view is the one expressed by the gentleman from Cambria, Mr. Haluska, who tells you most of the people are being compelled to cancel a valuable asset in order to satisfy what he considers an arbitrary whim of the department.

Both views are now taken care of in the resolution; the view of the gentleman from Cumberland is taken care of by saying it must be not less than a thousand dollars, and the view of the gentleman from Cambria is taken care of by the same wording, so that nobody will be compelled to reduce the insurance to less than a thousand dollars.

Mr. President, the resolution does not provide that a man with five hundred dollars of insurance must carry one thousand dollars and there is nothing in the wording to be twisted that a man must be permitted to carry fifteen hundred dollars, but he must be permitted to carry one thousand dollars if he has it.

I think that is perfectly plain under the resolution.

Mr. WALKER. Mr. President, I hope the rest of the members of the Senate now understand this resolution very clearly, but it says not less than a thousand dollars and that means you cannot carry more than a thousand dollars, and it says less than a thousand dollars and that means you can carry under a thousand dollars. I have heard three explanations and I want to say, Mr. President, Wednesday morning is a bad morning for me evidently because I still do not understand what happens to the little fellow who for years has been paying on a five hundred dollar policy. It says not less than a thousand dollars and to me that means not less than one thousand dollars. Now, Mr. President, to a gentleman learned in the law that probably means something else and to an insurance man who has three hundred some companies that might mean something else, but to a layman trying to save the little fellow's policy—and in my opinion that was the object of the gentleman from Cambria when he introduced the resolution originally—what happens to the little fellow with the five hundred dollar policy under this resolution I have asked the gentleman from Philadelphia again and he has enlightened me to the extent that I am dumbfounded.

Mr. BARTLETT. Mr. President, the gentleman from Allegheny, Mr. Walker, has used only three words "not less than" but that means something entirely different when you combine it with the word "maximum" which precedes it.

Mr. WALKER. A maximum of not less than a thousand dollars, Mr. President.

Mr. SHAPIRO. Mr. President, I think the gentleman from Allegheny, Mr. Walker, used the wrong word. He said he was dumbfounded. I think the word "founded" was entirely unnecessary.

I should like to read the first part of the resolution, which has something to do with it and may help to clear up the Monday morning hangover the gentleman from Allegheny has on Wednesday. "The Department of Public Assistance had and is at the present time compelling all persons that apply or are receiving public assistance to cancel any life insurance policies whether held by the relief recipient or by any member of his family in excess of five hundred dollars." That is the

preamble. The resolution is "that the Department of Public Assistance be requested and notified to at once raise the maximum amount of insurance permitted to be carried"—raise the maximum amount. That means, Mr. President, that this gentleman who has a five hundred dollar policy has it because he apparently has had insurance in one of the other insurance companies than the ones the gentleman from Cumberland referred to, that issue policies of less than a thousand dollars, and that class of people are not affected because their insurance is not being reduced from a thousand dollars to five hundred dollars. They started out with five hundred dollars, and that is not the complaint of the gentleman from Cambria, in cases where the insurance is only five hundred dollars.

The preamble deals with a case where insurance existed in excess of five hundred dollars and it says the maximum amount shall be raised to a thousand dollars.

Mr. WALKER. Yesterday, Mr. President, my very distinguished colleague from Allegheny County, Senator Frey, in bitter disappointment that followed Senatorial action, mentioned the fact that the Republican leadership was stupid. In the absence of the Republican leadership may I say to the gentleman from Allegheny, Mr. Frey, it appears not only the Republican leadership but also a lot of the Republicans are stupid and I appreciate the fact that we use a lot of unnecessary words on the floor of the Senate and in the use of the word "dumbfounded" perhaps the word "founded" should have been omitted but, Mr. President, slowly and patiently and if my tenure of office extends forty or fifty years, under the guidance of the gentleman from Philadelphia, Mr. Shapiro, I shall learn gradually to use the English language.

May I say, Mr. President, I want to save the little fellow's policy and I have confidence in the desire of the gentleman from Cambria and I am willing to place my relief recipients and my political future in his hands and if he is convinced this will save the little man's policy I will withdraw my stupidity and my dumbfounded condition and permit the Senate to vote on this resolution, but I want the gentleman from Cambria to be convinced in his own mind—and not by a lot of lawyers—that this resolution will save the policies, because from bitter experience I have learned nowhere in the world can you find a group of people who can twist around the English language like those who are learned in the law.

Mr. HALUSKA. Mr. President, I am perfectly convinced this will save the small man's policy. However, if it will help the gentleman from Allegheny, Mr. Walker, and also the gentleman from Somerset, Mr. Ealy, to change the wording to read "not more than one thousand dollars" and take out the word "less" I am willing to have that amendment inserted. However, keep in mind you are tying the hands of your own department: they will have no opportunity whatsoever to make any adjustment of any policy in excess of one thousand dollars and being very lenient with the department—but not too friendly, however—I placed the word "less" rather than "more" but as I said a moment ago if that will satisfy you gentlemen I am just too happy to offer an amendment and insert it.

Mr. WADE. Mr. President, I appreciate the debate which has taken place on the floor here this morning, especially the remarks of the gentleman from Philadelphia, Mr. Shapiro, who said I had only the insurance man's point of view on this resolution, which I assure you is not true. The insurance company's viewpoint on relief recipients, I am sorry to say, might not be so favorable because from actual records it appears the mortality rate is excessively high in this class of people, and I say that in all kindness; it is merely a matter of record.

Secondly, Mr. President, may I say to the attorneys who have participated in this debate, the thing I see wrong in this resolution as now printed is that it does not provide for a ceiling of one thousand dollars, but instead of that it provides for a ceiling of one million dollars, as printed, and that I think is an error and for that reason—let me assure my ordinary life friend from Philadelphia, Mr. Shapiro, that the men who drew this resolution did not have that ceiling in mind and that there are few men who carry a million dollars of life insurance, who are relief recipients. Mr. President, for that reason I suggest that this resolution be referred to the Committee on Welfare, Public Assistance and Pensions, to be revamped or reamended so that it will do what it was originally intended to do, first because of the wording, and secondly, because of the printing error which provides a ceiling of a million dollars instead of a thousand dollars.

Mr. WALKER. Mr. President, I am not in accord with the suggestion just made by the gentleman from Cumberland.

The sponsors of this resolution, when they were first interrogated, were very positive of their position and I do not know whether it is an advance or a retreat on the part of the gentleman from Cumberland—but as I said originally I want to save these little policies and if the public spirited gentleman from Cambria is positive this will save those little policies I am not deeply interested in the Department of Public Assistance or in the future of the life insurance industry or profession but I am interested in saving these little policies.

Therefore, Mr. President, I would suggest we vote on this resolution and hope that it means what the gentleman from Philadelphia so very intelligently told us it means.

Mr. HEYBURN. Mr. President, I think the resolution is worded properly now and if you should raise the maximum to not more than one thousand dollars it seems to me the department could fix the amount at ten dollars. I think the way it is worded now, "not less than one thousand dollars," is proper. If you should raise the maximum to not more than one thousand dollars, as has been suggested, it seems to me you could fix it at any place below one thousand dollars.

Mr. MUNDY. May I say, Mr. President, I sat in with the committee yesterday and considered this resolution and the chairman and the members present spent a great deal of time, practically all of the time the committee was in session, considering this resolution, and we submitted ourselves to the opinion of the members of the legal profession who were present as to the exact wording of this resolution.

I do not believe this resolution should be sent back to committee after the attention the Chairman and members of the committe gave to the resolution, but I would like to interrogate the author of the resolution, the gentleman from Cambria.

The PRESIDENT. Will the gentleman from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. MUNDY. I understand the gentleman from Cambria said he was willing to insert the words "not over one thousand dollars." My understanding, Mr. President, and I wish to be corrected if I am wrong, is this: in wording the resolution in that manner it would work a hardship on those carrying insurance because the department now has assumed a liberal attitude in that it permits several small policies held by members of the family to continue in force and it also exempts the policies of those who are under sixteen years of age, and if that is permitted to be put into the resolution it will give them the right to take away the small policy of insurance from other members and those under sixteen years of age.

Mr. HALUSKA. Mr. President, I might state to the gentleman from Luzerne I think his interpretation is correct, after second thought, and on that basis I think it would be unwise to change the wording. Therefore, Mr. President, I will stand pat on the resolution as it reads now.

The PRESIDENT. The question is whether the Senate will agree to the adoption of the Resolution.

On the question,

Will the Senate agree to the Resolution?

It was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Samuel L. Lewis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 176, entitled:

An Act for the judicial notice of the ordinances of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

Whereupon,

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) in the presence of the Senate signed the same.

SENATE RESOLUTION, SERIAL NO. 31, CALLED UP

Mr. KEPHART. Mr. President, I now call up Senate Resolution, Serial No. 31, which was reported from committee and is now on the table.

Mr. BARTLETT. Mr. President, I second the motion.

The motion was agreed to.

The Resolution was twice read, considered and agreed to:

In the Senate, February 25, 1941.

Whereas, The present maximum monthly shelter allowances to families receiving public assistance in Pennsylvania is $5.85 for families of one person, increasing to $9.75 maximum for families of three persons or more, and

Whereas, Recent surveys have conclusively shown that there is a gross insufficiency of dwelling accommodations renting within the amount of the allowance, and

Whereas, The report of the survey of the Pennsylvania Department of Public Assistance published in 1939 entitled "Current Living Costs as Related to Standards of Public Assistance in Pennsylvania" shows that the actual minimum costs of shelter greatly exceeds the present shelter allowances, and

Whereas, The Department of Public Assistance is charged by law to provide sufficient assistance to relief families to "enable them to maintain for themselves and their dependents a decent and healthful standard of living," and

Whereas, The present inadequate shelter allowances make it impossible to carry out the provisions of law, therefore be it

Resolved, That the Senate of Pennsylvania hereby goes on record as favoring and urging that sufficient funds be provided to the Pennsylvania Department of Public Assistance to enable it to make shelter allowances to families receiving Public Assistance in an amount sufficient to cover the actual costs of shelter as determined by surveys, and be it further

Resolved, That a copy of this resolution be sent to His Excellency, the Governor of Pennsylvania, and to the Secretary of Property and Supplies, and to the members of the Pennsylvania Board of Public Assistance.

RULE 39 SUSPENDED

A motion was made by Mr. KEPHART and Mr. BARTLETT.

That rule 39, which requires resolutions reported from committee to lie over for one day be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, in connection with this resolution, which practically memorializes the Department of Public Assistance to increase the rent allowance I would like to read a portion of the correspondence that took place between myself and the Board in connection with a specific case, but in view of the circumstances, I will not mention the name. It deals directly with this question of rent money. The amount of rent for a family of five, under the budget of the department is, I think, $9.85 or $8.85—it is immaterial—so I inquired what sort of a house a person with five children and an aged parent could live in at eight dollars or nine dollars a month, and this was the answer that I received:

> "The rent actually paid by Mrs. "X" is twenty-two dollars per month. She lives in a six room brick row house that has a hot water heating system."

Mr. President, I desire to call to the attention of the members of the Senate that the total amount of allowance for his woman was forty-six dollars, which included eight dollars for rent, and therefore out of the forty-six dollars, the allowance for subsistance, clothing, food and all the other items that make up the maximum amount she pays twenty-two dollars a month for rent and that leaves her twenty-four dollars for the rest of the expenses of living.

Now, Mr. President, you may get some idea how adequate the relief is in Pennsylvania.

Mr. EDMONDS. Mr. President, I would like to request that the gentleman from Philadelphia, Mr. Shapiro, add to his statement what he told the committee, that in that family there is one aged person in the household. I believe the gentleman mentioned one fact but not the other.

Mr. SHAPIRO. Mr. President, I believe I said there was one aged person who is technically in the household, and what is being done is to divide the household, where it is necessary to get contributions from the Federal Government on the basis of public assistance, or put them together where it seems to be necessary to make up the total maximum—the total maximum is seventy-six dollars, and to arrive at that, they take off the amount which

they give to the old man—thirty dollars in this case—and then they get the additional forty-six dollars, but even on the basis of seventy-six dollars, whether the man lives in the house or not, you have less than twelve dollars a week left after paying rent, in this case, for the purpose of feeding and clothing those five or six people.

The PRESIDENT. The question is on the adoption of the resolution.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

ANNOUNCEMENT OF PUBLIC HEARING

Mr. WALKER. Mr. President, I ask unanimous consent to make a report at this time.

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from Allegheny will proceed.

Mr. WALKER. Mr. President, I have been directed by the Committee on Judiciary General to announce there will be a public hearing on Senate Bill No. 30, introduced by the gentleman from Fayette, Mr. Cavalcante, next Tuesday afternoon, April 8th, at two o'clock in the Judiciary General committee room. This is the bill introduced by the gentleman from Fayette which prohibits judges of courts of record from engaging in political activity except in furtherance of their campaigns. The time of the meeting will be two o'clock Tuesday afternoon. There will be a public hearing, which has been requested by a number of members of the Judiciary. I am not certain from the remarks of the gentleman who requested the hearing whether it is still desired or not but at least we are going to hold the hearing and if they do not show up that is something the committee will have to deal with but in compliance with the request we are holding a hearing on this bill Tuesday afternoon at two o'clock.

Mr. CAVALCANTE. Mr. President, I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny consent to change the place of the hearing and instead of holding the hearing in the committee room hold it in the Senate Caucus room where we would have more room for these boys to come in and where the press and everybody else may be present.

Mr. WALKER. Mr. President, I have no objection to providing an amphitheater for the main event.

Mr. CAVALCANTE. It was done for the communists, Mr. President.

Mr. WALKER. Mr. President, I think the acoustics in the committee room are just as good as in the Caucus Chamber but I appreciate the fact that there may be some judges who will come down—you cannot tell. I am perfectly willing to change the meeting place to the Senate Caucus room so that the press and the gentleman from Fayette will have ample room.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphan's home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL No. 1

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 1, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye".

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which the title was agreed to.

Mr. EDMONDS. Mr. President, I second the motion.

And the question recurring,

Will the Senate agree to the title?

Sections one and two inclusive of the bill were severally reconsidered, and agreed to.

The title of the bill was read as follows:

An Act providing that when inmates of an orphans' home or other children's institution maintained at the cost of any county attend public school and are not legal residents of such school district the county shall pay their tuition charges

On the question,

Will the Senate agree to the title?

Mr. MALLERY. Mr. President, I move to amend title, page 1, line 5 of title, by adding after the word "charges" the following: "and collect the same from the school district liable therefor."

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I desire to interrogate the gentleman from Blair.

The PRESIDENT. Will the gentleman from Blair permit himself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. REED. Mr. President, will the gentleman from Blair state to the Senate how this bill will change the present law?

Mr. MALLERY. In Blair County, Mr. President, we have a children's home which is located in Catherine

Township, one of the smaller townships in the county; the children of this home attend the township school. Under the present law the secretary of the school board endeavors to collect the tuition from the various municipalities from which these children come and he has a great deal of difficulty in collecting the tuition, so this bill would change the law to make the counties liable in the first instance but save to the counties the right to be reimbursed by collecting from the school districts.

We feel the county commissioners are better able because they have more clerks to collect from the various school districts than the secretary of these small school districts.

Mr. REED. Mr. President, isn't it the law at the present time that the school district in the domicile of the child is liable?

Mr. MALLERY. That is correct

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 24, on third reading, entitled:

An Act defining and prohibiting unfair sales providing remedies for violations thereof, and establishing penalties therefor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 50, as follows:

An Act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No department bureau commission or office of the Commonwealth of Pennsylvania or of any county city borough township school district or of any other political subdivision shall employ any person who is not a citizen of the United States

Section 2 Any officer of the State or of any county city borough township school district or any other political subdivision or any other person responsible who knowingly employs or retains any employe contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or to undergo imprisonment not more than thirty days or both.

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. DENT. Mr. President I have just looked over a copy of Senate Bill No. 50, Printer's No. 91, and I find the bill now is back in its original form. That is all right for some of the Senators but it is not the way I want it.

As I understand it now, Mr. President, although a person has signified his intention of becoming a citizen and the only reason he is not a citizen is because under the federal laws of this nation he can not properly become a citizen until he has been here a certain amount of time, we now say that that man or that woman is not entitled in any way to participate in the functions of government.

Now, Mr. President, I can not help but remember—maybe I am wrong in so remembering—but I can not help but remember that my parents were both aliens at one time. That does not in any way reflect upon them because they became good American citizens and raised a family of eleven other good American citizens who contributed their share in every manner to the welfare, growth and progress of this nation; and I do not think we ought to insinuate by an act of this kind that all persons who are not yet citizens of this country are not fit to be citizens of this county, and deny them the right of legitimate employment.

Suppose a scientist, for instance, who is here, or an eminent doctor or an eminent philosopher, happens to be giving lectures in one of our state universities, State College for instance, which is directly under the supervision of the state itself, under this law he would not be able to give lectures or to teach and I think if you will go back through our history and whether the individual who happens to now be a citizen was at one time an alien or not, I think you will go back and find that at one time or another every one was an alien who came to this country and raised a family.

I think it is silly; it is not necessary in the first place because unless a person is an outstanding character there would not be any chance in the world to get a job under a political patronage system such as is promoted by both the Republicans and the Democrats and I think the bill now is absolutely—I would say a criticism of the persons who come to this country with the intention of becoming Amercian citizens, the same as my father and yours, my mother and yours—and I hate to think of the insinuation that might have been brought against my parents, for instance, if a bill of this nature would have been passed by the Legislature during the time they happened to be working out their waiting period, if you please, to become participating Americans.

I intend to vote "no" in protest against even the idea of such a bill.

Mr. CROWE. Mr. President, I have no intention of becoming unnecessarily loquacious but as an old mountaineer from the Poconos I now rise to say a little verse:

"I don't care if he is a hound,
I want you to stop kicking my dog around."

Mr. President, this bill is not foolish or simple at all it has the definite purpose of keeping those persons off the state payroll who do not think enough of this country to affiliate themselves with our government.

This bill, Mr. President, is a bill which was sponsored by the American Legion and passed by its legislative con

mittee at the Reading convention in 1940. To say this bill is foolish is to say the American Legion is foolish. I am proud to be a member of that body and as commander and past commander I find nothing wrong with the American Legion and consider it the primary patriotic organization of this state and country.

Speaking now on this bill, let me give you some figures which confidentially came into my possession. A few months ago a survey was made of aliens employed in state institutions and today we have eighteen aliens holding responsible jobs in the institutions of this state. Here are a few of them: a dietician at the Norristown State Hospital; a physician at Byberry; an alien in this country only since June of 1938, a cook at the Torrance State Hospital; a registered nurse at the Warren State Hospital; a physician on the staff of the Pennhurst State Hospital; and right down in the back alley of our colleague from Cambria, Senator Haluska, there are two alien workers in the Cresson State Sanatorium there, one is a night watchman, and they are all aliens.

Now, Mr. President I say we have Americans here that are American citizens, they go to colleges and universities and become physicians and nurses and why should these people come into this country and take the bread away from their mouths? They are the people entitled to consideration.

A few weeks ago, Mr. President, when we had a hearing on Senate Bill No. 172, termed the communist bill, there was a representative from the Dies Committee here and he made a confidential statement to us that in the last few months there have been sixty-two thousand refugees who have flocked into this country and among those sixty-two thousand refugees there were fifteen hundred Gestapo agents. Now, Mr. President, these aliens are not running around here twiddling their thumbs, they are trying to get into government to honeycomb us with their sabotage and subversive activities. This bill is all right.

Mr. President, since it seems to be the habit to tell a story I think I will tell one. Up in the woods in Pike County there was an old woodsman sawing wood and his son came out in great excitement and said, "Pop, there is a wild cat chasing Mom around the kitchen." The old man looked at the son and said, "If the darn fool doesn't know any better than that he will just have to take his chances, the same as the rest of us."

That is what I say about the aliens, Mr. President, if they do not know enough to become citizens of the United States they will just have to take their chances.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated,

Mr. CROWE. I will, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Monroe to say we have two aliens working in the Cresson Sanatorium in my county;

Mr. CROWE. They were, Mr. President, at the time this report was made.

Mr. HALUSKA. How long ago was that?

Mr. CROWE. That was about six or seven months ago. There was a survey made by the federal government of all aliens in Pennsylvania, which revealed the fact that over four hundred thousand aliens were in this state.

Mr. HALUSKA. Mr. President, to the best of the knowledge of the gentleman from Monroe are they still employed?

Mr. CROWE. Mr. President, will the gentleman from Cambria repeat the interrogation?

Mr. HALUSKA. Mr. President. I said, to the best of the knowledge of the gentleman from Monroe are they still employed?

Mr. CROWE Yes, Mr. President, they are.

Mr. HALUSKA. Mr. President, I am glad to know that because probably that is why I was elected over my Republican opponent. I am sure the Democratic Party does not hire any aliens who can not vote and if the Republican Party has been attempting to hire aliens perhaps that is the answer to my success.

I should like to further interrogate the gentleman from Monroe, Mr. Crowe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. Yes, Mr. President.

Mr. HALUSKA. Will this in any way, Mr. President, affect those employed on W. P. A.?

Mr. CROWE. No, Mr. President.

Mr. HALUSKA. Why not, Mr. President?

Mr. CROWE. Mr. President, the idea is not to crack down on the underdog, the fellow on relief or on W.P.A.; the idea is to crack down on people such as are enumerated in this list, dieticians, physicians, cooks, registered nurses and so on.

Mr. HALUSKA. I am interested in that point, Mr. President, because in looking over the bill I note that it states that no department, bureau, commission, or office of the Commonwealth of Pennsylvania or any county, city, borough, township, school district and so on shall employ any person—and I interpret that to mean those employed in relief or W.P.A. Am I to understand, Mr. President, the underdog is not being affected, according to the understanding of the gentleman from Monroe? Will the gentleman state whether or not that is correct?

Mr. CROWE. Mr. President, the W.P.A. is under the federal government and is not a state institution.

Mr. HALUSKA. However, Mr President, it is sponsored by the Commonwealth of Pennsylvania.

Mr. CROWE. It is sponsored, Mr. President, but according to the Governor, he does not seem to have much to say about it.

Mr. SHAPIRO. Mr. President, it seems to me the underdog turned out to be the fellow we can not reach. I imagine if that gentleman could have been reached he would have been reached in this bill. The so-called underdog is the gentleman who gets somewhere around seventy dollars or maybe a hundred and twenty-five dollars a month and he is not reached by this bill.

I have every reason and so has every one here every reason to respect the Veterans of Foreign Wars and the American Legion; they have done some very fine work aside from their war service, since then, to help build up spirit and democracy.

However, Mr. President, I would like to say a word in caution. Just look at the effect of this bill. First the federal government allows so-called refugees, who have suddenly become so troublesome, to come here and there is nothing in this bill which stops them from coming here and there is nothing in the bill to stop the subversive activities; secondly, those who reside in Pennsylvania

and have employment now, if they are discharged from their jobs, are entitled to relief from the same state and the same government and the same funds from which you propose to preclude them by this bill. You intend and as a result of this bill you destroy their self-respect and you help destroy their respect for the country which invited them here, and permitted them to come here, by making them subjects of public charity, as against the common decent person who is willing, to work, and the gentleman from Monroe says we are aiming at the man who does not have the willingness even to become a citizen he forgets the fact that under this bill he does not even give him an opportunity to become a citizen. He also forgets, Mr. President, the fact that the gentleman who a year ago declared his intention of becoming a citizen, until he becomes a citizen he is not entitled to hold his position and must be discharged. The gentleman forgets the fact that when this bill first came in my objection to it was only that. I said before and I repeat now, I agree with the gentleman from Monroe and everyone else that any man who has been here for a sufficiently long period of time to have had an opportunity to become a citizen and has not taken the trouble or the interest, particularly now, when this is one of the few countries in the world where we can live peacefully and freely, if he does not have enough confidence, having been here long enough, if he does not like this place well enough and does not understand its privileges and values well enough to become a citizen, I am ready to deal with him, but when he has declared his intention, when he is anxious to become a citizen and make his home here, and has done everything possible for him to become a citizen, you say to him, "I am sorry but you are an alien, no matter what your intentions are," and so you are not only driving at the person who is not willing to become a citizen but you are also driving at the person who is willing to become a citizen, and it strikes me that your zeal to hit people who deserve to be hit is carrying you so far that you are hitting them through the bodies of innocent and willing persons who are willing to become citizens.

You can get all worked up about this thing, Mr. Presiden, you can wave the flag and you can talk about the American Legion all you want, and I will agree all the things you say about the flag and the Legion will be true, but you will be forgetting the effects that flow and the acts that flow from the passage of this bill. Because a dietician happens, for instance, to occupy a position in Norristown which she should not have had, if there was a preference the manager of that institution should have given the advantage to a citizen, and because in eighteen instances there are people employed who should not be employed, there should be this bill, which so viciously attacks persons who have shown their appreciation for this country, that they are willing to become citizens, must be fired is logically and economically wrong because when you throw that man out of a job he goes on public assistance.

That, Mr. President, is the reason I will not vote for the bill; I would have voted for the bill if it had a provision—I was not interested in the other words and phrases you put in it—but I feel there should be a provision in the bill that an alien who has not declared his intention of becoming a citizen should not be entitled to a position. You do not have that in there now.

Mr. MUNDY. Mr. President, I desire to interrogate the gentleman from Monroe.

The PRESIDENT. Will the gentleman from Monroe permit himself to be interrogated?

Mr. CROWE. Yes, Mr. President.

Mr. MUNDY. Mr. President, does the gentleman from Monroe by the introduction of this bill intend that this shall effect a repeal of the Pierson Act?

Mr. CROWE. No, Mr. President. In fact, I see no connection between the Pierson Act and this bill.

Mr. MUNDY. Well, Mr. President, in my interpretation of the Pierson Act it says those who are able bodied men on relief shall be employed by the municipalities in certain occupations and I was wondering if the Senator from Monroe intended this should be a repeal; in other words, that those municipalities should indefinitely keep those people on relief and should exclude them from employment.

May I interrogate the gentleman from Monroe further?

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. I will, Mr. President.

Mr. MUNDY. I understood the gentleman from Monroe to say this bill was actively sponsored by the American Legion.

Mr. CROWE. That is correct, Mr. President.

Mr. MUNDY. So that I will not be misinterpreted, Mr. President, I talk as a life member of the American Legion, a life member of the Veteran's of Foreign Wars and a life member of the Officers of the World War.

May I interrogate the gentleman from Monroe further, Mr. President?

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. I will, Mr. President.

Mr. MUNDY. Has the gentleman from Monroe had an opportunity to scan the casualty lists of the last World War?

Mr. CROWE. I have, Mr. President.

Mr. MUNDY. Mr. President, will the gentleman from Monroe answer me if in scanning those lists he has not found that ninety per cent of the casualties in the last World War were sons and daughters of recent immigrants to this country.

Mr. CROWE. That is perhaps correct, Mr. President.

Mr. MUNDY. Mr. President, I wish to interrogate the gentleman from Monroe further.

The PRESIDENT. Will the gentleman from Monroe permit himself to be further interrogated?

Mr. CROWE. Yes, Mr. President, I will.

Mr. MUNDY. Mr. President, does the American Legion as constituted take in full scope the veterans of the last World War?

Mr. CROWE. They do, Mr. President. I would like to make a remark in that connection. As far as aliens are concerned, the American Legion has been conducting schools in Americanism and citizenship for years, so it is not the fault of the American Legion if a lot of aliens in this country are not prepared so that they can apply for citizenship and become citizens.

Mr. MUNDY. Mr. President, does the gentleman from Monroe believe we should deny those rights to alien

parents who are trying very hard to get membership in our national government as citizens and at the same time claim from their sons and daughters that they shall go on the battlefield and sacrifice their lives to defend something which we deny participation to their parents.

Mr. CROWE. Mr. President, I would like in reply to that to say I think the gentleman from Luzerne, Mr. Mundy, is off the track, as we are not denying aliens any rights or privileges in this country, except under this bill to hold public office. That is the intention of the bill.

Mr. MUNDY. Mr. President, I think that is the aim of every outstanding citizen who has the best interest of this country at heart, and at the same time is trying to participate in its activities, civic and political, but certainly under an interpretation of this blil they are denied that right.

In conclusion, Mr. President, I just want to say this: as an active member of the Legion I believe the basis of ancient aristocracy in this country is a myth and if we by our act deny to the fellow who arrives now a thing which was not denied to our parents when they came here we are starting on a very false basis.

Let me say further, Mr. President, if it were not for the transfusion into the veins of the American nation, as reported in the casualty lists of the last World War, we would be in a sad condition if we were to call upon the decendents of the Mayflower to defend our country in time of stress.

Mr. McGINNIS. Mr. President, as I said the other day I regard this bill as entirely unnecessary. I was rather surprised to hear today that there were sixteen or eighteen aliens in this large state of ours employed on public payrolls. I am surprised that the Democratic leaders or the Republican leaders allow that many aliens to get on the payrolls, but if they did slip in perhaps they were needed and perhaps it is good thing they are there.

You know, Mr. President, I am very happy I am an alumnus of Cornell University. I well recall reading how Ezra Cornell said he would found an institution where any person of any creed or any race could find an education in any subject, and the first president of that great university was Andrew D. White and he started out by getting some of the grandest teachers, the most liberal, broad-minded teachers he could find in Europe and he brought them to the United States and they taught in Cornell University, and it was not long until Harvard and Yale and Princeton began to follow in the footsteps of Cornell University, so that now throughout the United States we have a system of interchanging our lecturers and great teachers with European countries. To me that is one of the best things that ever happened to the universities or the schools of this country.

I am not afraid of new ideas, Mr. President, and I am not afraid of discussion in the open or teaching in the open. That brings us down to what we call the underdog. I can conceive of a situation here maybe not so very far off, where our citizens would be employed in defense industries and where we might have these thousands of foreigners, as you like to call them now, thumping our breasts with patriotism and calling any poor soul who just came over here or whose parents just came over here, a foreigner—I can conceive of a situation whereby we might be very happy to put those thousands out and relieve the citizens on our highways and our sewers and put them to work.

I can remember reading, and perhaps knew some of the ancestors that came over here of Irish descent and built our railroads, and the miners today that are in our mines, perhaps some who are just as loyal and in fact more loyal than a lot of patriots that pound their breasts but who, for some timidity, because perhaps they never left their home but have raised a grand American family and are afraid to go down to the court house and ask for citizenship papers, perhaps have raised boys born in this country that are on the battlefront and out in the battlefields, and, as has been said here a while ago, let us not get too patriotic just now, let us not start bad feelings in the communities, let us not have too many vigilantes around in districts where perhaps the population is of foreign extraction, maybe ninety per cent, to have a few patriots who have American names raise their breasts and beat them and try to belittle and detract from those people who are here, perhaps honest toilers.

I say we are making a great mistake because this bill is unnecessary and it will clutter our hooks with a law that is unnecessary and I do not think it will ever be used.

Mr. CAVALCANTE. Mr. President, in all this discussion I trust my colleagues can appreciate the condition of a man in whose veins there runs the blood of immigrant parents. I regard it no disparagement to admit that my parents were both born in Europe. At this time, however, they are not interested in Europe, they are not interested in Africa or Italy or Germany or England or Russia, they are interested in America. My parents have contributed the best part of their lives towards building up their immediate community here in America. They are interested in leaving behind them a better America for their children and their children's children.

Mr. President, like the gentleman from Luzerne, Dr. Mundy, I too am a member of the American Legion, a member of the Veterans' of Foreign Wars, and a member of the Disabled American Veterans. In 1917, my parents had but two male sons that were of military age and they willingly gave both of us to the service of America. Both my brother and myself saw service on the battlefields of France, both of us were severely wounded, but thanks to God, both of us lived to come back to this land. I have buried in the soil of France first cousins who served in the World War; I have buried now in the soil of this land first cousins who served in the World War, but who later died in veterans' hospitals because of infirmities received in the World War.

Mr. President, I am not interested in the welfare of other people at this time, I am interested in the welfare of the American people, I am interested in the welfare of those who not only have declared their intention but who have gone further. I have been told repeatedly during my life that the pathway to hell is strewn with good intentions, and this proposition that all that a non-citizen needs to do is to come here and sign a petition and signify that particular intention does not at all satisfy me that that is a sufficient act on his part to give him the right to demand the right to be an American Citizen.

As far as I am concerned, I disagree with the gentleman from Philadelphia, Mr. Shapiro, that it is wrong to tell an alien in the agencies of our government, "No, you go out of this agency and seek work!" I do not agree with the gentleman from Philadelphia that it is morally wrong to say to that man, "Get out of this job, there is relief waiting for you." I have positive knowledge that

right at this moment there are thousands upon thousands of native born Americans on relief and surely let us not say here that it is any kind of opprobrium that native Americans are on relief. I would rather see the alien on our relief and the American on the job.

Mr. President, the thing with which we are all concerned at this time is to protect our government against foreign isms, the men who can come here, who can disembark at Ellis Island today and tomorrow appear before a naturalization examiner and sign a declaration of intention. How do we know the motives behind that intention? There has been no proof of that. Now then, if we are concerned with those emigrants who have been here for many years, then I think that we are insane. Why wait until a national crisis befalls this nation before becoming agitated along this line? Our public assistance law does not bar an alien from assistance; a foreign born non-citizen may obtain old age assistance if he has resided in this Commonwealth for fourteen years of continuous residence. Aliens are taken care of on relief, they take care of them on W. P. A. if they have their declaration of intention filed. I think that a mighty nation like America is doing well when it permits that much of its bounty to go to non-citizens, but why insist that we must extend that privilege to the extent of permitting them in the very morale of our government, in every governmental agency.

No, Mr. President, I think the crisis which now rests upon this nation requires that we take steps that we probably might not have otherwise taken. I find it no opprobrium upon these aliens that we tell them that we cannot accept their services in these governmental agencies. Why not examine the governmental agencies of Russia, of Germany, of Italy, of England or of these other countries and see how many aliens you find therein? I think we have been very liberal, very humanitarian in this country, when we examine the rostrum of these universities to see how many non-born and non-citizens, English professors and professors of other nations are now teching the youth of America. I hope to God that for the safety of America some day something can be done about that too.

So, Mr. President, I am speaking here as one member of this Senate in whose veins flows the blood of immigrant parents, and I think it my solemn duty at this moment as a disabled veteran of the World War, as a native born American, that I take this course of voting in favor of this bill, because I sincerely believe that the safety of the only land in this world that I love, and have once tendered my life and will tender to it again, this same land to which these immigrant parents of mine were willing to give their two first born, parents that have at this very moment five more sons signed up under this conscription law of the United States, and I know the hearts and minds of my parents, they will gladly give those five sons if need be in defense of this land, and I repeat that they are not interested in aliens today, they are interested in America, and I hope that we can come to that basic ground where we can be interested in Americans first and non-Americans secondly.

Mr. President, I shall give my vote in favor of this bill with my fullest sincerity, knowing that I am doing the very thing that two immigrant parents would require me to do.

Mr. KEPHART. Mr. President, I desire just to add a word to what has already been said by the gentleman from Allegheny, Mr. McGinnis, and the gentleman from Westmoreland, Mr. Dent, and that is that we should not forget these citizens and residents of Pennsylvania who have just recently discovered that they are aliens. When the alien registration act went into effect they expected some three hundred and eighty thousand aliens to register and they discovered there were over four hundred thousand in Pennsylvania. The reason for that was that there were many persons residing in Pennsylvania who had come to this state with immigrant parents as children and whose parents had applied for first papers but had never carried that through to become citizens; therefore their children did not become citizens and these children have grown up thinking they were citizens; they fought, they served in the World War. I have reliable authority that there are about five thousand such persons in Philadelphia County who have been brought up in this country from the time they were children thinking they are citizens, and now find they are not. To put these people in a position where they can not be employed by the state and to put them out of positions they now hold, where they find themselves outlawed through no fault of their own, when they have been here in good faith and have acted in good faith, they thought they were citizens, and now that they are not, I do not think it is fair to those people to not give them a chance to become citizens, and they can not become citizens overnight; they must wait until they go through all the formalties which the federal government requires, which takes in some instances as long as two years, and just to shut these people off without an opportunity seems to me unfair, in view of the fact that in the final analysis not many aliens are going to be knowingly employed in state or municipal institutions.

Mr. MILLER. Mr. President, I was in hope that this bill on third reading would not entail such a prolonged argument. It has been before the members of this body and everyone has had an opportunity to study the bill in various forms and it has now, as it has been said, reverted back to its original form.

Mr. President, it seems to me from remarks made here today by certain Senators that they are going far amiss from the original intent of this bill.

Now, Mr. President, in an endeavor to set the members straight with a sincere, straightforward statement, I say to you it is not the intent of this bill to deprive those who have been invited to our shores from becoming citizens of this great country of ours. The procedure has been set up by the courts and those people are privileged to take advantage of that procedure.

I further wish to state that the American Legion, which, it is true, is sponsoring this measure, has for years fostered and encouraged in practically every municipality within this Commonwealth naturalization classes, and in fact has invited these people to come to these classes in order to prepare themselves to be naturalized, and it is also true that members of not only the American Legion but of every veterans' organization, as well as patriotic organizations, have stood before the courts of our country and sponsored these individuals.

Mr. President, I would like to endeavor to correct the remarks of my good colleague from Luzerne, Dr. Mundy, who seems to be somewhat in doubt as to whether or not this bill is sponsored by the American Legion and I will say—not boastfully, because I have said it before on the floor of this Senate—that I speak in authority as far as the American Legion is concerned, on the floor of this Senate.

Mr. President, I wish to incorporate into the record merely because there might be a question of doubt in the minds of these gentlemen, the resolution as adopted, which was submitted by the Henry H. Houston Post of Philadelphia and which reads as follows:

"Whereas, There are many instances in which aliens are on the payrolls of the Commonwealth and the Counties of this Commonwealth; and

"Whereas, Many American citizens are unable to obtain employment within this Commonwealth, often resulting in extreme hardships for them; now, therefore, be it

"Resolved, By the American Legion, Department of Pennsylvania, in Twenty-second Annual Convention assembled, this 17th day of August, 1940, that the necessary acts be passed by the next Legislature of the Commonwealth providing that only American citizens be eligible to Commonwealth and County positions in this Commonwealth; and be it further

"Resolved, That the General Assembly, with the approval of the Governor of the Commonwealth of Pennsylvania, be urged to pass the necessary enabling legislation; and be it further

"Resolved, That copies of this resolution be sent to the Speaker of the House of Representatives, the President of the Senate, the Governor of the Commonwealth of Pennsylvania, and that the Department Legislative Committee make it a part of the Legislative program."

Now, gentlemen, this is not a political issue, it is a patriotic issue, it is a protective measure that in these emergencies we as American citizens should endeavor to provide for, and I trust this bill will receive the favorable consideration of the members present, as I believe, as many other citizens in our Commonwealth believe, it is a step in the right direction.

Mr. WOODWARD. Mr. President, as I listened to this prolonged debate, I began to be sorry the McGinnis family had ever left Ireland and the Cavalcante family had ever left Italy. The Democratic party is a great party, but some of our Senators on the Democratic side certainly indulge in sob stuff. It is not necessary for Senator Cavalcante to tell us he is a good patriotic American citizen; we all know that What I object to is his going into the details of his family.

I too lost my son in the World War, I lost two nephews in the World War, but it would not occur to me to stand up here and exploit that, as it shows bad taste and takes up our time. I do not say the Republican party is superior to the Democratic party but at least we have more emotional stability; there is too much emotional instability on the other side of that aisle.

Mr. DENT. Mr. President, I believe the real man is the man who is allowed certain privileges, enjoys those privileges, and then lets those who come after him enjoy the same privileges. We are acting like a man who might walk into a restaurant and order a meal and who then, when he is through eating, takes the tools and throws them out the window, and breaks the dishes, in order that the next man who comes in might have the food to eat but not the facilities to eat it with.

Mr. President, I do not think it is up to us to deny anybody any of the privileges that were given to those who came here prior to the passage of this act. I do not think it is a patriotic measure in any sense—I do not believe in emotionalism any more than the gentleman from Germantown, Dr. Woodward, but I just want it clearly understood, although I am not a member of the Legion, I do not think the Legion in itself really wants this type of legislation.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Bartlett,	Crowe,	Mallery,	Thomas,
Becker,	Daly,	Miller,	Tyler,
Carr,	Farrell,	Reed,	Wade,
Cavalcante,	Haluska,	Ruth,	Walker,
Chapman,	Heyburn,	Snowden,	Watkins,
Coleman,	James,	Stevenson,	Wilson, H. I.,
Cox,	Lanius,	Tallman,	Woodward,
Crider,	Letzler,	Taylor,	Ziesenheim,

NAYS—10.

Barr,	Frey,	McQuiddy,	Shapiro,
Dent,	Kephart,	Mundy,	Stiefel,
Edmonds,	McGinnis,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on county, city (except cities of the first and second class), borough, town, township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL NO. 125

Mr. COX. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 125, passed second reading?

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye".

Mr. MALLERY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. COX. Mr. President, I want to introduce amendments, and I would like to say a word in explanation.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. COX. Mr. President, in the first place Senate Bill

No. 125 will cover cities of the first class, cities of the second class or counties of the second class; it will have in it a provision which covers the opportunity for municipalities who wish to reject this bill to so do. It provides for four payments of ten per cent of delinquent taxes per annum, ten per cent of abated or delinquent taxes per annum with the final payment of the entire balance to be paid in the fifth year. It abates the penalty and interest on all taxes from 1940 back. It requires payment of the 1941 taxes before the provisions of the act become effective.

Mr. COX. Mr. President, I move that the Senate do now reconsider the vote by which the title was agreed to.

Mr. MALLERY. Mr. President, I second the motion.

Sections one to ten inclusive of the bill were severally reconsidered.

The first scetion of the bill was read as follows:

Section 1 All penalties and interest imposed on delinquent county city (except cities of the first and second class) borough town township school district (except school districts of the first class) and county institution district taxes for the tax year one thousand nine hundred and forty and all previous years and all penalties and interest imposed on such taxes for the years aforesaid assessed and levied against any parcel or parcels of real estate and on delinquent poll taxes levied for any of such years are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as herein after provided unless the authority levying the tax shall notify the county treasurer within thirty days after this act becomes effective that the taxing authority has rejected by a majority vote the provisions of this act

In order to receive the benefits of the installment system of payment provided by this act ten per centum or more of the delinquent taxes due for the year one thousand nine hundred and forty and for all previous years shall be paid on or before the first day of November one thousand nine hundred and forty-one and the balance due on such delinquent taxes in payments of ten per centum or more of such delinquent taxes Provided however That the final payment shall be made on or before the first day of November one thousand nine hundred and forty-five And provided That the respective current taxes on such parcel or parcels of real estate and on delinquent poll taxes levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provide then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interest in addition to the other payment required to be paid under this act during that year which delinquent payment and said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this act If such sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpaver shall not thereafter be entitled to any further benefits or privileges under this act

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, I move to amend Sec. 1, page 1, line 1, by inserting after the word "on" the following: "unpaid"; amend Sec. 1, page 1, line 2, by inserting after the word "county" the following: "(except counties of the second class)"; amend Sec. 1, page 1, line 4, by inserting after the parenthesis the following: "poor district (except in counties of the second class)"; amend Sec. 1, page 1, line 5, by inserting after the word "district" the following: "(except in counties of the second class)"; amend Sec. 1, page 1, line 6, by striking out the words "and all" where it appears the second time; amend Sec. 1, page 2, lines 1 and 2, by striking out the following: all of line 1, and the word "aforesaid' in line 2; amend Sec. 1, page 2, line 3, by inserting after the word "delinquent" the following: "county"; amend Sec. 1, page 2, line 13, by inserting after the word "the" where it first appears in said line, the following: "unpaid"; amend Sec. 1, page 2, lines 16 to 19, by striking out the following: the word "and" in line 16, and all of lines 17, 18 and 19, and inserting in lieu thereof: "ten per centum or more on or before the first day of November, one thousand nine hundred and forty-two; ten per centum or more on or before the first day of November, one thousand nine hundred and forty-three; ten per centum or more on or before the first day of November, one thousand nine hundred and forty-four; and the unpaid balance; amend Sec. 1, page 2, line 21, by inserting after the word "forty-five" the following: "Provided, That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred and forty-one, together with any interest and penalties due thereon, shall be paid on or before the first day of November, one thousand nine hundred and forty-one"; amend Sec. 1, page 2, line 21, by inserting after the word "provided" the following: "further"; amend Sec. 1, page 2, line 23, by inserting after the word "delinquent" the following: "county"; amend Sec. 1, page 3, lines 4, to 11, by striking out the following: "there shall become due and payable for" in line 4, all of lines 5 to 10, both inclusive, and the words "this act If such sum is not so paid then" in line 11; amend Sec. 1, page 3, lines 12 and 13, by striking out the words "less the aggregate of any such additional sums theretofore paid."

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such delinquent taxes for the year one thousand nine hundred and forty and previous years at any time on or before November first one thousand nine hundred and forty-one by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and forty-one shall not be required at the time of such payment

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, I move to amend Sec. 2, page 3, line 27, by striking out the word "not".

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The third section of the bill was read as follows:

Section 3 This act shall be construed to apply to all such taxes whether or not such taxes have been returned to the commissioner's office for nonpayment or liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to a county city borough town township school district or county institution district at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a county city borough town township school district or county institution district at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitor's fees where such taxes have been returned for nonpayment or liens therefor have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, I move to amend Sec. 3, page 4, line 3, by inserting after the word "office" the following: "or to the treasurer of any city."

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to:

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

The fifth section of the bill was read as follows:

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate in the same ward district or other municipal subdivision

The county commissioners of each county shall at the cost of the county cause to be published two times in not more than two newspapers of general circulation throughout the county a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the tax levying authorities the tax collector the receiver or receivers of taxes or the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such municipal subdivision showing the fact amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, I move to amend Sec. 5, page 5, line 22, by striking out the word "municipal" and inserting in lieu thereof: "political."

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh, eight, ninth and tenth sections of the bill were read as follows and agreed to:

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred and forty-one and any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said delinquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the fourteenth day of April one thousand nine hundred and thirty-seven (Pamphlet Laws 302) the act approved the twenty-fifth day of October one thousand nine hundred and thirty-eight (Pamphlet Laws 84) and the act approved the nineteenth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 405) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

The title of the bill was read as follows:

An Act abating certain tax penalties and interest on county city (except cities of the first and second class) borough town township school district (except school [districts of the first class) and county institution] district taxes prohibiting the sale of real property for the non-

payment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

On the question,

Will the Senate agree to the title?

Mr. COX. Mr. President, I move to amend title, page 1, line 1 of title, by inserting after the word "on" the following: "unpaid"; amend title, page 1, line 1 of title, by inserting after the word "county" the following: "(except counties of the second class)"; amend title, page 1, line 4 of title, by inserting after the parenthesis the following: "poor district (except in counties of the second class)"; amend title, page 1, line 5 of title, by inserting after the word "district" the following: "(except in counties of the second class."

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 342, (House Bill No. 366), as follows:

An Act to add clause seven to subsection (b) and to further amend subsection (c) of section one thousand two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby amended by adding thereto after clause six a new clause to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

* * * *

7 Seventy (70) miles an hour speed limit All vehicles when being operated on highways under the supervision and control of a turnpike commission except those otherwise restricted by this act to lower maximum speeds and except when restricted to lower maximum speeds by such turnpike commission upon the highways under its supervision and control or any zones or sections thereof where official signs erected by such turnpike commission on the highway facing the traffic to be controlled are displayed

Section 2 Subsection (c) of section one thousand two of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided except when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commission as hereinbefore provided the maximum speed limits shall be twenty miles per hour greater than hereinafter provided

Commercial motor vehicles and truck tractors R class fifty miles per hour

Motor buses and omnibuses forty-five miles per hour

Commercial motor vehicles and truck tractors S T and U classes forty miles per hour

Commercial motor vehicles and truck tractors V and W classes thirty-five miles per hour

All other commercial motor vehicles and truck tractors thirty miles per hour

All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers thirty miles per hour

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, I simply want to take about two minutes to speak in favor of our present speed limit of fifty miles an hour.

This bill, as I understand it, jacks it up to seventy miles an hour on the super-highway; is that correct?

Mr. SHAPIRO. That is correct.

Mr. WOODWARD. Now, Mr. President, if you read the statistics of deaths on the highways from automobile acci-

dents, it looks to me like a very poor time to put the speed limit up to seventy miles an hour. As I understand it, a three lane highway is the most dangerous; the superhighway, I understand is a four lane highway, and not as dangerous as a three lane highway.

Mr. President, this question came up about a year ago, and I think Governor James was brought into it, and at that time it was decided to limit the speed to fifty miles an hour. I want to register my protest against a speed limit of seventy miles, and shall vote against the bill.

Mr. BARR. Mr. President, this will cut down the speed limit and not put it up. We are going one hundred miles an hour now.

Mr. WOODWARD. What is the use of saying that? There is no use of having any speed limit at all. There is a speed limit on the highway—I beg your pardon—fifty miles an hour. I asked a highway man and he says that is not true; that fifty miles an hour is the limit. If you are not going to enforce speed limits, why not wipe them off the slate. Do not sit there and say there is no speed limit on the highway.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to,

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Barr,	Crowe,	Kephart,	Snowden,
Bartlett,	Ealy,	Letzler,	Stevenson,
Becker,	Edmonds,	Mallery,	Tallman,
Carr,	Farrell,	McGinnis,	Taylor,
Chapman,	Frey,	McQuiddy,	Thomas,
Coleman,	Haluska,	Miller,	Tyler,
Cox,	Heyburn,	Mundy,	Walker,
Crider,	James,	Ruth,	Watkins,

NAYS—7.

Cavalcante,	Reed,	Stiefel,	Wilson, H. I.,
Lanius,	Shapiro,	Woodward,	

PRESENT—1.

Wade,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 344, on the third reading, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551) entitled "An act relating to roads, highways, and bridges." as amended, by making the maximum width of a public road two hundred feet.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 401, as follows:

An Act repealing and abandoning as a State highway State highway route 15181 in Chester County and providing for the reversion thereof to the township

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 State highway route 15181 in Chester County adopted by section two of the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 806) entitled "An act to amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (Pamphlet Laws 594) entitled 'An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act' as amended by changing certain routes and adding certain new routes" is hereby repealed and abandoned as a State highway and the same shall revert to and be maintained and constructed by the township in which the same is located as provided by law in the case of roads abandoned as State highways

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Barr,	Ealy,	Mallery,	Stevenson,
Bartlett,	Edmonds,	McGinnis,	Tallman,
Becker,	Farrell,	McQuiddy,	Taylor,
Carr,	Frey,	Miller,	Thomas,
Cavalcante,	Haluska,	Mundy,	Tyler,
Chapman,	Heyburn,	Reed,	Wade,
Coleman,	James,	Ruth,	Walker,
Cox,	Kephart,	Shapiro,	Watkins,
Crider,	Lanius,	Snowden,	Wilson, H. I.,
Crowe,	Letzler,	Stiefel,	Woodward,
Dent,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 23, entitled:

An Act to amend subsections (a) and (f) of section one thousand three, subsection (b) of section one thousand one hundred seven, subsection (h) of section one thousand one hundred ten, subsection (c) of section one thousand two hundred fifteen, and subsection (d) of section one thousand two hundred sixteen, and to further amend section one thousand two hundred twenty-three of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties

upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by eliminating the right of electors to vote a straight party ballot by one mark or operation.

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 197, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

Mr. FREY. Mr. President, I ask unanimous consent that Senate Bill No. 285, on second reading, entitled:

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class, and on unpaid delinquent poll, poor district, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 301, on second reading, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 78, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining political parties and political bodies; excluding therefrom parties or bodies desiring to overthrow the Government of the United States by force.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 161, entitled:

An Act to amend section thirty of the act approved the twenty-ninth day of April, one thousand nine hundred and thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating the check-up of registered electors and the cancellation of their registration by the commission.

An said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 169, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controlers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and provding that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of preliminary street lists, and perimtting the destruction of certain records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 325, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five, (P. L. 452) entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no new project shall be begun without specific authority from the General Assembly and approval of the Governor and providing for a limitation of the cost thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of the cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county, and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess until 2:20 o'clock, p. m.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The President. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 325, (Senate Bill No. 494), entitled:

An Act, authorizing boards of school directors to permit the use of vehicles used for transportation of pupils; for educational trips and other school activities.

Which was committed to the Committee on Education.

House Bill No. 524, (Senate Bill No. 495), entitled:

An Act to further amend section two hundred and ten of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," prohibiting the sale of striped bass or rock fish under eighteen inches in length.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 609, (Senate Bill No. 496), entitled:

An Act to amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," changing the qualifications of historical societies to receive county appropriations.

Which was committed to the Committee on County Government.

House Bill No. 610, (Senate Bill No. 497), entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act, approved the twenty-third of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," changing the qualifications of historical societies to receive appropriations.

Which was committed to the Committee on Municipal Government.

House Bill No. 631, (Senate Bill No. 498), entitled:

An Act authorizing courts of common pleas to stay writs of execution against the tax sales of certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs.

Which was committed to the Committee on Judiciary General.

House Bill No. 657, (Senate Bill No. 499), entitled:

An Act to amend sections one, two, three and four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims, and to the payment of such claims from the proceeds of such compromises or sales, and changing the time when such compromises may be made.

Which was committed to the Committee on Municipal Government.

House Bill No. 708, (Senate Bill No. 500), entitled:

Enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable, without having collected the same by the expiration of the authority of their respective warrants, or by the expiration of their

terms of office; extending the time for the collection of the same for a period of two years from the passage of this act; and validating collections and proceedings for collections made or commenced without previous authority.

Which was committed to the Committee on Municipal Government.

House Bill No. 710, (Senate Bill No. 501), entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years; and validating the liens of such taxes.

Which was committed to the Committee on Municipal Government.

House Bill No. 895, (Senate Bill No. 502), entitled:

An Act to authorize cities, boroughs incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims, not filed within the time specified by law and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Which was committed to the Committee on Municipal Government.

House Bill No. 915, (Senate Bill No. 503), entitled:

An Act to further amend section two thousand four hundred nine of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further regulating the award of purchasing contracts by the Department of Property and Supplies.

Which was committed to the Committee on Forests and Waters, Game and Fish.

HOUSE CONCURS IN SENATE BILL NO. 244 (HOUSE BILL NO. 791)

He also returned to the Senate, Senate Bill No. 244, (House Bill No. 791), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint, probate clerks," by providing for the appointment of additional probate clerks.

with the information that the House has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. TAYLOR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TAYLOR, from the Committee on State Government, reported as committed, Senate Bill No. 360, entitled:

An Act creating a commission to make a thorough investigation of all matters that might interfere with carrying out of the National Defense Program within the Commonwealth, conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings to the Legislature or to the Governor, together with its recommendations as to such regulatory legislation as may be needful to promote the production of implements of defense, authorizing the commission to employ counsel and employees, and making an appropriation.

Mr. FREY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY, from the Committee on State Government, reported as committed, Senate Bill No. 411, (House Bill No. 583) entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

ADJOURNMENT

Mr. WALKER. Mr. President, I move that the Senate do now adjourn until Monday, April 7, 1941, at 4:30 o'clock, p. m.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:28 o'clock, p. m., until Monday, April 7, 1941, at 4:30 o'clock, p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 2, 1941

The House met at 12 m.

The SPEAKER (Elmer Kilroy) in the Chair

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

Heavenly Father, Father of us all, as we are met here, may we not only hear but heed the voice of the Psalmist when he cries unto Thee, "Who shall ascend into the hill of the Lord? or who shall stand in His holy place?" The words formulating the answer must needs cause us to search our individual lives, for to us as to him the reply comes in its fullest challenge, "He that hath clean hands and a pure heart; who hath not lifted up his soul unto vanity; nor sworn deceitfully. He shall receive the blessing of the Lord, and righteousness from the God of his salvation." Heavenly Father, Cleanse Thou our hearts.

Create within us a hunger and a thirst for the things that please Thee, O God. Cause us to lift up our eyes unto the hills from whence cometh our help. Keep us in the hollow of Thy hand, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. VERONA, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. ELLIOTT. HOUSE BILL No. 1080.

An Act to further amend section one of the article four of the act, approved the ninth day of June, one thousand nine hundred and eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of prop-

erty connected therewith," by providing for the issuance of limited mine foremen's certificates for mines wherein less than ten persons are employed during the period of twenty-four hours, and prescribing the powers and duties of the holders of such limited certificates.

Referred to the Committee on Mines and Mining.

By Mr. O'CONNOR. HOUSE BILL No. 1081.

An Act to apportion the State into congressional districts.

Referred to the Committee on Congressional and Judicial Apportionment.

By Mr. STANK. HOUSE BILL No. 1082.

An Act to amend section twenty-two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualifications, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," providing for the fixing of fees of registers of wills in counties having no separate orphans' court by the president judge of the court of common pleas, sitting as orphans' court judge.

Referred to the Committee on Judiciary General.

By Messrs. CHUDOFF and FINESTONE HOUSE BILL No. 1083.

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. WEINGARTNER HOUSE BILL No. 1084.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Referred to the Committee on Judiciary General.

By Mr. REUBEN E. COHEN. HOUSE BILL No. 1085.

An Act to further amend section twelve of the act, approved the thirtieth day of March, one thousand nine hundred and seventeen (P. L. 21), entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania, and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure, and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board, and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," by further limiting the application of this act.

Referred to the Committee on Professional Licensure.

By Mr. DOLON. HOUSE BILL No. 1086.

An Act to amend section three hundred three of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchise; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for the effiectment proceedings in conection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by requiring public utilities to set forth, in every bill for services, the tariff or rate applicable to such services.

Referred to the Committee on Public Utilities.

By Mr. TROUT. HOUSE BILL No. 1087.

An Act to amend Clause (2) of Section 3 of the Act approved the sixteenth day of May one thousand nine hundred and twenty-nine ((P. L. 1784) entitled "An act concerning newspapers creating uniformity in the publication of legal notices and advertisements defining the newspapers in which official and legal advertising shall be published prescribing methods for computing the charges therefor and providing that the expenses for publishing legal advertising or notices shall be taxable and collectible as court costs are not taxed and collected in all matters and proceedings" by changing the definition of daily newspaper.

Referred to the Committee on Judiciary General.

By. Mr. SAMUEL ROSE. HOUSE BILL No. 1088.

An Act prohibiting the employment of or the acceptance of employment by any female for the purpose of tending bar over which bar alcoholic, malt or vinous beverages are sold; excepting on-sale licensees and the wives of on-sale licensees; providing penalties for a violation thereof; repealing all inconsistent legislation.

Referred to the Committee on Liquor Control.

By Mr. HAMILTON. HOUSE BILL No. 1089.

An Act to amend section four hundred eleven of the act, approved the first day of May, one thousand nine hundred thirty three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," amplifying the eligibility requirements for the office of township auditor.

Referred to the Committee on Townships.

By Mr. HAMILTON. HOUSE BILL No. 1090.

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" by eliminating the right of the State Department of Highways to permit and collect fees for the placing of public utility service equipment and other obstructions in or upon township highways and giving such right to the township supervisors.

Referred to the Committee on Townships.

By Messrs. SHAFFER and BAKER.
HOUSE BILL No. 1091

An Act to amend section sixteen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in conection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing that the tax on personal property imposed by counties, and by cities coextensive with counties, shall be a lien after recordation upon the franchise and real property of the person taxed; and providing for the extending and continuing of said liens.

Referred to the Committeee on Judiciary General.

By Messrs. D'ORTONA and THOMAS H. LEE
HOUSE BILL No. 1092.

An Act making an appropriation for the expenses of the committee of the House of Representatives created by House Resolution Serial Number forty-nine, adopted the nineteenth day of February, one thousand nine hundred forty-one.

Referred to the Committee on Appropriations.

By Mr. LEONARD HOUSE BILL No. 1093.

An Act Authorizing suits brought to recover damages in case of accidents in this Commonwealth in courts of common pleas to be certified to the Workmen's Compensation Board in the event that the suit has been filed by mistake in the court of common pleas, and defining the legal effect of such certifications.

Referred to the Committee on Judiciary General.

By Mr. ELLWOOD B. WELSH HOUSE BILL No. 1094.

An Act to protect the public health and safety by requiring registration with and the securing of permits from the State Board of Pharmacy by persons, copartnerships, associations and corporations engaged in the manufacture, producing and dealing in drugs and medical supplies, regulating the manufacture of drugs and medical supplies, prescribing permit, providing for inspections and the suspension and revocation of permits, conferring powers on the State Board of Pharmacy, and courts and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. BROWN. HOUSE BILL No. 1095.

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain civil actions transferred to it by the Court of Common Pleas of Allegheny County.

Referred to the Committee on Judiciary General.

By Mr. McGRATH. HOUSE BILL No. 1096.

An Act to regulate the practice of general contracting in Pennsylvania; to establish a State Registration Board for Contractors, and to define its powers and duties; to provide the method of obtaining a certificate of registration to engage in the practice of general contracting, and to fix fees for such certificates; to dispose of the moneys raised; to provide the method of suspension and cancellation of such certificate of registration; and to prescribe the punishment for violation of the provisions of this act.

Referred to the Committee on Professional Licensure.

By Mr. MORAN. HOUSE BILL No. 1097.

An Act to amend section three of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," extending the provisions of said act to include employers who operate for charitable purposes to those who operate not for profit, and to those who secure aid from the Commonwealth, or any agency or political subdivision thereof.

Referred to the Committee on Labor.

By Messrs. KEENAN and SARRAF.
HOUSE BILL No. 1098

An Act to amend section four hundred eight of article four of the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An

act establishing a court of record in the County of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the courts, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," to provide for the payment of the costs of maintenance of children under care of the Juvenile Court by the county institution district or by the city in which such child is residing at the time of assumption of jurisdiction by the court.

Referred to the Committee on Cities—Second Class.

By Messrs. HEATHERINGTON and TATE.

HOUSE BILL No. 1099.

An Act to provide reimbursement for hospitals on account of expenses of the care, treatment and maintenance of indigent persons without ability or means to support themselves, injured in motor vehicle accidents; imposing powers and duties upon certain State Departments; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. HEATHERINGTON and TATE.

HOUSE BILL No. 1100.

An Act to further amend section 713 and to amend section 724 of the act approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," increasing the fee for an operator's license and providing for the payment of the increase into the general fund.

Referred to the Committee on Appropriations.

By Mr. COOK. HOUSE BILL No. 1101.

An Act to amend section one thousand five hundred and one, and one thousand five hundred and eight of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating sewer connections and sewer district assessments in certain cases.

Referred to the Committee on Townships.

By Mr. KENEHAN. HOUSE BILL No. 1102.

An Act to add section nine hundred eleven and one-tenth to act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utility to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractural relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations, subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceeding prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by requiring certain contracts of public utilities to be approved by the commission, and setting up a procedure whereby such contracts may be entered into by a public utility.

Referred to the Committee on Public Utilities.

By Messrs. MUNLEY and DAVID P. REESE.

HOUSE BILL No. 1103.

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities,

boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by authorizing the assignment and issuance of special registration plates, and prescribing extra fees therefor.

Referred to the Committee on Motor Vehicles.

By Messrs. HERMAN and YOUNG.

HOUSE BILL No. 1104.

An Act making an appropriation to the Philadelphia Museum School of Industrial Art, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. READINGER. HOUSE BILL No. 1105.

An Act naming the State Military Reservation at Indiantown Gap, "camp Muhlenberg."

Referred to the Committee on State Government.

By Mr. KILROY. HOUSE BILL No. 1106.

An Act making an appropriation to the Women's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 51. (HOUSE BILL No. 1107).

An Act authorizing and empowering school districts of the first class to furnish food, including milk, to undernourished and poor school children in their districts.

Referred to the Committee on Education.

SENATE BILL No. 205. (HOUSE BILL No. 1108)

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

Referred to the Committee on Appropriations.

SENATE BILL No. 228. (HOUSE BILL No. 1109)

An Act to further amend section twenty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1237), entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising, and consolidating the law relating thereto," by requiring the filing of a statement to the effect that the respondent is or is not enrolled in the armed forces of the United States pursuant to any selective service act or serving in the armed forces of the United States during actual time of war before the issuance of a subpoena.

Referred to the Committee on Judiciary General.

SENATE BILL No. 232. (HOUSE BILL No. 1110)

An Act to validate and quiet the title to lands and buildings heretofore sold by boards of school directors at public auction without full compliance with provisions of law authorizing such sales.

Referred to the Committee on Judiciary General.

SENATE BILL No. 329. (HOUSE BILL No. 1111)

An Act to amend clause (a) of section twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," fixing the time of day that the open season shall begin for charr, commonly called brook trout and any species of trout except lake or salmon trout.

Referred to the Committee on Fisheries.

SENATE BILL No. 343. (HOUSE BILL No. 1112)

An Act to amend the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act, and rules, regulations and orders of the commission; defining perjury, dening remedies; repealing legislation supplied and superseded by this act, and saving rights, duties, and proceedings thereunder; and making appropriations," by providing that milk delivered or made available, or received or handled on consignment, or otherwise, shall be subject to all the provisions of said act; further defining the power of the commission to fix minimum prices to be paid producers for milk; defining certain violations of said act; and providing that milk dealers shall be held responsible for actions of persons employed by or acting for them.

Referred to the Committee on Dairy Industries.

RESOLUTION INTRODUCED AND REFERRED

By Mr DiGENOVA RESOLUTION No. 66

In the House of Representatives, April 2, 1941.

Whereas, December 14, 1941 will be the 150th anniversary of the ratification of the "Bill of Rights': 1791-1941; and

Whereas, The "Bill of Rights,' that expression of American genius which guarantees our fundamental freedoms of speech, press and worship, is an immortal monument

of human liberties which serves as a "Guiding Light" to the people of all Democratic Nations; and

Whereas, The "Bill of Rights," on its 150th anniversary, should be duly honored by some outward manifestation of our gratitude and deference; and

Whereas, A national homage paid to this most important document in American history may well serve as an opportune reminder to all Americans that they are indeed fortunate to live under our democratic form of government, and how important it is for them to do their utmost to preserve our "Bill of Rights" and protect its principles from being ravaged or distorted; therefore be it

Resolved, That the Governor of this Commonwealth be and is hereby requested by the House of Representatives, to proclaim December 15, 1941 as "Bill of Rights Day"; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of this House to the Governor of this Commonwealth.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

CONGRESSIONAL APPORTIONMENT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To The Honorable, The General Assembly of The Commonwealth of Pennsylvania:

Pursuant to Article IV, Section 11 of the Constitution of the Commonwealth of Pennsylvania, I hereby advise you that the House of Representatives of the United States of America has certified to me, pursuant to Section 22, Subdivision (B), of the Act of the Congress of the United States of America entitled "An Act to provide for the Fifteenth and Subsequent Decennial Censuses and to provide for Apportionment of Representatives in Congress," approved June 18, 1929, as amended by public, numbered 481, Seventy-Sixth Congress, approved April 25, 1940, that the State of Pennsylvania shall be entitled, in the Seventy-Eighth Congress and in each Congress thereafter until the taking effect of a reapportionment under said act, as amended, or subsequent statute, to thirty-three representatives in the House of Representatives of the Congress of the United States.

At Harrisburg, the first day of April, Anno Domini, one thousand nine hundred forty-one.

ARTHUR H. JAMES.

By the Governor
S. M. O'HARA
Secretary of the Commonwealth

REPORTS FROM COMMITTEES

Mr. MONKS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 533, entitled:

An Act providing for the reimbursement by the Commonwealth of counties for costs and the maintenance of prisoners incurred as the result of prosecutions under laws providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties; and repealing inconsistent acts.

Mr. McDERMOTT, from the Committee on State Government, reported as committed, House Bill No. 974, entitled:

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

Mr. DiGENOVA, from the Committee on Education, reported as committed, House Bill No. 576, entitled,

An Act to further amend subsection (f) of section one thousand two hundred five of the act, approved the fifteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating determination of charges against professional employes.

Mr. HERING, from the Committee on Education, reported as committed, House Bill No. 455, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment officers, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

Mr. MOUL, from the Committee on Education, reported as committed, House Bill No. 669, entitled:

An Act providing for the support and promotion of aviation training through public school districts of the Commonwealth; authorizing school districts to acquire real estate for such purpose; conferring powers and imposing duties on the Superintendent of Public Instruction; and making an appropriation.

Mr. GOODWIN, from the Committee on Counties, reported as committed, House Bill No. 651, entitled:

An Act to amend Section three of the act approved the twenty-third day of March, A. D. one thousand eight hundred and sixty-five (Pamphlet Laws 607) entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the making of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

Mr. GOODWIN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 532, entitled:

An Act to amend section one thousand and forty-seven of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," limiting the number of days for the completion of borough audits.

Mr. MORAN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 526, entitled:

An Act to amend section one hundred thirty-six as amended, and section one hundred thirty-seven, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for the establishment of the office of controller in certain counties and for the abolition of the office of county auditor; and for the audit of accounts of the county and its officers for the preceding year in certain cases.

Mr. NAGEL, from the Committee on Education, reported as committed, House Bill No. 360, entitled:

An Act to further amend section six hundred and twenty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for suitable pupil ceremonies affirming and developing allegiance to the Flag of the United States of America.

Mr. LONGO, from the Committee on Municipal Corporations, reported as committed, House Bill No. 536, entitled:

An Act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt return to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled "An act creating the Department of Health and defining its powers and duties'; approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act" as amended, by providing for the payment of all fees to local registrars of vital statistics by the Commonwealth.

Mr. LONGO, from the Committee on Counties, reported as committed, House Bill No. 192, entitled:

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

Mr. CULLEN, from the Committee on State Government, reported as committed, House Bill No. 1017, entitled:

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

Mr. CULLEN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 525, entitled:

An Act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds, as herein defined, of bonds imposing no general obligation of debt, and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties; and repealing existing laws.

Mr. MARSHALL M. COHEN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 534, entitled:

A joint resolution proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

Mr. CORDIER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 530, entitled:

An Act to amend section three hundred and five of the act approved the third day of June, one thousand nine hun- and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years.

Mr. WATKINS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 528, entitled.

An Act to amend section 1081 of the act approved May fourth, one thousand nine hundred twenty-seven (P. L. 519), entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs, "as amended, by changing the conditions of the tax collectors bond and fixing the time when the same shall be entered into.

Mr. WILKINSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 897, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns, and townships of the first class maintaining a police force; creating a civil service commission in each borough, incorporated town, and townships of the first class, defining the duties of such civil service commission, imposing certain duties and expense on boroughs; incorporated towns, and townships of the first class; imposing penalties; and repealing inconsistent laws.

Mr. MONKS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 776, entitled:

An Act to amend subsection (b) of section one of the act, approved the twentieth day of June, one thousand nine hundred twirty-nine (P. L. 508), entitled "An act defining the rights, powers and duties of collectors of county taxes, except in counties of the second class and counties having local or special laws relating thereto, and of collectors of city, in cities of the third class, borough, town, township, school district and institution district taxes; providing for the collection of such taxes by suit, distraint, and lien and sale of the chattels of taxables and of tenants on the real estate affected, and from employers of delinquent taxables; authorizing the appointment of deputies by the tax collectors; defining certain definite defaults of tax collectors as embezzlements; and imposing penalties," defining certain rights and duties of tenants on real property when demand is made on them for the payment of taxes assessed against such property.

Mr. MALLOY, from the Committee on State Government, reported as amended, House Bill No. 121, entitled:

An Act approving, ratifying and enacting into law the Ohio River Valley Water Sanitation Compact for the prevention, abatement and control of pollution of the rivers, streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto, creating the "Ohio River Valley Water Sanitation Commission," providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact.

Mr. ELLWOOD B. WELSH, from the Committee on Municipal Corporations, reported as amended, House Bill No. 531, entitled:

An Act to amend sections five hundred one, five hundred two, five hundred three, and five hundred four, of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" providing for and limiting the creation of election districts in this Commonwealth; providing for a complete redistricting of election districts in the Commonwealth in the year one thousand nine hundred and forty-one and the procedure therefor; and conferring powers and imposing duties on county boards of elections, registration commissions and courts of quarter sessions.

Mr. McGRATH, from the Committee on Education, reported as committed, House Bill No. 995, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by eliminating the duty of filing a copy of the auditor's report with the Department of Public Instruction by the auditors in school districts of the third and fourth classes.

Mr. MODELL, from the Committee on Judiciary General, reported as amended, House Bill No. 809, entitled:

An Act to amend section thirteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by imposing on registers of wills the duty, when requested, of recording releases in decedents estates, and prescribing the effect of releases so recorded.

Mr. READINGER, from the Committee on Judiciary General, reported as amended, House Bill No. 808, entitled:

An Act to further amend sections twenty-eight and to amend section twenty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by making the subpoena alias subpoenas and publication in divorce proceedings returnable in twenty-one days.

Mr. WAGNER, from the Committee on State Government, reported as amended, House Bill No. 823, entitled:

An Act providing for the recording of birth records of certain persons whose births have not heretofore been made a public record; or whose record of birth is incomplete or incorrect and imposing such records competent legal evidence; and imposing certain duties upon the Orphans' Court.

MR. WOODSIDE IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 100, entitled:

An Act granting to representatives for collective bargaining designated by employes of anthracite or bituminous mines or collieries, the right to accompany mine inspectors on all tours of inspection of such mines.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 62, entitled:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

And said bill having been read at length the first time

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 646, entitled:

An Act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 799, entitled:

An Act to further amend clause nine and ten of section six hundred two of the act, approved the twenty-ninth day of November; one thousand nine hundred and thirty-three (P. L. 15, 1933 and 34), entitled as amended "An

act to regulate and restrain the sale, manufacture possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by increasing the allowed value of advertising matter displayed on the inside or outside of licensed premises.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 849, entitled:

An Act to amend the act approved the nineteenth day of July, one thousand nine hundred thirty-five, (P. L. 1356), entitled, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointments of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters; imposing certain duties on the Department of Internal Affairs; and providing penalties;" further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use and keeping of weighmaster's certificates; conferring powers and imposing duties upon state, city, and county inspectors of weights and measures and the Department of Internal Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the acts; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 593, entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions: and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 755, entitled:

An Act to further amend section seventeen of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowance, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 916, entitled:

An Act making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg, and for the construction of the necessary approaches thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act establishing certain public roads and streets in the Borough of West Leechburg, Westmoreland County, as a state highway; providing for their construction and maintenance by the Department of Highways, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways providing for the acceptance of Federal aid, empowering counties to pay certain damages; making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 473, entitled:

An Act to further amend clause (i) of section two of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined; providing for the licensing of the manufacture transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers providing penalties and repealing existing acts" by changing the definition of eating place.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 474, entitled:

An Act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; auhorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from state stores and of fees; and imposing penalties," by changing the definition of restaurant.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 667, entitled:

An Act creating an independent board to be known as The Regulatory Board of Review; conferring powers and duties on said Board, describing procedure on appeals to said Board and to the courts of common pleas; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres. places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 145, entitled:

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 316, entitled:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the Department of public works of cities of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 510, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound, motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by changing the method whereby future referendums be initiated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 650, entitled:

An Act to amend section seven of the Act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any

grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of widths, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 77, entitled:

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania, to allow all employes of state penal and correctional institutions twenty-four consecutive hours of rest each week; authorizing the Department of Welfare to provide additional employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 648, entitled:

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing roads to be county roads as soon as so determined, and further providing for the repair, construction and maintenance of such roads within the limits of boroughs and cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 505, entitled:

An Act providing for the licensing, bonding and regulation of junk dealers, and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. KLINE. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of study and possible amendment.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 375, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consent heretofore given.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 874, (Senate Bill No. 187), entitled:

An Act to amend section thirty-eight of article four of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act relating to wages, regulating the time, place and manner of payment of wages, providing for the enforcement of wage claims, imposing certain new liabilities upon contractors, and certain duties and liabilities upon employers, and waiving certain exemptions in certain cases, and conferring certain powers and imposing certain duties on the Department of Labor and Industry, and providing penalties, and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 854, entitled:

An Act to further amend section three hundred four and four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the hours of when sales may be made at Pennsylvania Liquor Stores, and permitting hotel and restaurant licensees to sell by the bottle at certain times, for consumption off the premises regulating such sales and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 579, entitled:

An Act relating to acknowledgements of written instruments and to make uniform the law with relation thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Dauphin, Mr. Woodside for presiding.

BILL RE-REFERRED

Mr. EARLY returned from the Committee on Dairy Industries with the recommendation that it be referred to the Committee on Welfare House Bill No. 1020, entitled:

An Act to further amend clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," further regulating the issuance of milk orders.

The SPEAKER. The bill is re-referred to the Committee on Welfare.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 124, entitled:

An Act to reenact and amend the title and the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to produce permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining prejury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by substituting the term "handler" for the term "milk dealer" defining the terms "handle" and "handler" extending the provisions of the act to those who handle milk by bailment brokerage consignment or purchase by giving certain additional rights to producers' and farmers' unions or organizations producing milk setting up a price fixing procedure providing for the division of the Commonwealth into license districts restricting powers of the Governor and providing for the payment of funds in the hands of the commission owing to producers and handlers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HABERLEN. Mr. Speaker, I move that this bill be recommended to the Committee on Dairy Industries for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 550, entitled:

An Act to repeal the act, approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. Goodwin.

The House resumed the consideration on second reading of House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GOODWIN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Title), page 2, line 3, by inserting after "[and]" the following: "(except cities of the first class)."

Amend Sec. 1 (Sec. 1), page 2, line 11, by inserting after "[or]" the following: "other than a city of the first class."

Amend Sec. 1 (Sec. 1), page 2, line 15, by inserting a light-face bracket before and after the word "a."

Amend Sec. 1 (Sec. 1), page 2, line 15, by inserting after the word "a" the following: "such."

Amend Sec. 1 (Sec. 1), page 2, line 20, by inserting a light-face bracket before and after the word "the."

Amend Sec. 1 (Sec. 1), page 2, line 20, by inserting after the word "the" the word: "such."

Amend Sec. 1 (Sec. 1), page 3, line 2, by inserting a light-face bracket before and after the word "the."

Amend Sec 1 (Sec 1), page 3, line 2, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 1), page 3, line 16, by inserting a light-face bracket before and after the word "the."

Amend Sec. 1 (Sec. 1), page 3, line 16, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 1), page 3, line 20, by inserting a light-face bracket before and after the word 'the."

Amend Sec. 1 (Sec. 1), page 3, line 20, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 2), page 4, line 1, by inserting a light-face bracket before and after the word "the" where it first appears in said line.

Amend Sec. 1 (Sec. 2), page 4, line 1, by inserting after the word "the" where it first appears in said line, the following: "such."

Amend Sec. 1 (Sec. 2), page 4, line 8, by inserting a light-face bracket before and after the word 'the."

Amend Sec. 1 (Sec. 2), page 4, line 8, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 2), page 4, line 18, by inserting a light-face bracket before and after the word "the."

Amend Sec. 1 (Sec. 2), page 4, line 18, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting a light-face bracket before and after the word "the" where it appears the second time in said line.

Amend Sec. 1 (Sec. 3), page 4, line 26, by inserting after the word "the" where it appears the second time in said line, the following: "such."

Amend Sec. 1 (Sec. 3), page 5, line 6, by inserting a light-face bracket before and after the word "the" where it appears the second time in said line.

Amend Sec. 1 (Sec. 3), page 5, line 6, by inserting after the word "the" where it appears the second time in said line, the following: "such."

Amend Sec. 1 (Sec. 3), page 5, line 10, by inserting a light-face bracket before and after the word "the."

Amend Sec. 1 (Sec. 3), page 5, line 10, by inserting after the word "the" the following: "such."

Amend Sec. 1 (Sec. 4), page 5, line 12, by inserting after the word "any" the following: "such."

Amend Sec. 1 (Sec. 6), page 7, line 19, by inserting after the word "any" the following: "such."

Amend Sec. 1 (Sec. 6), page 7, line 24, by inserting a light-face bracket before and after the word "the" where it appears the second time in said line.

Amend Sec. 1 (Sec. 6), page 7, line 24, by inserting after the word "the" where it appears the second time in said line, the following: "such."

Amend Sec. 1 (Sec. 9), page 9, line 7, by inserting after the word "any" the following: "such."

Amend Sec. 1 (Sec. 9), page 9, line 17, by inserting after the word "any" the following: "such."

Amend Sec. 1 (Sec. 10), page 9, line 23, by inserting after the word "city" the following: "other than a city of the first class."

The amendments were agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 383, as follows:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

On the question,

Will the House agree to the bill on third reading?

Mr. NAGEL. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows: "

Amend the title, page 1, last line of title by striking out the word "shall" and inserting in lieu thereof the word "may."

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments.

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 708, entitled as follows:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases in which the period of limitation of the warrants of the duplicates of the county poor institution district road city township ward school and borough tax collectors have heretofore expired or will expire during the years one thousand nine hundred forty-one and one thousand nine hundred forty-two and in cases where the power and authority of the said tax collectors have heretofore expired or shall expire during the years one thousand nine hundred forty-one and one thousand nine hundred forty-two by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by said tax collector or collectors of the said taxes or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been assessed and levied the said duplicates and warrants and the power and authority of the said tax collectors in all such cases

are hereby revived and extended for a period of two years after the passage of this act and the said tax collector or collectors their executors and administrators if they are deceased or either surety or sureties are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes aforesaid assessed with the like effect as if said warrant or warrants had not expired or the term of office of said tax collector had not expired

Section 2 The collection heretofore of any tax and all proceedings by distress or otherwise for the collection of any tax heretofore commenced are hereby ratified confirmed and made valid notwithstanding the fact that at the time of such collection or the commencement of such proceedings the period of limitation of the warrants of the duplicates of the tax collector had expired or the power and authority of the tax collector had expired by virtue of the expiration of his term of office and such duplicates and warrants and the power and authority of the tax collector had not at such time been revived and extended with like effect as though the same had in fact been so revived and extended

Section 3 The provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and nothing in this act shall release any bondsman or security This act shall not apply to cities having special laws on this subject No collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed No statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed t.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Lyons,	Rosenfeld,
Allmond,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sollenberger,
Bretherick,	Haines,	McMillen,	Sorg,
Brown,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burns,	Harkins,	Modell,	Stockham,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Moul,	Thompson, E. F.,
Cochran,	Hering,	Muir,	Thompson, R. L.,
Cohen, M. M.,	Herman,	Munley,	Trout,
Cohen, R. E.,	Hersch,	Nagel,	Turner,
Cook,	Hewitt,	Nunemacher,	Van Allsburg,
Cooper,	Hirsch,	O'Brien,	Verona,
Cordier,	Holland,	O'Connor,	Vincent,
Corrigan,	Huntley,	O'Dare,	Vogt,
Croop,	Imbrie,	O'Mullen,	Voldow,
Cullen,	James,	O'Neill,	Voorhees,
Dalrymple,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Leisey,	Readinger,	Wolf,
Ely,	Leonard,	Reagan,	Wood, L. H.,
Falkenstein,	Lee, E. A.,	Reese, D. P.,	Wood, N.,
Finestone,	Lee, T. H.,	Reese, R. E.,	Woodring,
Finnerty,	Lesko,	Regan,	Woodside,
Fisher,	Levy,	Reynolds,	Wright,
Fiss,	Leydic,	Rhea,	Yeakel,
Fleming,	Lichtenwalter,	Riley,	Yester,
Fletcher,	Longo,	Rooney,	Young,
Flynn,	Lovett,	Rose, S.,	Kilroy,
		Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 657, entitled as follows:

An Act to amend sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" are hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembl met and it is hereby enacted by the authority of the same That whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town school district or poor district to be called herein municipality for nonpayment of taxes or municipal claims under any act of Assembly authorizing such sale the municipality purchasing said property may subject to the approval of the court of common pleas [after the period of redemption has expired] upon petition agree with the former owner of such property or his heirs devisees or any one or more of them or with anyone entitled to redeem such property to accept in compromise or reduction of the amount of the taxes and municipal claims penalties interest and costs due any sum less than the whole of such amount so due whereupon either the said municipality or the person with whom such agreement is made may petition the common pleas court for confirmation of said agreement

Section 2 After the period for redemption has passed such municipality may sell at private sale any real property purchased at tax sale or sale for municipal claim and may in effecting such sale accept any sum less than the amount of all the taxes municipal claims penal-

ties and interest due subject to the approval upon petition of the court of common pleas

Section 3 Upon presentation of such petition the court shall fix a day not more than ten days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate

Section 4 If after such hearing the court is satisfied that the proposed compromise or private sale is proper and to the advantage of all the taxing authorities interested it shall enter a decree approving such compromise settlement private sale or such other settlement as the court may find to be proper and directing a conveyance of such property to the person or persons with whom the agreement has been made upon the payment of the agreement amount or such amount as the court may approve and all costs of the proceeding The proceeds of such compromise or private sale shall be distributed first to the costs of sale whereat the property was acquired and the balance to the respective taxing authorities in proportion to their tax and municipal claims The title conveyed shall be free and clear of all tax and municipal liens but shall not discharge any other liens not discharged by the tax sale or sale on municipal claim

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Lyons,	Rosenfeld,
Allmond,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sollenberger,
Bretherick,	Haines,	McMillen,	Sorg,
Brown,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burns,	Harkins,	Modell,	Stockham,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Moul,	Thompson, E.,
Cochran,	Hering,	Muir,	Thompson, R.,
Cohen, M. M.,	Herman,	Munley,	Trout,
Cohen, R. E.,	Hersch,	Nagel,	Turner,
Cook,	Hewitt,	Nunemacher,	Van Allsburg,
Cooper,	Hirsch,	O'Brien,	Verona,
Cordier,	Holland,	O'Connor,	Vincent,
Corrigan,	Huntley,	O'Dare,	Vogt,
Croop,	Imbrie,	O'Mullen,	Voldow,
Cullen,	James,	O'Neill,	Voorhees,
Dalrymple,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
Finnerty,	Lesko,	Regan,	Woodside,
Fisher,	Levy,	Reynolds,	Wright,
Fiss,	Leydic,	Rhea,	Yeakel,
Fleming,	Lichtenwalter,	Riley,	Yester,
Fletcher,	Longo,	Rooney,	Young,
Flynn,	Lovett,	Rose, S.,	Kilroy,
		Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 524, entitled as follows:

An Act to further amend section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" prohibiting the sale of striped bass or rock fish under eighteen inches in length

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 846) is hereby further amended to read as follows

Section 210 Sale of Certain Fish Prohibited No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall purchase sell or expose for sale any brook trout or any species of trout except lake trout any small mouth bass or large mouth bass or striped bass or rock fish under eighteen (18) inches in length caught in waters wholly within this Commonwealth or any small mouth bass or large mouth bass or striped bass or rock fish under eighteen (18) inches in length caught in waters without this Commonwealth and received in interstate commerce or otherwise No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	French,	Marks,	Royer,
Allmond,	Gallagher,	Maxwell,	Rusn,
Auker,	Gates,	McClanaghan,	Sarge,
Baker,	Gerard,	McClester,	Sarraf,
Balthaser,	Gillan,	McDermott,	Scanlon,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Snyder,
Bradley,	Haberlen,	McMillen,	Sollenberger,
Breth,	Haines,	McSurdy,	Sorg,
Bretherick,	Hall,	Melchiorre,	Stambaugh,

Brown,	Hamilton,	Mihm,	Stank,
Brunner, C. H.,	Hare,	Modell,	Stine,
Brunner, P. A.,	Harkins,	Monks,	Stockham,
Burns,	Harmuth,	Mooney,	Tarr,
Burris,	Harris,	Moran,	Tate,
Cadwalader,	Heatherington,	Moul,	Taylor,
Chervenak,	Helm,	Muir,	Thompson, E. F.,
Chudoff,	Hering,	Munley,	Thompson, R. L.,
Cochran,	Herman,	Nagel,	Trout,
Cohen, M. M.,	Hersch,	Nunemacher,	Turner,
Cohen, R. E.,	Hewitt,	O'Brien,	Van Allsburg,
Cook,	Hirsch,	O'Connor,	Verona,
Cooper,	Holland,	O'Dare,	Vincent,
Cordier,	Huntley,	O'Mullen,	Vogt,
Corrigan,	Imbrie,	O'Neill,	Voldow,
Croop,	James,	Owens,	Voorhees,
Cullen,	Jefferson,	Petrosky,	Wagner,
Dalrymple,	Jones, G. E.,	Pettit,	Watkins,
DiGenova,	Keenan,	Polaski,	Weingartner,
Dix,	Kenehan,	Polen,	Weiss,
Dolon,	Kline,	Powers,	Welsh, E. B.,
D'Ortona,	Knoble,	Prosen,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rank,	Wilkinson,
Early,	Komorofski,	Rausch,	Williams,
Eckels,	Krise,	Readinger,	Winner,
Elder,	Lee, E. A.,	Reagan,	Wolf,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Ely,	Leisey,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leonard,	Regan,	Woodring,
Finestone,	Lesko,	Reynolds,	Woodside,
Finnerty,	Levy,	Rhea,	Wright,
Fisher,	Leydic,	Riley,	Yeakel,
Fiss,	Lichtenwalter,	Rooney,	Yester,
Fleming,	Longo,	Rose, S.,	Young,
Fletcher,	Lovett,	Rose, W. E.,	Kilroy,
Flynn,	Lyons,	Rosenfeld,	Speaker.
Foor,	Malloy,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 610, entitled as follows:

An Act to amend clause forty-seven of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the qualifications of historical societies to receive appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause forty-seven of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * * *

47 Aid to Historical Societies To make annual appropriations for the support and maintenance of the principal historical society located therein which shall be incorporated under the laws of the Commonwealth shall [own its own building and keep it] maintain permanent quarters and shall keep the same open to the public shall have a membership of at least two hundred persons who pay annual dues of at least two dollars shall hold annually at least six regular meetings that shall be open to the public and shall at all times maintain facilities for the free storage deposit and inspection of official documents and records of the city and other proper public or historical archives and records

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Lyons,	Rosenfeld,
Allmond,	French,	Malloy,	Royer,
Auker,	Gallagher,	Marks,	Rush,
Baker,	Gates,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentley,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Boies,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Snyder,
Breth,	Haberlen,	McLane,	Sollenberger,
Bretherick,	Haines,	McMillen,	Sorg,
Brown,	Hall,	McSurdy,	Stambaugh,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stank,
Brunner, P. A.,	Hare,	Mihm,	Stine,
Burns,	Harkins,	Modell,	Stockham,
Burris,	Harmuth,	Monks,	Tarr,
Cadwalader,	Harris,	Mooney,	Tate,
Chervenak,	Heatherington,	Moran,	Taylor,
Chudoff,	Helm,	Moul,	Thompson, E.,
Cochran,	Hering,	Muir,	Thompson, R.,
Cohen, M. M.,	Herman,	Munley,	Trout,
Cohen, R. E.,	Hersch,	Nagel,	Turner,
Cook,	Hewitt,	Nunemacher,	Van Allsburg,
Cooper,	Hirsch,	O'Brien,	Verona,
Cordier,	Holland,	O'Connor,	Vincent,
Corrigan,	Huntley,	O'Dare,	Vogt,
Croop,	Imbrie,	O'Mullen,	Voldow,
Cullen,	James,	O'Neill,	Voorhees,
Dalrymple,	Jefferson,	Owens,	Wagner,
DiGenova,	Jones, G. E.,	Petrosky,	Watkins,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
Finnerty,	Lesko,	Regan,	Woodside,
Fisher,	Levy,	Reynolds,	Wright,
Fiss,	Leydic,	Rhea,	Yeakel,
Fleming,	Lichtenwalter,	Riley,	Yester,
Fletcher,	Longo,	Rooney,	Young,
Flynn,	Lovett,	Rose, S.,	Kilroy,
		Rose, W. E.,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 609, entitled as follows:

An Act to amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the qualifications of historical societies to receive county appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 438 Qualification of Society In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with it shall have been organized at least [three] two years incorporated by the proper authority and have an active membership of one hundred or more persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars for the support of the same it shall hold at least two public meetings yearly whereat papers shall be read or discussions held on historic subjects it shall have established a museum wherein shall be deposited curios and other objects of interest relating to the history of the county or State and it shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Lyons,	Rose, W. E.,
Allmond,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan,	Sarge,
Baugher,	Gillan,	McClester,	Sarraf,
Bentley,	Gillette,	McDermott,	Scanlon,
Bentzel,	Goodwin,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Hertherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,

Wilmer, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 710, entitled as follows:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whenever any tax collector or receiver of taxes of any city borough town township school district poor district or county institution district shall have failed or neglected to make return to the county commissioners of taxes assessed and levied against seated lands for the years one thousand nine hundred and twenty-nine one thousand nine hundred and thirty one thousand nine hudred ad thirty-one one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven one thousand nine hundred and thirty-eight or one thousand nine hundred and thirty-nine within the time required by law such tax collector or receiver may legally and validly make return of such taxes in the manner provided by law for such return at any time within six months after this act takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale may be had for such taxes at any time when a treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any bona fide purchaser during the time when any such lien was lost nor shall such return affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the collector to return the tax at the regular time

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Lyons,	Rose, W. E.,
Allmond,	French,	Malloy,	Rosenfeld,
Auker,	Gallagher,	Marks,	Royer,
Baker,	Gates,	Maxwell,	Rush,
Balthaser,	Gerard,	McClanaghan,	Sarge,
Baugher,	Gillan,	McClester,	Sarraf,
Bentley,	Gillette,	McDermott,	Scanlon,
Bentzel,	Goodwin,	McDowell,	Schwab,
Boies,	Greenwood,	McFall,	Serrill,
Boney,	Gross,	McGrath,	Shaffer,
Boorse,	Gryskewicz,	McIntosh,	Shaw,
Bower,	Gyger,	McKinney,	Shepard,
Bradley,	Habbyshaw,	McLanahan,	Simons,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,

Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Hare,	Mihm,	Stank,
Burns,	Harkins,	Modell,	Stine,
Burris,	Harmuth,	Monks,	Stockham,
Cadwalader,	Harris,	Mooney,	Tarr,
Chervenak,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	VanAllsburg,
Cordier,	Holland,	O'Connor	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
DiGenova,	Jones, G. E.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Watkins,
Dolon,	Kenehan,	Polaski,	Weingartner,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
			Kilroy, Speaker

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 631, entitled as follows:

An Act authorizing courts of common pleas to stay writs of execution against sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs

Whereas The present economic emergency has brought increasing distress to home owners and farmers and

Whereas Foreclosures in this emergency work tremendous inequities to such persons yield a minimum of satisfaction to execution creditors and deprive families of shelter and means of subsistence thus endangering the health safety welfare and morals of the public therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed t them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence

"Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence

Section 2 Every court of common pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Such stays shall be allowed only upon applica' n of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts as the court may deem sufficient to warrant such relief In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters

Section 3 In exercising the powers conferred by this act a court shall have the discretion of a chancellor sitting in equity It shall be a sufficient reason for the grant of a stay hereunder that immediate execution sale against the real property would work serious inequity by reason of the economic emergency hereinabove referred to

Section 4 The stay of any execution under this act shall continue the return day of the writ of execution to the first regular return day for such writs which shall occur after a sale held under such writ In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 5 The powers herein conferred on courts of common pleas shall be in addition to all powers now possessed by such courts to stay and otherwise control writs of execution against real property as herein defined

Section 6 This act shall become effective immediately upon final passage by the Legislature and approval by the Governor and shall continue in force only until the thirty-first day of March one thousand nine hundred and forty-three

Section 7 All acts and parts of acts inconsistent herewith are suspended while this act is in effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Snyder,
Bradley,	Habbyshaw,	McLane,	Sollenberger,
Breth,	Haberlen,	McMillen,	Sorg,
Bretherick,	Haines,	McSurdy,	Stambaugh,
Brown,	Hall,	Melchiorre,	Stank,
Brunner, C. H.,	Hamilton,	Mihm,	Stine,
Brunner, P. A.,	Hare,	Modell,	Stockham,
Burns,	Harkins,	Monks,	Tarr,
Burris,	Harmuth,	Mooney,	Tate,
Cadwalader,	Harris,	Moran,	Taylor,
Chervenak,	Heatherington,	Moul,	Thompson, E. F.,
Chudoff,	Helm,	Muir,	Thompson, R. L.,
Cochran,	Hering,	Munley,	Trout,
Cohen, M. M.,	Herman,	Nagel,	Turner,
Cohen, R. E.,	Hersch,	Nunemacher,	Van Allsburg,
Cook,	Hewitt,	O'Brien,	Verona,
Cooper,	Hirsch,	O'Connor,	Vincent,
Cordier,	Holland,	O'Dare,	Vogt,
Corrigan,	Huntley,	O'Mullen,	Voldow,
Croop,	Imbrie,	O'Neill,	Voorhees,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
	Leisey,	Reese, R. E.,	Woodring,

Falkenstein,	Leonard,	Regan,	Woodside,
Finestone,	Lesko,	Reynolds,	Wright,
Finnerty,	Levy,	Rhea,	Yeakel,
Fisher,	Leydic,	Riley,	Yester,
Fiss,	Lichtenwalter,	Rooney,	Young,
Fleming,	Longo,	Rose, S.,	Kilroy,
Fletcher,	Lovett,	Rose, W. E.,	Speaker.
Flynn,	Lyons,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 791 (Senate Bill No. 244), entitled as follows:

An Act to amend section one of the act approved the fifteenth day of June one thousand eight hundred and ninety-seven (P. L. 159) entitled "An act authorizing controllers of the several cities of this Commonwealth to oppoint probate clerks" by providing for the appointment of additional probate clerks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of June one thousand eight hundred and ninety-seven (P. L. 159) entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That controllers of the several cities of this Commonwealth shall be and are hereby authorized to appoint from among their employes one or more persons to be probate [clerk] clerks who shall have power to administer oaths or affirmations in all matters relating to accounts against said city.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Snyder,
Bradley,	Habbyshaw,	McLane,	Sollenberger,
Breth,	Haberlen,	McMillen,	Sorg,
Bretherick,	Haines,	McSurdy,	Stambaugh,
Brown,	Hall,	Melchiorre,	Stank,
Brunner, C. H.,	Hamilton,	Mihm,	Stine,
Brunner, P. A.,	Hare,	Modell,	Stockham,
Burns,	Harkins,	Monks,	Tarr,
Burris,	Harmuth,	Mooney,	Tate,
Cadwalader,	Harris,	Moran,	Taylor,
Chervenak,	Heatherington,	Moul,	Thompson, E. F.,
Chudoff,	Helm,	Muir,	Thompson, R. L.,
Cochran,	Hering,	Munley,	Trout,
Cohen, M. M.,	Herman,	Nagel,	Turner,
Cohen, R. E.,	Hersch,	Nunemacher,	Van Allsburg,
Cook,	Hewitt,	O'Brien,	Verona,
	Hirsch,	O'Connor,	Vincent,
Cooper,	Holland,	O'Dare,	Vogt,
Cordier,	Huntley,	O'Mullen,	Voldow,
Corrigan,	Imbrie,	O'Neill,	Voorhees,
Croop,	James,	Owens,	Wagner,
Cullen,	Jefferson,	Petrosky,	Watkins,
Dalrymple,	Jones, G. E.,	Pettit,	Weingartner,
DiGenova,	Keenan,	Polaski,	Weiss,
Dix,	Kenehan,	Polen,	Welsh, E. B.,
Dolon,	Kline,	Powers,	Welsh, M. J.,
D'Ortona,	Knoble,	Prosen,	Wilkinson,
Duffy,	Kolankiewicz,	Rank,	Williams,
Early,	Komorofski,	Rausch,	Winner,
Eckels,	Krise,	Readinger,	Wolf,
Elder,	Lee, E. A.,	Reagan,	Wood, L. H.,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Ely,	Leisey,	Reese, R. E.,	Woodring,
Falkenstein,	Leonard,	Regan,	Woodside,
Finestone,	Lesko,	Reynolds,	Wright,
Finnerty,	Levy,	Rhea,	Yeakel,
Fisher,	Leydic,	Riley,	Yester,
Fiss,	Lichtenwalter,	Rooney,	Young,
Fleming,	Longo,	Rose, S.,	Kilroy,
Fletcher,	Lovett,	Rose, W. E.,	Speaker.
Flynn,	Lyons,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895, entitled as follows:

An Act to authorize counties cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any county city borough incorporated town township school district poor district or county institution district has hereto failed to file in the office of the prothonotary of the county any tax claim or municipal claim assessed against any property within the time limit required by law for such filing whereby the lien of such tax or municipal claim is lost or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county city borough incorporated town township school district poor district or county institution district has not within the period of five years after the date on which any such claim was filed sued out a writ of scire facias to reduce the same to judgment or in the case of a tax or municipal claim has not within said period of five years filed a suggestion of nonpayment and an averment of default or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings judgment has not been entered within the period of five years after the date on which such writ was issued or whenever any such tax or municipal claim has been reduced to judgment and the county city borough incorporated town township school district poor district or county institution district within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same then in any such case any such county city borough incorporated town township school district poor district or county institution district may within six months after the effective date of this act file such tax or municipal claim or issue its prae-

cipe for a writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims or in the case of a tax or municipal claim where no judgment has been entered file a suggestion of nonpayment and an averment of default or in case judgment has been entered on a tax or municipal claim either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected Provided however That the lien of any such claim or judgment shall not attach or reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost nor shall the lien of any such claim or judgment impair or effect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county city borough incorporated town township school district poor district or county institution district to file such claim or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period or was entered of record during the time the lien of such tax or municipal claim or judgment was lost

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Snyder,
Bradley,	Habbyshaw,	McLane,	Sollenberger,
Breth,	Haberlen,	McMillen,	Sorg,
Bretherick,	Haines,	McSurdy,	Stambaugh,
Brown,	Hall,	Melchiorre,	Stank,
Brunner, C. H.,	Hamilton,	Mihm,	Stine,
Brunner, P. A.,	Hare,	Modell,	Stockham,
Burns,	Harkins,	Monks,	Tarr,
Burris,	Harmuth,	Mooney,	Tate,
Cadwalader,	Harris,	Moran,	Taylor,
Chervenak,	Heatherington,	Moul,	Thompson, E. F.,
Chudoff,	Helm,	Muir,	Thompson, R. L.,
Cochran,	Hering,	Munley,	Trout,
Cohen, M. M.,	Herman,	Nagel,	Turner,
Cohen, R. E.,	Hersch,	Nunemacher,	Van Allsburg,
Cook,	Hewitt,	O'Brien,	Verona,
Cooper,	Hirsch,	O'Connor,	Vincent,
Cordier,	Holland,	O'Dare,	Vogt,
Corrigan,	Huntley,	O'Mullen,	Voldow,
Croop,	Imbrie,	O'Neill,	Voorhees,
Cullen,	James,	Owens,	Wagner,
Dalrymple,	Jefferson,	Petrosky,	Watkins,
DiGenova,	Jones, G. E.,	Pettit,	Weingartner,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Welsh, E. B.,
D'Ortona,	Kline,	Powers,	Welsh, M. J.,
Duffy,	Knoble,	Prosen,	Wilkinson,
Early,	Kolankiewicz,	Rank,	Williams,
Eckels,	Komorofski,	Rausch,	Winner,
Elder,	Krise,	Readinger,	Wolf,
Elliott,	Lee, E. A.,	Reagan,	Wood, L. H.,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Woodring,
Finestone,	Leonard,	Regan,	Woodside,
Finnerty,	Lesko,	Reynolds,	Wright,
Fisher,	Levy,	Rhea,	Yeakel,
Fiss,	Leydic,	Riley,	Yester,
Fleming,	Lichtenwalter,	Rooney,	Young,
Fletcher,	Longo,	Rose S.,	Kilroy,
Flynn,	Lovett,	Rose, W. E.,	Speaker.
	Lyons,	Rosenfeld,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which House Bill No. 505, Printer's No. 185, on page 7 of today's calendar, bills on first reading, was recommitted to the Committee on State Government, be reconsidered.

The motion was agreed to.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

I rise at this time to talk about a vital subject which, in my opinion, has a definite bearing on the course of practical state government.

Since the adoption of the first state constitution in 1790 thousands of state laws have been enacted and recorded in Pennsylvania's statute books.

Because of the changing processes of government, it is obvious that a vast majority of these laws have become obsolete and antiquated.

They have confused and handicapped the interpretation and enforcement of practical legislation and have no value in the proper functioning of government.

It is incompatible with modern progress that Pennsylvania's statutes should be choked by unwieldy, impractical and improvident legislation and it is high time that the members of this House took the initiative in cleaning out the dust-gatherng measures which now impede the work of constructive government.

The paramount question, I believe, is how long the State Legislature will stand for this condition with thousands of bills piling up in every regular session.

I see no worthwhile purpose to be gained by laws which only clutter up our legislative processes and impede the desire of conscientious legislators to develop a streamlined, compact and liberalized schedule of state laws applicable to modern requirements.

With this in mind, I take the privilege of calling your attention to a resolution aimed at abolishing obsolete state laws and establishing a commission to study, survey and consider all outmoded laws.

I specifically request a special committee to study this

problem so that it will not be confused with other studies and have its importance overshadowed by lesser issues.

I now respectfully submit the resolution for our consideration.

The SPEAKER. This is not a privileged resolution and will be filed with the Clerk under the Rules.

CONDOLENCE RESOLUTION

Mr. SORG offered a privileged resolution which was read, considered and adopted as follows:

In the House of Representatives, April 2, 1941.

Whereas, Death is tragic and sad enough no matter how it befalls; and

Whereas, It becomes even harder to accept when the victim is someone like the Honorable Harris J. Bixler, a former Johnsonburg resident who was fatally injured at a paper mill on Mar. 29, 1941; and

Whereas, The Honorable Harris J. Bixler has been closely identified with the business of manufacturing and civic progress of Johnsonburg as long as he has resided in Elk County; and

Whereas, The Honorable Harris J. Bixler directed his life to public service as a Jury Commissioner, Sheriff and Treasurer of Elk County, prominent in the affairs of the Republican Party in such county, and a Member of Congress for three terms from the 28th Congressional District including Elk County; and

Whereas, He was also courteous, kind, affable and distinguished in his lifetime by his statesmanship and kinship with his fellow human beings; and

Whereas, His untimely death brings a sense of profound loss not only to his business associates and his community, but to a wide circle of acquanitances of the State of Pennsylvania; therefore be it

Resolved, That the House of Representatives notes with sorrow the passing of this distinguished citizen of Elk County and the Commonwealth of Pennsylvania and be it further

Resolved, That a copy of this resolution be sent to the members of the bereaved family as a token of the sincere sympathy of the House of Representatives for them in their great loss.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 176:

An Act for the judicial notice of the ordinance of cities, boroughs, incorporated towns and townships of the first class, and for proof thereof; and to make uniform the law with reference thereto.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former member of the House, the gentleman from Allegheny, Honorable Frank J. Zappala.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCANLON asked and obtained permission for the Committee on Professional Licensure to meet during the session of the House.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. A bulletin from the office of the Chief Clerk will be placed in post office boxes of the members each legislative day giving the numbers of the bills reported from House Committees. Also the numbers and committee references of bills introduced, and as heretofore, announcements of committee meetings and public hearings.

The Chair reminds the Members that a Thursday session is planned for next and each succeeding week thereafter.

COMMITTEE MEETINGS

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

The Committee to investigate the Philadelphia gas explosion will resume hearings on Friday, April 4, 1941 at 10 a. m. in Room 483, City Hall, Philadelphia, Pa.

In view of the fact that the usual meeting place of the Democratic First Term Members from Philadelphia has been discovered by some members not entitled to attend, a new meeting place will be fixed and the First Term Members will be notified of same in the usual manner.

REPORTS FROM COMMITTEES

Mr. FALKENSTEIN, from the Committee on Professional Licensure, reported as committed, House Bill No. 227, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, engaging in the care, preparation and embalming of the bodies of deceased persons, creating a State Board of Embalmers, setting forth its powers and duties; and providing penalties.

Mr. EDWIN F. THOMPSON, from the Committee on Professional Licensure, reported as committed, House Bill No. 405, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training, not exceeding one year.

ADJOURNMENT

Mr. FINESTONE. Mr. Speaker, I move that this House do now adjourn until Monday, April 7, 1941, at 9 p. m.

The motion was agreed to, and (at 1:10 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., MONDAY, APRIL 7, 1941. No. 31.

SENATE

MONDAY, April 7, 1941

The Senate met at 4:30 o'clock, p. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS, offered the following prayer:

God of all nations and kindreds and tribes on the face of the whole earth, look upon us this day with great compassion for we face tremendous issues the solution of which involves our very peace and national safety.

New conquests by dictators have once more begun. The defense of weaker nations attacked is valiantly being carried on. Neutrality continues to be ruthlessly violated through the modern practice of undeclared warfare. The very foundations of orderly government are seriously shaken and through it all, man seems to have kept his own counsel and depended upon his own wisdom.

But with us may we seek Thy wisdom and counsel, our Father, and follow Thy gracious direction as we are being forced into these vexatious situations through the untoward desires and unbridled ambitions of others.

In the observance of Army Day today throughout our nation may we ever bear in mind that we are training our forces for the defense of democracy and the perpetuation of orderly government.

For the defense both of the government of this Commonwealth as well as the great body politic let us conscientiously labor here today. For Thy name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceeding session, when, on motion of Mr. HEYBURN and Mr. EALY, the further reading was dispensed with, and the Journal was approved.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. Is there objection?

Mr. GELTZ. Mr. President, I ask that the gentleman from Philadelphia, Mr. Shapiro, state his question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, there have been some statements made in connection with my attitude toward the workmen's compensation amendments which are pending in the House, and also a bill that is being considered by the Committee, to permit an appeal to be taken from the rates fixed by the rating bureau, and because I am unable to answer that question fully without going into the matter, I have prepared and desire to make a written statement on that question on personal privilege.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, I rise to a point of order for the reason that the question stated by the gentleman from Philadelphia is not a matter of personal privilege; it is an ordinary legislative matter for debate.

Mr. SHAPIRO. Mr. President, there is nothing on the Calendar today which I can debate on that subject and since that is so it is not a matter of ordinary debate but purely a matter of personal privilege.

The PRESIDENT. The point of order of the gentleman from Allegheny is not well taken. The Senator from Philadelphia may proceed.

Mr. SHAPIRO. For many years prior to 1915, high priced corporation lawyers enjoyed many a "field day" advancing and inventing new defenses to claims for industrial injuries. Negligence, contributory negligence, voluntary assumption of risk, and the fellow-workmen rule were developed and injected to preclude recovery and compensation for the casualties of industry.

Confronted with the burden imposed upon it by the dependency and incapacity resulting from these uncompensated injuries, it was not surprising that the community arose en masse against the continuance of such a system. It was this mass protest which brought about the enactment in most of our states of the laws known as the Workmen's Compensation Acts.

It was not that industry accepted with open arms this departure from the common law method of dealing with these injuries—it required not only the social consciousness of the community but the aggressive and continuous activity on the part of the socially minded people of this Commonwealth to bring about the enactment of this new generally conceded humane legislation.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the gentleman from Philadelphia is not discussing a question of personal privileg

but is apparently discussing the Workmen's Compensation Law.

The PRESIDENT. The gentleman from Philadelphia will confine his remarks to a question of personal privilege.

Even now industry is reluctant to develop the possibilities of this plan. That is evidenced by the fact that up until 1937 Pennsylvania ranked 27th on the list of states in the entire nation in benefits afforded to injured workmen. Industry has continually opposed any enlargement of the benefits under the Act on the ground that it could not bear the increased cost. There has, therefore, been continual conflict between the group that advocates the enlargement of the benefits and those who desire to maintain the status quo.

The Democratic Party has consistently advocated increased benefits and, having a majority in the House of Representatives in 1935, passed an amendment which was introduced by my colleague, Senator Dent, then a member of the House, liberalizing the Workmen's Compensation benefits. This bill was killed in the Republican controlled Senate.

The Democratic Party in 1937, controlling both branches of the Legislature, enacted the same amendments; and, with the passage of these 1937 amendments Pennsylvania rose to 2d in the list of states in benefits afforded to injured workmen.

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, I think it now becomes clearly apparent from the subject matter being discussed by the gentleman from Philadelphia that it is not a question of personal privilege. I ask that the Chair so rule.

The PRESIDENT. The Chair rules it is a question of personal privilege. The Senator from Allegheny is entitled to appeal from the decision of the Chair. The Chair is perfectly satisfied to be overruled.

Mr. SHAPIRO. May I proceed, Mr. President?

The PRESIDENT. The gentleman from Philadelphia may proceed.

The Republican Party, controlling both branches of the Legislature in 1939, repealed the amendments of 1937 and reduced the benefits to such an extent that Pennsylvania now ranks twenty-ninth on the list of states.

The Democratic Party, maintaining its consistent effort to liberalize the Workmen's Compensation Act, has pledged itself to the reenactment of the 1937 amendments and has introduced in the House amendments to the Workmen's Compensation Act restoring the benefits of the 1937 Act. With control of the two branches again divided we may look forward to a major battle on this question.

I anticipate that the same arguments which were advanced in all the previous battles will be used again—increased benefits result in increased rates, increased rates will result in increased employer rejections, employer rejections will leave employees without insurance and dependent solely upon the financial responsibility of the employer, which in such cases is usually very bad. Statistics will be produced to prove this fact; and it will be urged that in spite of the apparent advantages to the employee of increased benefits, passage of the act will result to his disadvantage because he will have no insurance protection, particularly in the more hazardous industries. Even labor organizations will be whipped into a frenzy by propaganda using these arguments as a basis, and their forces will be divided.

I concede that after the amendments of 1937 rates did go up and many employers did reject. But conceding the result is not an admission that it is justified, or that it flows from the increased benefits. I propose to show that these alleged consequences of the 1937 Act are not a necessary consequence of the increased benefits provided by the amendments of 1937. On the contrary, I contend that the result springs from a greed for profit by selfish insurance companies and from the failure of the Commonwealth of Pennsylvania to take the drastic action necessary to end this profiteering at the expense of injured workmen and their families. These are harsh words, you will say. So they are, and I use them deliberately so as to focus attention.

If the compensation bears some fair relation to the extent of the injury, then it follows that the industry should assume the responsibility. As in other cases, industry protects itself by insuring against the loss caused by such injuries and there is no wide-spread complaint in these other cases. Why then the complaint in workmen's compensation cases? You will say that the answer is that the insurance rates are too high because the compensation imposes an unreasonable burden. But, that is going in a circle and evades the question, which, in my opinion, is a simple one, namely, "Why are the rates too high?" In answering that question we will have solved the whole problem.

Even as dyed-in-the-wool a conservative as my friend, the gentleman from Somerset, Mr. Ealy, recognized that fact. I read what he said in the special session of 1938, and I quote his exact language:

"I have in my hand the record of experience of a coal company in western Pennsylvania for the years 1936 and 1937. This record is typical of other years, as I understand it, and is typical of the experience of other employers. In the year 1936 there was paid to the employee of this company for injuries received, the sum of $861.22 and there was paid for medical and nospital claims the sum of $246.80. This is one of the smaller companies. Now these two items, the payment to employees as compensation and the payment for medical and hospital bills, totals $1,108.02, but this company paid as premiums to the insurance carriers, I think in this case it was the State Fund, the sum of $15,865.54.

"The next year, I understand, the company secured a private corporation as the insurance carrier and during the year 1937 there was paid by this insurance carrier to employees for compensation the sum of $880.70. There was paid for medical and hospital payments the sum of $700.50. The company set up a medical reserve of $159 and a compensation reserve of $1,360.71, or a total of $3,100.91. But during the year the company paid as premiums for this insurance $18,411.44.

"It seems to me that by the beginning of the next session of this legislature the Department of Labor and Industry of this State and the Insurance Department of this State ought to find out why there is such a vast difference between the amount which the employer pays for insurance and the amount which the employees get as compensation. There is something radically wrong here and until we get the reason for this we cannot adequately and efficiently determine our compensation laws."

While the gap between the losses incurred by the insurance carrier and the premiums received are not always as wide as in the isolated cases cited by Mr. Ealy, the conclusion which he reached is nevertheless correct. There is something radically wrong here, and that is the important part of his statement.

A little history is important at this point.

In 1915 several companion bills relating to workmen's compensation were passed by the Legislature. The first, and the Act which created the workmen's compensation system is that of June 2, 1915, P. L. 736. It defined the liability of employers to pay damages for injuries received by an employee in the course of his employment and established an elective schedule of compensation and set up the procedure for the determination of the liability and the compensation.

On the same day the Act of 1915, P. L. 758, created the Bureau of Workmen's Compensation in the Department of Labor and Industry and established the Workmen's Compensation Board to have charge of the Bureau and to administer the provisions of the first act.

On the same day the Act of 1915, P. L. 762, established the State Workmen's Insurance Fund for the insurance of compensation for injuries to employees. By this act the Fund was required to determine the amount of premiums which its subscribers should pay and by the Act of 1915, P. L. 769, passed the same day, all the classifications of risks and the rates were made subject to the approval of the Insurance Commissioner. Neither the State Workmen's Insurance Fund nor any carrier of workmen's compensation liability insurance was permitted to carry insurance at premium rates less than those approved by the Commissioner of Insurance as adequate for the risks.

By the Act of June 2, 1915, P. L. 769, the Insurance Commissioner was given full and complete control of the rates in order to see that they ware adequate for the risks assumed, but by the Act of July 22, 1919, P. L. 1120, while these same rights were retained the Insurance Commissioner was given the right to accept merit rates established by a rating bureau approved by the Commissioner of Insurance as adequately equipped for the uniform and impartial application thereof, and every company (including the State Workmen's Insurance Fund) engaged in the business of insuring against liability under the Workmen's Compensation Act was compelled by the Act of 1919 to file a copy of every policy of insurance with the approved rating bureau.

The Act of May 17, 1921, P. L. 682, provided that

"The classification of risks, underwriting rules, premium rates, and schedule or merit rating plans for insurance . . . under 'The Workmen's Compensation Act . . . ' shall be established by one or more rating bureaus, situate within the Commonwealth of Pennsylvania, subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to compile rates on an equitable and impartial basis. Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus . . ."

The Act further provides that the Insurance Commissioner

" . . . may withdraw his approval whenever, in his judgment" the premium rate or the merit rating plan "is inadequate or discriminates unfairly between risks of essentially the same hazard."

This Act also provides that

". . . neither the State Workmen's Insurance Fund, nor any insurance corporation . . . shall issue, renew, or carry any policy . . . of insurance against liability under the Workmen's Compensation Act . . . except in accordance with the classifications, underwriting rules, premium rates, and schedules or merit rating, promulgated by the rating bureau aforesaid for the rick insured and approved by the Insurance Commissioner for such insurer."

You will notice that while this gives the Insurance Commissioner the right to disapprove a rate it seems to limit his power to disapproval. It gives him no right to promulgate a rate of his own, because if he does not approve of a rate there is nothing that he can do about it. The insurance companies can stand pat unless the Insurance Commissioner is courageous enough to expose the situation and trust to public opinion to correct it.

The effect of the provisions of the Act of 1921 was to place the absolute control of rate making in an unnamed rating bureau or bureaus. Was this a mere coincidence in view of the fact that the only rating bureau in existence at that time was the Pennsylvania Compensation Rating and Inspection Bureau which had been organized by the insurance companies within a few months after the passage of the Workmen's Compensation laws of 1915?

Was it mere coincidence that following the passage of the Act of 1921 this Rating Bureau was approved by the Insurance Commissioner as the rating bureau to classify the risks and establish the rates for workmen's compensation insurance?

Was it mere coincidence that since then the Pennsylvania Compensation Rating and Inspection Bureau has established and controlled the classification of risks and the rates and the basis upon which insurance against workmen's compensation liability has been sold in Pennsylvania?

Was it mere coincidence that the making of contracts of workmen's compensation insurance by the State Workmen's Insurance Fund is controlled absolutely by this Rating Bureau?

Was it mere coincidence that there isn't a single insurance company engaged in the business of insuring against liability under the Workmen's Compensation Act that is permitted to make contracts at lesser rate than that fixed by this Rating Bureau, even though they could do so at rates 30% to 40% cheaper and still make a profit?

Was it mere coincidence that the Pennsylvania Manufacturers' Association Casualty Insurance Company was organized on October 29, 1915—a company controlled by the same gentleman who controls the Pennsylvania Manufacturers' Association—a gentleman whose political power and influence in the Commonwealth of Pennsylvania for the past thirty years is a matter of common knowledge—a gentleman whose ability to suggest and often control appointments in important governmental departments, including the State Workmen's Insurance Fund, has been frequently demonstrated?

In the light of subsequent events I submit that this was more than mere coincidence. It was a systematic procedure, step by step, in a plan preconceived by private insurance companies, aided and abetted by the strongest political factor in the Commonwealth, to control the destiny of this social reform and at the same time to divert the benefits intended for the casualties of industry.

If you follow closely this history and you are neither a

skeptic nor a partisan you will be convinced that when it become obvious that the establishment of a workmen's compensation system in this Commonwealth could not be prevented some of the powerful opponents of this social reform proceeded to take the necessary steps to convert it to their own benefit, for you know now that shortly following the Workmen's Compensation Act of 1915—that is on October 29, 1915, the Pennsylvania Manufacturers' Association Casualty Insurance Company was incorporated to insure against liability created under the Workmen's Compensation Act. If you are not naive, you know that this company is controlled by one of the strongest political leaders in the Republican Party.

Also, I have pointed out how the control of the rates became vested in the insurance companies.

If you look at the constitution and by-laws of this rating bureau, you will see how the control of rate classification and rate making became vested in perpetuity in the hands of the private insurance carriers. According to its constitution all workmen's compensation insurance carriers, including the State Workmen's Insurance Fund, are eligible to membership; the business of the bureau is in the control of a committee known as the Governing Committee; that committee is composed of seven members, five of whom are private insurance carriers, one is the State Workmen's Insurance Fund, and the other is the Insurance Commissioner. This committee appoints all other committees, which are also composed of seven members made up in exactly the same manner as the Governing Committee.

I venture to suggest that there isn't a single member of this Senate, including myself, who has seen or known of this picture even though we have been troubled constantly with the subject of workmen's compensation. A few of us may have sensed it, but I am sure that none of us ever dreamed of the existence of this colossal conspiracy. Even those who doubt it cannot deny the figures nor the results; and they are as follows:

Since 1921 the State Workmen's Insurance Fund has been under the heel of the Rating Bureau. It has been compelled to maintain its premium rates at the same level as private insurance carriers even though it could safely adopt a very substantially lower rate for the same risks.

The vice of this lies in the fact that under the law the State Workmen's Insurance Fund cannot refuse to insure any risk—private insurance carriers can select their risks. All carriers, including the State Workmen's Insurance Fund are bound to sell at the rates fixed by the Insurance Companies' Rating Bureau and no lower.

The State Workmen's Insurance Fund theoretically and if properly operated can operate without the excessive charges and expenses of private companies. Mutual companies can operate at a much lower operating cost than the stock companies, but competition between these insurance companies is throttled by the rate making bureau.

The result is that the State Fund finds itself as an insurer of the most hazardous risks at rates established and applicable to the general run of risks. It does not require much imagination or intelligence to picture the inevitable result of the continuance of such a situation on the future of the State Workmen's Insurance Fund and upon the possibilities of profits for the private insurance carriers.

When the rate making bureau establishes rates it first sets up a figure sufficient to provide for the amount of losses that may be incurred under the provisions of the law and based upon investigation and experience. To that figure it adds a sum necessary to cover general administrative expenses. Since the expense factor differs according to the character of the insurance carrier—whether it is a stock or a mutual company—these items, known as the "overload," would normally vary. Does the Rating Bureau take that into consideration and establish rates in accordance with the administration expense experience of each company or class of companies? It does not. The proof of that is in what I have already said. There is one rate for every classification of risk, and it is that rate and that rate only—neither higher nor lower—upon which the insurance company makes its contract. When, as you will see, the difference in administration expenses between these various types of insurance carriers is as great as 25% in some instances of the final rate, you can readily understand how the maintenance of an unnecessarily high rate has been perpetuated in this Commonwealth. In order to allow the stock companies, whose administrative costs are the highest of any group, to earn a profit the rate must be maintained at a higher level than is necessary to permit the other classes of insurance carriers to make a fair profit. The result is that the stock companies with this high rate make a comparatively small profit and the mutuals make a tremendous profit. And, most important to us, the State Workmen's Insurance Fund is being slowly but surely strangled.

According to the report of the Joint Legislative Committee on Finances, headed by the Honorable Philip Sterling, the number of policies of the State Workmen's Insurance Fund outstanding in 1930 was 24,607. By 1932 this number had dropped to 20,179. While the Fund earned a profit in the year 1929 of $295,405, it showed a loss of $41,843.24 in 1931. While the surplus in 1926 was $2,074,494 in 1932 it was $1,368,308. But included in this surplus is an item of $426,255 of unpaid premiums which, according to the Sterling Report, were really uncollectible; so that the surplus in 1932 was actually $941,553.

As far back as 1933 the Sterling Committee warned

"With a gradual seeping away of surplus, lessening premium income and rising administrative costs, the State Fund appears to be approaching a crisis . . ."

With the advent of the Earle administration in 1935 some heed was given to the Sterling Committee Report and particular attention was paid to the State Workmen's Insurance Fund. Solicitors were employed and an active drive was made for business.

Whereas in 1931 the premiums earned amounted to but $3,416,018 the premiums earned in 1938 amounted to $6,398,121. Whereas in 1932 the policyholders in the State Workmen's Insurance Fund numbered 20,179, in 1938 the number had increased to 30,940 and were as high as 34,915 in 1937.

Whereas in 1931 the Fund had suffered a loss of $41,843, in 1938 the State Workmen's Insurance Fund earned an underwriting profit of $1,344,674. Where the surplus in 1932 had dropped to $941,553, the surplus at the end of 1938 was $3,835,501.

With the advent of the James administration the political factors, whose power I have already referred to, returned from their involuntary vacation and their sinister influence is reflected in the figures.

There has been a gradual reduction in profits and in policies in force in these two years, with the result that at the end of 1940 the policyholders numbered 23,392—a

loss of over 7,000. The net result of underwriting showed a loss of $159,787. The surplus, which had risen to $4,227,148, is down to $3,757,523, and it is getting worse every day.

Those who still disbelieve should give heed to these figures. With the advent of the James administration the solicitors numbering about 50, who had been employed under the Earle administration, were dropped; and not only did the Fund discontinue the personal contact with its subscribers but it doesn't even use the mail for that purpose. On the few occasions that it did, the private insurance companies by their effective criticism put a stop to that. (See letters in appendix.)

Of course, this change in the policy of the State Workmen's Insurance Fund is in line with the Governor's statement that the Commonwealth of Pennsylvania must not compete with private business. Obviously the Governor of this Commonwealth has lost sight of the fact that workmen's compensation was never intended to provide an avenue of profit for private business. I cannot believe that the Governor of this great Commonwealth is unable to appreciate the social and economic importance of this humane legislation.

If the administrators of the State Workmen's Insurance Fund continue to follow out the policy of the Governor and the system of workmen's compensation insurance so firmly entrenched in this Commonwealth is permitted to continue much longer, no one can deny that the State Workmen's Insurance Fund is doomed.

I am certain that the doubting Thomases will argue that the present condition of the State Workmen's Insurance Fund is due not to what I have said, but to the change in benefits provided for workmen under the 1937 amendments. But I point out that it was under the 1939 amendments, not the 1937 amendments, that the State Workmen's Insurance Fund showed an underwriting loss. As a matter of fact the Fund made a profit of $1,344,672 in 1938 in spite of the so called "vicious" 1937 amendments.

Private insurance companies operated under the 1937 amendments. Their experience during the period from 1935 to 1939, inclusive, is proof positive of the position which I have taken. The premiums earned by all of these insurance companies from all business except coal mining during the years 1935 to 1939, inclusive, (5 years) was $107,903,000

Losses incurred during the same period was 58,740,000

The gross profit from underwriting was .. 49,163,000

The 63 companies are divided as follows:

Stock companies (nonparticipating)	43
Stock Companies (participating)	6
Mutual companies	14

And the State Workmen's Insurance Fund

The premiums earned by the several groups of these insurance companies during the same period as compared with their underwriting losses and underwriting expenses from all business except coal mining is:

	Premiums Earned	Losses Incurred	Expenses Incurred
Stock companies-nonparticipating	$38,215,633	$20,365,802	$16,672,019
Stock companies-participating (except Pa. Manfrs. Ass'n. Cas. Insurance Co.	1,955,986	853,847	754,095
Mutual companies ...	24,682,291	13,383,728	5,752,976
Pennsylvania Manufacturers' Association Casualty Insurance Co.	25,629,395	13,085,034	3,869,894
State Workmen's Insurance Fund	17,124,138	10,912,409	3,004,760

These are startling figures. Think what they mean.

First. Out of each dollar of premiums collected

The nonparticipating stock companies paid out in benefits to injured workmen only	53.3¢
the participating stock companies (not including the Pennsylvania Manufacturers' Association Casualty Insurance Company	43.6¢
the mutual companies	54.5¢
the Pennsylvania Manufacturers' Association Casualty Insurance Company	51.1¢
and the State Workmen's Insurance Fund	63.7¢

Second. Out of the moneys left there was paid out for underwriting expenses by the

Nonparticipating stock companies	43.6¢ out of 46.7¢
Participating stock companies (not including the Pennsylvania Manufacturers' Association Casualty Insurance Company)	38.5¢ out of 56.4¢
Mutual companies	23.3¢ out of 45.5¢
Pennsylvania Manufacturers' Association Casualty Insurance Company	15.1¢ out of 48.9¢
State Workmen's Insurance Fund	17.5¢ out of 36.3¢

Third. Out of every dollar of premiums which the insurance companies received to protect and compensate the workmen for injuries, only 50¢ reached the injured employee. The balance was either dissipated in high expenses or high profits.

Fourth. The startling fact about these figures is found in the breakdown of the expenses. Listing the Pennsylvania Manufacturers' Asociation Casualty Insurance Company, a participating stock company, separately from the other participating stock companies, we find that out of the moneys left after paying benefits:

The nonparticipating stock companies spent 43.6¢ out of 46.7¢ and had a net underwriting profit of 3.1¢.

The participating stock companies (not including the Pennsylvania Manufacturers' Association Casualty Insurance Company) spent 38.5¢ out of 56.4¢ and had a net underwriting profit of 17.9¢.

The mutual companies spent 23.3¢ out of 45.5¢ and had a net underwriting profit of 22.2¢.

The Pennsylvania Manufacturers' Association Casualty Insurance Company spent 15.1¢ out of 48.9¢ and had a net underwriting profit of 33.8¢.

The State Workmen's Insurance Fund spent 17.5¢ out of 36.3¢ and had a net underwriting profit of 18.8¢.

Fifth. That notwithstanding these excessive expenses all the private insurance companies earned profits ranging from 3.1¢ to 33.8¢c.

I have pointed out that during the same period the premiums earned by the State Workmen's Insurance Fund dropped from the high of $6,400,000 in 1938 to $3,400,000 in 1939—a difference of $3,000,000.

A breakdown of the figures that I have just discussed for the five years will furnish some further startling information. Not including premiums for coal mining in-

surance, the following is a statement of the premiums earned, the losses incurred, the underwriting expenses and the underwriting profits of all the private insurance carriers doing business in Pennsylvania, distributed among nonparticipating stock companies, participating stock companies other than the Pennsylvania Manufacturers' Association Casualty Insurance Company, the mutual companies, and a separate statement of the same information relating to the Pennsylvania Manufacturers' Association Casualty Insurance Company. Let me read them to you.

(All figures given do not include coal mining.)

Nonparticipating Stock Companies

	Premiums earned	Losses Incurred	Underwriting Expense	Underwriting Profit
1935	$5,484,940	57.3%	44.3%	1.6%
1936	6,148,097	62.2%	44.1%	6.3%
1937	7,447,297	52.4%	43.1%	4.5%
1938	9,852,449	50.7%	44.7%	4.6%
1939	9,282,850	48.3%	42.2%	9.5%

Participating Stock Companies (not including the Pennsylvania Manufacturers' Association Casualty Insurance Company)

	Premiums earned	Losses Incurred	Underwriting Expenses	Underwriting Profit
1935	$274,592	44.2%	32.4%	23.4%
1936	280,702	49.3%	29.7%	21.0%
1937	246,884	47.5%	42.7%	9.8%
1938	411,891	35.9%	44.8%	19.3%
1939	741,917	44.4%	39.6%	16.0%

Mutual Companies

1935	$2,810,875	56.9%	25.7%	17.4%
1936	3,529,071	60.2%	25.3%	14.5%
1937	5,043,379	60.2%	22.4%	17.4%
1938	6,935,847	51.6%	23.1%	25.3%
1939	6,363,119	47.8%	22.2%	30.0%

Pennsylvania Manufacturers' Association Casualty Insurance Company

1935	$3,492,414	53.6%	16.1%	30.3%
1936	4,193,451	62.1%	16.6%	21.3%
1937	5,190,260	55.2%	15.3%	29.5%
1938	6,426,645	47.0%	16.3%	36.7%
1939	6,326,625	43.0%	12.2%	44.8%

It should be kept in mind that the actual profit in every case is probably much higher due to earnings of the invested reserve.

You will remember that I have just pointed out that the State Workmen's Insurance Fund lost $3,000,000 in premiums earned from 1938 to 1940. I call your attention to the fact that the Pennsylvania Manufacturers' Association Casualty Insurance Company increased its premiums from $5,190,000 in 1937 to $6,326,000 in 1939.

You will notice in these figures that all of the private carriers increased their business from 1937 to 1939, whereas the State Fund's business decreased.

Mr. EALY. Mr. President, the address of the gentleman from Philadelphia, Mr. Shapiro, illustrates the trouble we get into with these so-called personal privilege speeches.

Mr. SHAPIRO. I have not finished, Mr. President.

Mr. EALY. I beg your pardon.

Mr. SHAPIRO. Mr. President, I suppose any constructive suggestion that is made in this Senate will cause a lot of trouble. I am assuming that, but I think this subject I am discussing is of interest to the gentleman from Somerset.

For emphasis I desire to call your attention to the fact that the largest workmen's compensation insurance profiteer doing business in Pennsylvania today is the Pennsylvania Manufacturer's Association Casualty Insurance Company. And I call your attention to the fact that its net underwriting profits range from 30.3% in 1935 to 44.8% in 1939.

I call your attention also to the fact that the Pennsylvania Manufacturers' Association Casualty Insurance Company operates at a lower expense than all other companies, and that its expenses of doing business has decreased from 16.1% in 1935 to 12.2% in 1939.

The next lowest group of companies in operating expenses are the mutual companies with an expense range from 22.2% to 25%; and following them come the other participating stock companies with an expense range from 29.7% to 44.8%; and the highest underwriting expenses are incurred by the nonparticipating stock companies with a range from 42.2% to 44.7%.

The low percentage for expenses of the Pennsylvania Manufacturers' Association Casualty Insurance Company must be accounted for by reason of the fact that this Company is closely tied in with the Pennsylvania Manufacturers' Association and that through this tie-in the members of the Pennsylvania Manufacturers' Association are extremely happy to send their business to the Pennsylvania Manufacturers' Association Casualty Insurance Company without the necessity of any paid solicitors. It may be that the mere suggestion of the political factor to whom I have referred is sufficient. In any event, this Company, organized so shortly after the enactment of the Workmen's Compensation laws in the year 1915 took for itself 29½¢ in 1937 and 36.7¢ in 1938 out of every dollar of premiums which, in my opinion, belonged to the injured workmen and their dependents.

I submit further that in the year 1938, notwithstanding the 1937 amendments to the Workmen's Compensation Act, the Pennsylvania Manufacturers' Association Casualty Insurance Company incurred losses of but 47¢ out of every dollar of premiums earned as against 62¢ in 1936. I call attention to the fact that the profits of this Company in 1938, notwithstanding the so-called "vicious" amendments of 1937, was 36.7% as against 21.3% before the amendments. And, I call attention to the fact that its net underwriting profits in 1939, after the repeal of the 1937 amendments by the James administration, rose to 44.8% out of every dollar received in premiums. And, this does not include the profit which this company earns on the investment of its reserve.

I have not included the coal industry insurance figures of this State for the reason that the amount of insurance business done by all carriers in the State is comparatively small. That is due to the fact that most of the responsible coal operators are self insurers. This industry early in the game protected themselves against the unwarranted expenses and profits with which the private insurance carrier's load their premiums.

I am authoritatively informed that 90% of the coal operators are self insurers, and the figures seem to prove this because in the same period of 1935 to 1939, inclusive, all insurance carriers in Pennsylvania, on coal insurance, earned premiums of only $15,442,926. Losses incurred

amounted to $12,200,294; and underwriting expenses amounted to $3,484,487.

In this picture the fact that the State Workmen's Insurance Fund is a dumping ground stands out very forcibly. The Fund carried more than half of this insurance. In the five years in question it received premiums of $7,870,023; it incurred losses of $7,116,075; and its underwriting expenses amounted to $1,342,696. It has, therefore, sustained a loss over the five year period of this type of insurance of $588,748.

The Pennsylvania Manufacturers' Association Casualty Insurance Company carried a small amount of this insurance, but even on this type of insurance it earned a profit. Out of $358,293 in premiums it incurred losses of $267,298 and underwriting expenses of $55,519; and, therefore, made $35,476 in underwriting profit.

Parenthetically I think I should say that the large earnings of carriers insuring workmen's compensation is not peculiar to Pennsylvania. In fact the general figures for the several groups of companies are somewhat similar. I have tabulated and have in my possession the premiums earned, the losses incurred and the profits earned by every company in the nation. At this point I think it will be sufficient if I give the general summary of the national figures, which are as follows:

1938	Stock companies	Mutual companies
Premiums earned	$134,679,743	$74,292,477
Losses incurred	68,330,847	39,369,421
Loss ratio	50.7%	53.0%
Ratio of loss adjustment and investigation expense	9.0%	7.1%
Ratio of acquisition and field supervision expenses	17.6%	5.3%
Ratio of total expense incurred	42.8%	23.1%
Ratio of net gain from underwriting	6.5%	23.9%
1939		
Premiums earned	$132,403,839	$75,825,465
Losses incurred	72,300,205	40,964,869
Loss Ratio	54.6%	54.0%
Ratio of loss adjustment and investigation expense	9.2%	7.2%
Ratio of acquisition and field supervision expense	17.7%	5.3%
Ratio of total expense incurred	42.7%	23.7%
Ratio of net gain from underwriting	2.7%	22.3%

Does the gentleman from Somerset still wonder where the trouble lies or will he acknowledge that the picture thus far discloses that these private insurance companies set up a bugaboo called the "destruction of industry," which they trot out whenever an effort is made to alleviate the consequences of industrial casualties in order to protect and continue their profiteering at the expense of the maimed and their dependents?

Mr. President and members of this Senate, I charge the Pennsylvania Manufacturers' Association Casualty Insurance Company with being instrumental in maintaining and fostering upon the Commonwealth of Pennsylvania a high and excessive and an unwarranted premium rate for the purpose of squeezing profits out of human suffering.

I have heard the phrase "playing politics with relief." I should like someone to suggest a phrase which can adequately describe this procedure.

Remember that while this company is participating in the overloading of premiums with an addition of almost 45¢ on the dollar in order to enable some insurance companies to pay high salaries, underwriting commissions, and other excessive administrative expenses, it is enjoying the advantageous position of being controlled by a politically potent figure who has an exclusive first call on over 25% of the total workmen's compensation insurance (not including coal mining) contracts written in the Commonwealth of Pennsylvania. Here are the figures to prove it. Of the total of $107,903,000 in premiums earned by all carriers in Pennsylvania in the five years above referred to, the Pennsylvania Manufacturers' Association Casualty Insurance Company earned $25,629,395 and incurred an underwriting loss of $13,085,041—thus earning a gross profit in the last five years of $12,544,354. Since during that time its expenses amounted to but $3,869,894, it has received (I was going to say "earned") $8,674,460.

I contend that the money did not belong to the Pennsylvania Manufacturers' Association Casualty Insurance Company, and I charge that it has been taken from injured workmen and their dependents.

I charge further that these industrial casualties have been robbed of the moneys which rightfully belong to and was meant for them—robbed by the excessive administrative expenses and profits of these private companies who are in a business in which on any economic or social principle they have no right to be engaged.

And, I charge further that these companies have victimized not only the employees, but the employers as well, for I hesitate to believe that there is a single employer who would object to having this 44¢ of underwriting expenses go to his injured employees rather than to the insurance companies. The employer has the right to assume that his employees, when injured, are being compensated. It was never intended by the Act and no employer ever believed that the insurance company was to become an equal partner in compensation for injuries to workmen. When the workmen's compensation laws were enacted it was the general feeling that the vicious system of lawyers obtaining 50% of the compensation awarded to injured workmen would be destroyed. In the main it has been. But, from the facts here, it is quite obvious that the insurance companies have substituted themselves for the lawyers.

While we have broken down the system we have set up another in its place. Whereas heretofore when an injured workman made a settlement through a lawyer he wondered whether it was he or his lawyer who had been hurt, now that he knows the truth he will begin to wonder whether it was he or the insurance company who received the injuries.

And, on the other hand, the employer, believing that his money was intended for compensation to the workman, has been victimized and overcharged at least 40¢ out of every dollar that he paid for that purpose to insurance carriers.

In addition to being victimized financially, he has been made the "goat" by the insurance companies and, in the belief that he was protecting his own business, he was urged to bring pressure on the Legislature to avoid any

increase in the benefits upon the false representation that unless he did rates must be increased.

What I have always thought to be the stubborn reluctance of employers to respond to normal instincts and good business common sense, now appears to be the blind acceptance by the employer of information from persons whose selfish interest prompted the dissemination of misinformation.

While I charge that the Pennsylvania Manufacturers' Association Casualty Insuance Company is the chief offender and is the pioneer in this whole scheme, none of the other companies is free from blame. They have earned either profits or incurred unnecessary administrative expenses as a charge against this fund, for which there is no logical reason and to which they are not honestly entitled.

I charge further that the perpetuation of this scheme could not have been carried out if it were not for the lack of courage or intelligence, or both, on the part of the Insurance Commissioners of this Commonwealth, from the beginning, and that goes for all of them.

There is no reason why any member of this Senate should have, at this late date, been put to the trouble of spending months of time and energy to unearth these facts—an intelligent, competent and courageous Insurance Commissioner could have and should have disclosed them years ago.

The warnings of the Sterling Committee and the suggestions of many members of the Legislature, particularly the very emphatic and courageous statement of the gentleman from Somerset, Mr. Ealy, did not even cause so much as a ripple on the surface of the political minds of these Insurance Commissioners; and unless something is done at once and something drastic, these insurance companies will be here soon to tell us of the bankruptcy that awaits industry if we try to alleviate the suffering of injured workmen and their dependents by increasing benefits.

They will not do it themselves but will push the employer to the forefront by warning him previously of the dire consequences that will result from the increased rates. But, they will forget to inform him about the millions of dollars of profits that they have squeezed out of this social program to satisfy their own greed, and will conceal the fact that after the repeal of the 1937 amendments the reduction in rates did not equal the increase following the 1937 Act. And our Insurance Commissioners and our managers of the State Workmen's Insurance Fund will sit idly by twiddling their thumbs, and take their orders and hope for a continuance in power of the administration which appointed them.

We will spend hundreds of thousands of dollars for Departments of Commerce to bring big business into Pennsylvania. We will try to get them reduced taxes, and when they get here we will make sure that they insure their workmen with the Pennsylvania Manufacturers' Association Casualty Company and not in the State Fund, so that the greed for profits of a few individuals may be satisfied.

Like Cicero, we should cry, "How long, O Cataline, wilt thou abuse our patience?"

We have been duped by the insurance companies and powerful political forces. How long will we permit this condition to continue? We have the power to correct it. The only question is whether or not we will use it.

Is there anyone within the sound of my voice or who reads this story who can honestly argue in favor of a continuance of this vicious system? For myself, I hope that the members of this Senate will approach the problem on the basis of the facts disclosed; and I cannot see how a single member of this Senate can come to any other conclusion except that the system must be destroyed. It is my own opinion that that is the only way in which, to use the words of the gentleman from Somerset, Mr. Ealy, "we can adequately and efficiently determine our compensation laws."

The destruction of that system will mean increased benefits to injured workmen and their dependents without the slightest increased burden to industry. "How can this be done?" was the problem that presented itself to me when I reached this conclusion. In this I was convinced that legal precedent and actual experience was the principal guide. For the suggestions which I am about to make I have the support of both.

I have examined the systems in force in every state of the nation, and learned

(1) There is only one state in the Union without workmen's compensation laws, and that is Mississippi.

(2) In 15 states the workmen's compensation law is compulsory.

(3) In 7 states—namely, Ohio, West Virginia, North Dakota, Wyoming, Washington, Oregon, and Nevada—the state Fund is the exclusive insurance carrier.

(4) In 11 states the state insurance Fund is in competition with private insurance.

(5) In 6 states self insurance is not permitted.

(6) In 4 states, Washington, Wyoming, North Dabota and Ohio, workmen's compensation is both compulsory and insurance against liability is restricted to the state Fund.

My first recommendation is that the workmen's compensation law in Pennsylvania should be changed from elective to compulsory and that the State Fund shall be made the exclusive insurance carrier.

In legal support of this position I recall to your mind the fact hat when the Workmen's Compensation Act was approved on June 2, 1915, it provided for an elective and not a compulsory system and it was approved before the constitutional amendment of November 2, 1915. Under that amendment, Article III, Sec. 21, adopted as I have said on November 2, 1915, the General Assembly is authorized to enact a compulsory workmen's compensation law. That can no longer be doubted since the decision in the case of Mountain Timber Co. v. Washington, reported in 243 U.S. 219 (in 1917). That case is authority for the propositions, which I submit and suggest should be adopted as the law in this State, that the Commonwealth of Pennsylvania has the right to make workmen's compensation insurance compulsory and to restrict such insurance exclusively to a State Fund. I quote from the opinion in that case.

"From this recital (said the Court) it will be clear that the fundamental purpose of the act is to abolish private rights of action for damages to employees in the hazardous industries . . . and to substitute a system of compensation to injured workmen and their dependents out of a public fund established and maintained by contributions required to be made by the employers in proportion to the hazard of each class of occupation . ."

* * *

"We are clearly of the opinion that a State, in the exercise of its power to pass such legislation as reasonable is

deemed to be necessary to promote the health, safety, and general welfare of its people, may regulate the carrying on of industrial occupations that frequently and inevitably produce personal injuries and disability with consequent loss of earning power among the men and women employed, and, occasionally, loss of life of those who have wives and children or other relations dependent upon them for support, and may require that these human losses shall be charged against the industry, either directly, as is done in the case of the act sustained in New York Central R. R. Co. v. White, . . ., or by publicly administering the compensation and distributing the cost among the industries affected by means of a reasonable system of occupation taxes. The act cannot be deemed oppressive to any class of occupation, provided the scale of compensation is reasonable, unless the loss of human life and limb is found in experience to be so great that if charged to the industry it leaves no sufficient margin for reasonable profits. But certainly, if any industry involves so great a human wastage as to leave no fair profit beyond it, the State is at liberty, in the interest of the safety and welfare of its people, to prohibit such an industry altogether.

* * *

"In short, it cannot be deemed arbitrary or unreasonable for the State, instead of imposing upon the particular employer entire responsibility for losses occurring in his own plant or work, to impose the burden upon the industry through a system of occupation taxes limited to the actual losses occurring in the respective classes of occupation."

Of the four states which have an exclusive insurance fund and compulsory insurance my conclusion is that the State of Ohio presents the best example and precedent.

In 1911 the Legislature of Ohio created the State Liability Board of Awards and established the Ohio State Workmen's Compensation Insurance Fund. The Fund first became operative March 1, 1912, as a competitive writer of workmen's compensation under an elective law. Effective September 1, 1913, The Industrial Commission of Ohio superseded the State Liability Board of Awards. The Fund became the exclusive carrier of workmen's compensation under a compulsory law, January 1, 1914.

Effective July 1, 1921, the control of the personnel administering The Workmen's Compensation Act was transferred from The Industrial Commission to the Director of Industrial Relations. The Industrial Commission retained and exercised all other functions conferred upon it by Law.

On May 15, 1934, The Industrial Commission was authorized to exercise all functions pertaining to the administration of The Workmen's Compensation Fund.

This Fund has now been in operation for 28 years. The State of Ohio is rated 13th on the list of states in benefits granted. The report for the year 1940 is already published and available to any person interested; and you are bound to come to the conclusion that the State of Ohio treats its workmen's compensation as a social problem. I ask your careful attention and consideration to these figures.

In the 28 years of the existence of this Fund this is what happened. There was collected in premiums $306,158,275. There was paid out in benefits to injured employees $285,511,265. In other words, out of every dollar that the employer paid for compensation insurance the employee received 93¢.

Compare this with the great Commonwealth of Pennsylvania from the figures I have already given you. Out of $107,000,000 in round figures received for premiums in Pennsylvania only $58,000,000 was paid out to injured employees—that is, out of every dollar of insurance premiums paid the injured workman receives only 58¢.

The State Fund of Ohio has assets of over $64,000,000—$54,000,000 of which is invested in bonds of the Federal government and Ohio taxing districts—and $5,500,000 of which is in cash and certificates of deposit drawing interest.

When I asked the actuary of the Ohio Fund to let me know the percentage of profit of the State Fund, I was very much impressed by his answer and I should like to give it to you:

". . as the Fund is established only to provide for benefit losses, there is no percentage for profit. When a surplus develops in excess of an amount necessary to meet possible contingencies or fluctuations, the rates are reduced so as to prevent the accumulation of a surplus that is more than necessary."

I am afraid that the people of Ohio look upon workmen's compensation as a social venture.

West Virginia too has an exclusive State Fund as the carrier under an elective system of workmen's compensation. It was established in 1913 and since that time it earned $102,660,158 in premiums and has incurred losses of $115,330,977—$86,559,950 of which has been paid out and $28,771,027 of which has been set up in a reserve.

This is, of course, in excess of the premiums earned. But, since there is no question of profits involved, the interest earned on the reserve in that period—aggregating over $17,000,000 is applied to the benefits and reserves. The Fund has assets of over $30,000,000, and investments consist exclusively of Federal government obligations and obligations of political subdivisions of the State.

It seems to me that these experiences of 28 years are conclusive that an exclusive state Fund, properly managed, can be conducted with safety and with justice, affording a maximum of benefits to injured employees at a minimum of cost to the employer.

Second, I propose to abolish the right to self insure. The basic reason for self insurance is that those industries who are self insurers saw no reason for their paying the high cost of administrative salaries and expenses of private insurance companies. If insurance with the State Fund is made exclusive the reason for self insurance disappears. If the State Fund of Ohio can manage its fund at an expense never in its history exceeding 7%, the State of Pennsylvania can do likewise. And the success of the Fund in my opinion depends upon affording it the advantage of diversified risks.

Third, I propose that the Joint State Government Commission shall be immediately authorized by resolution to make a complete and thorough investigation of the operation and management of the State Fund in this Commonwealth together with a comparison of the operations of these Funds in other jurisdictions; and to report and make recommendations to the next Legislature for the enactment of such legislation as will insure a proper, nonpolitical, and safe method of management of the State Workmen's Insurance Fund.

In order to accomplish these purposes I have prepared

and ask unanimous consent at this time to submit the following bills:

(1) An act to amend the title of the Workmen's Compensation Act of June 2, 1915, P. L. 736, making the Act compulsory instead of elective, and amending Sections 204, 301 (a), 302 (a), removing from those sections the elective provisions of the Act; repealing subsection (b) of Section 302, Section 303 and Section 304, which deal with the elective provisions of the Act; amend Section 305, which provides for the insurance in the State Workmen's Insurance Fund or in any insurance company authorized to insure in this Commonwealth, by eliminating from the Act the right to insure in these other insurance companies and restricting insurance to the State Workmen's Insurance Fund; and providing for the continuance in force of all presently existing rights and obligations.

(2) An act to amend the State Workmen's Insurance Law of June 2, 1915, P. L. 762, amending Section 5 to make it conform to the amendments in the first proposed act and eliminating all references to other workmen's compensation insurance companies and the right of the Board to reinsure in other companies; and eliminating the right of the Board to require workmen's compensation insurance for its employees; since they will be covered, like all other employees, there is no necessity for mentioning them specially.

(3) This is an amendment to the Insurance Company Act of May 17, 1921, P. L. 682, by repealing subsection (d) of Article 6, which contains Sections 651, 652, 653, 654, and 655, which deals with insurance companies carrying workmen's compensation insurance, since under the provisions of the first proposed act insurance will be restricted to the State Workmen's Insurance Fund.

When the original text of this statement was written the copies of the correspondence which was the basis for my statement on page 10, hereof, were not available. I have since then obtained them. They appear in the United States Review, an insurance magazine, issue of the week of March 9, 1940. The important portions are as follows:

The first letter was written by Homer W. Teamer, secretary-manager of the Insurance Federation of Pennsylvania to state commissioner of labor and industry, Lewis G. Hines:

"Dear Mr. Hines:

"Under date of January 12, 1940, there was sent to employers of labor in the Commonwealth of Pennsylvania a letter signed by George E. Gwilliam, Manager of the State Workmen's Insurance Fund, soliciting the placement of workmen's compensation insurance with the State Fund and pointing out one of the several advantages which the Fund enjoys over private insurance companies writing workmen's compensation coverage.

'The letter is as follows:

(COPY)

Commonwealth of Pennsylvania
Department of Labor and Industry
State Workmen's Insurance Fund

Harrisburg, Pa., January 12, 1940.

Gentlemen:

Do you realize that the State Workmen's Insurance Fund is the only company that writes compensation in Pennsylvania that completely discharges you of any further insurance liability under the Compensation Act? This is due to the provisions of the Act of 1915, which created the Fund. Section 20 provides in part:

'Any subscriber to the Fund who shall give due notice of accident—shall be discharged from all liability for the payment of compensation for the personal injury or death of such employee by such accident; and all such compensation due therefore, shall be paid out of the Fund.'

I have in mind the many Insurance Companies that were compelled to go into the hands of the receivers during the past years, and it occurs to me that the conservative employer of labor in Pennsylvania would turn FIRST, LAST, AND ALWAYS, to the State Workmen's Insurance Fund. I know you are such an employer, and for this reason I am taking the liberty of calling this fact to your attention. If you are not insured with the State Workmen's Insurance Fund, do not delay, but contact us a once and assure yourself of the security of one of the strongest insurance companies in Pennsylvania, whose total assets amount to Sixteen Million Dollars, writing compensation insurance only.

Very truly yours,
(Signed) GEORGE E. GWILLIAM,
Manager
STATE WORKMEN'S INSURANCE FUND

"To this letter, and to this and other acts of solicitation of business by the State Fund in compensation with private enterprise, we protest most vigorously.

* * * *

"The State Fund, by the Act which created it (Act of June 2, 1915, P. L. 762) was given certain advantages, not then, nor at any time later, given to private insurance companies writing workmen's compensation insurance."

The letter then enumerates six advantages of the State Fund, which are not important for our purpose. The letter then continues:

"It is respectfully pointed out that these advantages were granted to the State Fund as an off-set, or compensation for, the fact that the Fund should not set out to solicit business in competition with private insurance carriers. Any other interpretation of the fact that such advantages were granted to the Fund can lead but to the conclusion that the State deliberately set out to compete with its own citizens, securing first for itself a decided and unfair advantage.

"A study of the Act creating the State Fund discloses nowhere any language which would indicate that the Fund was to engage in active competition

. . . . . .

"There is no justification in the idea that the Commonwealth of Pennsylvania should establish an agency, such as the State Workmen's Insurance Fund, and set about building it up into a large company competing with private insurance carriers."

* * * *

"Therefore, we feel that it is entirely out of order and not in keeping with the principles of good government, that the State established, controlled and managed Fund should enter into active competition with

private business, and all the more so because our sovereign State places private insurance companies at a disadvantage in such competition.

"The undersigned, acting by authority of the board of directors of The Insurance Federation of Penna., Inc., which represents, with a very few exceptions, all insurance companies writing compensation in our Commonwealth as well as a great number of agents and brokers engaged in insurance underwriting, most respectfully request you to take such action as will terminate this or any other form of solicitation, and so preserve the status of the situation as originally intended by the Act of 1915.

"Respectfully submitted,
HOMER W. TEAMER,
Secretary-Manager."

Commissioner Hines reply follows:

"Dear Mr. Teamer:

"This will further acknowledge your letter of February 15th, in which you refer to the State Workmen's Insurance Fund carrying on a campaign of solicitation among the various companies throughout the State.

"First of all, permit me to say there is no desire on the part of this Department, or the Insurance Fund, to compete with private companies and in line with that policy one of the first acts of my administration was to remove from the payroll all persons designated as solicitors.

"I referred your letter to Mr. George Gwilliam, manager of the State Workmen's Insurance Fund. He advises me that letters were sent out to policyholders who failed to renew their compensation during the past year. He said that this was done because the loss of this business was coincident with the dismissal of some fifty persons employed with the former administration and that these letters were sent only to those whose policies lapsed after the change of administration occurred and were not sent out promiscuously to employers throughout the State.

"I think that this explanation will answer your letter and that you will agree that we are not attempting to compete with private insurance companies in the matter of workmen's compensation insurance."

In contrast to the $16,000,000 mentioned in Mr. Gwilliams's letter as constituting the assets of the State Workmen's Insurance Fund of Pennsylvania.

The State Insurance Fund of New York had assets of	$63,000,000
The Workmen's Compensation Fund of West Virginia had assets of	$30,000,000
The Ohio State Insurance Fund had assets of	$64,000,000

Mr. President, in addition, I have prepared, rather hurriedly, I admit, bills to cover every suggestion I have made. Some of them will require, after study, some amplification.

If there is no objection I ask unanimous consent at this time to introduce three bills.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS INTRODUCED

Mr. SHAPIRO read in place and presented to the Chair Senate Bill No. 504, entitled:

An Act to further amend the title and the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by making the schedules of compensation compulsory upon all employers; providing that the State Workmen's Insurance Fund shall be the sole agency in which the payment of compensation may be insured; providing for the termination of existing workmen's compensation insurance contracts issued by other agencies; eliminating provisions relating to self-insurance; and repealing certain sections and subsections.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 505, entitled:

An Act to amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation thereof," providing for insurance in said fund of all employers liable to pay workmen's compensation; eliminating provisions relating to insurance corporations or associations, and workmen's Compensation insurance covering officers and employes of the board.

Which was committed to the Committee on Insurance.

He also read in his place and presented to the Chair Senate Bill No. 506, entitled:

An Act to repeal subdivision (d) of article six, containing sections 651, 652, 653, 654 and 655 of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled, "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," eliminating provisions relating to Workmen's Compensation Insurance.

Which was committed to the Committee on Insurance.

QUESTION OF PERSONAL PRIVILEGE

Mr. EALY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Somerset may proceed.

Mr. EALY. Mr. President, when I attempted to speak a short time ago I thought the Senator from Philadelphia had completed his statement. He said he wanted to talk about twenty-five minutes and I thought he had finished.

The difficulty with these personal privilege speeches is that they bring in other matters which go on interminably.

I do not know why the Senator from Philadelphia insisted upon referring to me. The matter about which I spoke took place during the administration of Governor

Earle and at that time the insurance commissioner was Mr. Hunt, who had the veto power on all rates.

I want to say I do not represent in any way insurance companies and I am glad to find out the truth about this matter.

However, Mr. President, the speech of the Senator from Philadelphia, Mr. Shapiro, does not give me sufficient information. It was very contradictory in many respects and I am always at a loss to know whether he is speaking just for the facts or whether he has something else in mind. During the years which have passed we have observed the gentleman from Philadelphia on many occasions; he has two methods of speaking, one which seeks to address the people of the district in which he stood for election, and at other times he has given us facts and figures which are of advantage, but we become quite confused and the Senator from Philadelphia has been wrong so very often that while I am glad for the information the Senator from Philadelphia has given, Mr. President, I want to scrutinize it very carefully before I make up my mind fully about it.

PERMISSION TO ADDRESS THE SENATE

Mr. EDMONDS. Mr. President, I ask unanimous consent to make a statement.

The PRESIDENT. Is there objection? The Chair hears none.

The gentleman from Montgomery may proceed.

Mr. EDMONDS. Mr. President, I am extremely anxious that the members of the Senate follow this statement and if I am not audible I hope the gentlemen of the Senate will so advise me. As you may know, my voice is not in the best of condition.

On June 28, 1935, the then Governor of Pennsylvania approved an act which is entitled "The Municipal Authorities Act of 1935,"—Act No. 191 in the Pamphlet Laws for that year. It provided in a general way that the municipal authorities of any municipality of the Commonwealth should have power to adopt an ordinance signifying their intention to organize a municipal authority, and that the ordinance should be published in the legal periodical of the county, and should then be filed in the Office of the Secretary of the Commonwealth, whereupon the municipal authority came into being.

The new authority had power to act as a corporation "for the purpose of constructing, improving, maintaining and operating bridges, tunnels, streets, highways, parkways, traffic distribution centers, traffic circles, parking spaces, airports and hangars, low-cost housing projects, parks, recreation grounds and facilities, sewers, sewer systems, sewage treatment works, swimming pools, playgrounds, lakes, low head dams, hospitals and subways."

It was provided that no authority could be created after the expiration of two years from the effective date of the act. It had furthermore authority to issue bonds which should mature within thirty years from their respective dates, bear interest not exceeding six percent per annum, to be sold at either public or private sale, as the authority might determine, but they should be liens upon the property of the authority and not general liens of the municipality, that the authority should be governed by a board of five appointed by the municipal authorities who might receive salaries as might be determined by the municipal authorities, and who might be removed for cause by the court of quarter sessions.

There was a further provision whereby the Commonwealth pledged itself not to alter the terms of this act until all the bonds had been fully met or discharged in the event that federal agencies should subscribe funds for these purposes. It was further provided that when the authority had paid all the bonds, together with interest thereon, the property which was the subject of the authority should be transferred to the municipality and the authority should then cease.

Section 15 of this act is particularly interesting and deals with exemption from taxation:

> "The effectuation of the authorized purposes of authorities, created under this act, shall and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions, and since such authorities will be performing essential governmental functions in effectuating such purposes, such authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes, and the bonds issued by any authority, their transfer, and the income therefrom (including any profits made on the sale thereof), shall at all times be free from taxation within the Commonwealth of Pennsylvania."

This act was amended in 1937. See Act No. 200 approved May 20, 1937, whereby the maturity date of the bond issues was extended to forty years, the two year limitation on the organization of the authority was stricken out, and the list of projects was extended to include buildings to be devoted wholly or partially for public uses and for revenue-producing purposes, transportation, marketing, shopping terminals, motor buses for public use when such motor buses are to be used with any municipality, all of which were declared to be projects.

There was also a provision for the formation of a joint authority by several municipalities.

In the original Act of 1935 it was provided that the Department of Revenue of the Commonwealth should examine the accounts and books of the authority, but this was amended in 1937 to provide that the books should be examined by a controller, auditors, or accountant designated by the municipality.

In 1939 the Act of 1935 was again amended to include in the list of projects sewer systems or parts thereof, water works, and water distribution systems. But there was a proviso that water and water rights may not be acquired unless and until approval is obtained from the Water and Power Resources Board.

Under the Act of 1935 and the supplements thereto, various municipal authorities have been chartered in the State of Pennsylvania. In the early days of this session there was a general desire to ascertain how the authority conferred by this act and its supplements had been used, and whether the results had been beneficial to the people of the Commonwealth. As a result, the Senate adopted a series of resolutions calling upon various public officials to provide it with information relating to these municipal authorities, and I think that most of us were amazed to find that outside of the records of incorporation in the Office of the Secretary of the Commonwealth, there was no general respository of information at Harrisburg.

These corporations had been chartered for a public purpose, and yet there was no public supervision over their operation. The original act did not even require that the projects should be enumerated in the certificate of incorporation, nor did it require that the amount of the borrowings and the rate of interest paid for the same should be recorded.

Certain of the authorities, however, when they did file their certificates with the Secretary of the Commonwealth, described their projects, and the breadth of their descriptions may be indicated by the following phrases which are selected at random:

City of Pittsburgh Authority—Incorporated January 13, 1937

"constructing, improving, maintaining and operating bridges, tunnels, streets, highways, parkways, traffic distribution centers, traffic circles, parking spaces, airports, hangars, low-cost housing projects, parks, recreation grounds and facilities."

Bethlehem Municipal Water Authority—Incorporated August 24, 1938.

"acquiring new water supply and owning, etc., water works."

Chester Municipal Authority—Incorporated July 6, 1939.

"all projects permitted under Act of 1935, as amended."

Borough of Manheim Authority—Incorporated October 26, 1939.

"acquiring sewers, sewer systems, sewage disposal plants."

Lycoming County Authority—Incorporated March 10, 1939.

"to secure, acquire, hold, construct, improve, maintain, operate either in the capacity of lessor or lessee a building to be devoted partially for public use as the Court House with attendant county offices and partially for revenue-producing purposes."

In some cases the breadth of the description of the purposes is so great that one is reminded of the charter of the corporation organized in England in the days of King George I "for the purpose of extracting diamonds from cucumbers and any other lawful purposes."

On February 24 the Senate adopted a resolution directing the Secretary of the Senate to apply to each of these municipal authorities for information along the following lines:

1. What projects have been undertaken by the municipal authority in question and which of these projects have been finished?

2. What debt has been contracted by the municipal authority, and how many bonds are now outstanding?

3. What is the rate of interest upon the bonds of the municipal authority?

4. Will you please send a copy of your latest annual report or financial statement with the answers to this question?

The original list of municipal authorities as reported to us by the Secretary of the Commonwealth indicated a total of sixty authorities. In addition, the Secretary reported the list of projects of thirty of these authorities as set forth in the application for incorporation, which list of projects was not required by the Act of 1935 but was provided by many of the municipal authorities when they filed the certificate of incorporation.

A resolution of the Senate was therefore forwarded to the sixty authorities for which certificates of incorporation had been filed in the Office of the Secretary of the Commonwealth, and for the last six weeks answers to these inquiries have been received by the Secretary of the Senate. I have examined these answers with great interest, and propose now to give you the results of this examination.

The originals of the answers are deposited with Mr. Holmes and are available for the inspection of any of the Senators. There are thirteen municipal authorities which have not yet replied and concerning these I would suggest that the Secretary of the Senate be authorized to send a second letter repeating our inquiry, and if there is no response to this letter, then it would be appropriate to suggest to the Senate that a committee be appointed with the power to subpoena so as to make sure that the information desired is received. The authorities which have not replied are as follows:

City of Pittsburgh Authority; Incorporated January 13, 1937.
Authority of the Borough of Charleroi, Washington County; Incorporated August 29, 1938.
Borough of Emlenton Sewage Disposal Plant Authority, Venango County; Incorporated September 19, 1938.
New Holland Borough Authority, Lancaster County; Incorporated September 20, 1938.
Authority of the Borough of Elco, Washington County; Incorporated September 27, 1938.
Municipal Authority of the Township of Sandy, Clearfield County; Incorporated September 28, 1938.
Elizabeth Township Authority, Allegheny County; Incorporated February 16, 1940.
Borough of Freeland Municipal Authority, Luzerne County; Incorporated May 23, 1940.
Williamstown Borough Authority, Dauphin County; Incorporated October 28, 1940.
Tower City Borough Authority, Schuylkill County; Incorporated October 30, 1940.
Cass Township Authority, Schuylkill County; Incorporated November 1, 1940.
North Versailles Township Authority, Allegheny County; Incorporated January 6, 1941.
New Brighton Municipal Authority, Beaver County; Incorporated January 28, 1941.

It is probable that in many of these cases the authority has not yet started upon its real work, and it is possible that in some of the cases the general proposition may have been abandoned without any notice given to the state.

Summarizing the forty-seven municipal authorities which have given us formal reports, the general results are as follows:

Nothing has been done in thirteen cases. As a matter of fact, the number in which nothing has been done is really twenty-four cases, but there are eleven authorities which have projects under consideration, whereas thirteen have practically abandoned the idea. Including the eleven which have projects under consideration, there are twenty-two authorities that are endeavoring to improve the water system of their communities, seven that are working upon sewers, sewer systems and sewage disposal works, one which planned to erect an addition to a hospital, one which planned to erect a court house, two which have engaged in housing propositions, and one is managing a real estate operation. Of these forty-seven authorities, twenty-two have contracted debt. One of these has borrowed the money from bank and is reducing the debt from its net operations. Twenty-one have issued bonds or other obligations to a total of $18,739,557. The

rate of interest runs from 1½% to 4%, the rate being less in those communities in which my ancestors, the thrifty Pennsylvania German, abound. There is one authority which has borrowed $100 from the local church in order to pay the expense of a preliminary survey. No bonds have been issued for this debt, and it is not included in the above total.

In addition to the municipal authority bonds, reference should be made to the report of the State Board of Housing to the Senate which shows a total of twenty-four housing projects that have been authorized, twelve in cities and twelve in counties, in eleven of which commitments have been made for the borrowing of money to a total of $63,270,000. These housing projects are under a separate Act of Assembly, however, and they are required to report at least to the State Board of Housing.

In examining these reports, it is quite evident to me that when this legislation was passed there was strong hope that these projects would operate with borrowings from the Federal Government, and that this hope has not been realized. The legislation of 1935 contains a specific guarantee to the Federal Government that the terms of the act will not be altered so long as the bonds remain unpaid. This is an illustration of the dependence which was placed upon federal borrowing.

To my mind, there are certain economic conclusions which are suggested very strongly as a result of this study.

1. It was improper legislation to create a new series of semi-public corporations, entrust them with public powers, and then not provide for the supervision of their operations. I feel sure that every one of my colleagues agrees with me in this statement, and therefore I will not elaborate thereon.

2. It is quite clear to me that it is wrong fiscally to provide for the exemption from local and state taxation of all of the property of the authority. It issues bonds but it pays no corporate loans tax thereon. It buys realty but it pays no local realty tax thereon. It holds assets but upon these assets there is no tax whatever.

As an illustration of the extent to which this practice may be carried, I refer to the Hazleton City Authority which owns a five story building containing approximately 250,000 square foot floor space, and rents a portion of the building to the City of Hazleton, and the remainder to various manufacturing industries. There is a bond issue of $200,000, and since the property is free from taxation, it is retiring a portion of the bond issue each year. This practically means that by the exemption of this property from local tax, other taxpayers in the same community have a heavier burden, and consequently they are providing the fund from which the bonds are being retired.

I do not think that there is any justification for the tax exemption of one kind of property in this state as compared with others, and I have serious doubts as to whether the Act of Assembly which gives this exemption is constitutional, and I am certain that whether constitutional or not, the exemption should be repealed.

During this session considerable time and much earnest thought has been given to the question of the authorities and their future. I am not willing to condemn the entire system, although I censure the Act of 1935 as so carelessly drawn as to constitute a menace to the state.

The Public Utilities Commission advises me that there are 456 private utilities furnishing water supply service in Pennsylvania, and that there are 232 municipally owned plants. In the period from 1932 to 1941 public authorities acquired 44 private water plants, and most of these were acquired in the usual course of business under the general laws of the Commonwealth. It would have been much better to have allowed the system to continue which was developing properly rather than to hasten the day of results by the establishment of a new and untried fiscal method.

Similarly, there are 170 municipalities, embracing three-fifths of the population of the state, which own and operate sewage facilities. Here again there has been a normal development which, if allowed to continue, would have probably brought about definite results under the Pennsylvania method of providing for the payment of new facilities as they are acquired and used. In 1935, however, there was a desire to hasten the ordinary operations of municipal life, and there was also the feeling that the Federal Government would finance municipal experiments if they could be legally authorized. As a result, we were led into an experiment which has done some good but has also disrupted in some communities the morale of public administration.

I recognize one definite good for the authorities which would make me reluctant to see these Acts of Assembly repealed. The act provided a method whereby several municipal districts could combine for sewage and water purposes, and as a result, several local districts have made such a combination, and by working out a joint solution on equitable lines, it has probably secured for these communities a higher grade of municipal service in water and sewage than could have been secured without the authority act.

The question now arises as to what should be done for the future. There are many bills pending on this subject in both Houses. Later on in the session I hope that our colleague, Senator Walker of Allegheny, will address the Senate on the changes in legislation which this and other studies have suggested.

There is a moral to this inquiry. The Municipal Authority was the product of an era which believed that it was possible to obtain a result without paying the price, and it also believed that it was advantageous to a community to impose heavy taxes in order to redistribute wealth. I recall a debate which I had with Hon. Frances Perkins in December, 1932, on "Economy in Government," in which Miss Perkins stated as her philosophy in administration that there always would be waste and extravagance in government, that waste was paid by taxes, that taxes took money from the rich, and distributed it to the poor, and this was the justification for waste and inefficiency in government. In her public life, this lady has illustrated her convictions, with the additional result, that class-hatred and division have been planted among our people, at a time when we need social unity to a greater degree than ever before. There is no easy road to comfort, and those who promise a community that it will obtain comforts and luxuries, and even necessities without expending the wholesome effort and sacrifice which are fundamental in the American Way of Life, must expect waste, extravagance and even graft as a result.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) announced that the Chief Clerk having reported

that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 244, entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint, probate clerks," by providing for the appointment of additional probate clerks.

Whereupon,

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) in the presence of the Senate signed the same.

BILL INTRODUCED

Mr. WADE. Mr. President, I have listened with a great deal of interest to the gentleman from Philadelphia, Mr. Shapiro, regarding compensation insurance companies in Pennsylvania and I have also listened with a great deal of interest to the discussion of the gentleman from Montgomery, Mr. Edmonds.

To compensate them in some way, Mr. President, I ask unanimous consent to introduce a bill at this time, which takes up the burdensome problem of electing one less congressman from Philadelphia, if enacted into law, and to say to the gentleman from Montgomery that there is a bill in the House now that would combine Montgomery County with the County of Bucks and therefore relieve them of some of their responsibilities.

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT.? Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 507, entitled:

An Act to apportion the State into congressional districts.

Which was committed to the Committee on Congressional Apportionment.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, April 7, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

I. E. Binstock, Pittsurgh, 604 Grant Blg.

ARMSTRONG COUNTY

Mrs. Delfina M. Balla, Leechburg.

BERKS COUNTY

Mateusz Chrusciel, Reading.

CAMBRIA COUNTY

Mrs. Helen D. Fitt, Johnstown.

LACKAWANNA COUNTY

Mrs. Grace Chally, Dickson City.

LUZERNE COUNTY

Miss Ann M. Hart, Wilkes-Barre.
J. B. Williams, Kingston.

McKEAN COUNTY

Stanley E. Bishop, Otto Twp., Duke Center.

PHILADELPHIA COUNTY

Anthony C. Brandolini, Phila., 2340 South 12th St.
L. W. Smith, Phila., Drexel Institute, 32d and Chestnut Sts.
R. H. Wismer, Phila., 400 Chestnut St.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. Bavard Baldridge, Pittsburgh, 1000 Clark Bldg.
Wm. F. Munz, Pittsburgh, 1126 Sheffield Street, North Side.
Miss Marie Robinson, Pittsburgh, 930 Park Bldg.
E. Stewart Savage, Pittsburgh, 429 Penn Avenue.

BUCKS COUNTY

Mrs. Loretta M. Ford, Bristol.

CHESTER COUNTY

Arthur R. Torrey, East Bradford Twp., Box 309, West Chester.

LUZERNE COUNTY

Lindsley M. Washburn, Nanticoke.

PHILADELPHIA COUNTY

Miss Mary E. Hickey, Phila., 5353 Pine Street.
Miss Kathryn S. Remaley, Phila., 4421 Germantown Ave.

WASHINGTON COUNTY

Miss Frances Ross, Washington.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Mrs. Eleanor L. Ley, Pittsburgh, 818 East Ohio Street, April 13, 1941.
Frank F. Ley, Pittsburgh, 818 East Ohio Street, April 13, 1941.

BUTLER COUNTY

A. L. Findley, Butler, April 13, 1941.

JEFFERSON COUNTY

S. H. Smyers, Sykesville, April 13, 1941.

LUZERNE COUNTY

Lawrence C. McHugh, Wilkes-Barre, April 13, 1941.

PHILADELPHIA COUNTY

John W. Summers, Phila., 213 City Hall, April 13, 1941.
Louis Davis, Phila., N. W. Cor. Broad and Federal Sts., April 24, 1941.

ALLEGHENY COUNTY

Frank A. Wheeler, Wilkinsburg, April 27, 1941.

LACKAWANNA COUNTY

Mrs. Lois B. Widmer, Scranton, April 27, 1941.

LYCOMING COUNTY

Cloyd E. Ruffaner, Williamsport, April 27, 1941.

PHILADELPHIA COUNTY

Jacob Gable, Phila., 3109 North 12th St., April 27, 1941.

ARTHUR H. JAMES.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

CAMBRIA COUNTY

Mrs. Jennie Boyer Williams, Johnstown, April 11, 1941.

LEHIGH COUNTY

Mrs. Marie C. Wagner, Bethlehem, April 18, 1941.

SCHUYLKILL COUNTY

Wm. H. Woodwell, Tamaqua, April 22, 1941.

WARREN COUNTY

Joseph H. Goldstein, Warren, April 22, 1941.

ALLEGHENY COUNTY

Ernest H. Loveday, Penn Twp., Universal, April 23, 1941.

GREENE COUNTY

George R. Kramer, Greensboro, April 23, 1941.

ERIE COUNTY

Frank B. Quinn, Erie, April 24, 1941.

COLUMBIA COUNTY

James Masanotti, Berwick, April 25, 1941.

DAUPHIN COUNTY

John H. Alricks, Harrisburg, April 25, 1941.

MERCER COUNTY

Donovan H. Henry, Greenville, April 25, 1941.

MONTGOMERY COUNTY

I. M. Jarrett, Abington Twp., Abington, April 25, 1941.

WESTMORELAND COUNTY

Miss Ottilie Walthour, Greensburg, April 25, 1941.

CARBON COUNTY

Frank Lench, Banks Twp., Tresckow, April 26, 1941.

FAYETTE COUNTY

Mrs. Bertha Livingston, Uniontown, April 26, 1941.

LACKAWANNA COUNTY

Dalbys L. Fickes, Scranton, April 26, 1941.

ALLEGHENY COUNTY

John Badovinac, Pittsburgh, 3441 Forbes Street, April 27, 1941.
Earl R. Glass, Jr., Pittsburgh, 307 Henry W. Oliver Bldg., April 27, 1941.
Miss Margaret Hollan, Braddock, April 27, 1941.
George J. Mayer, Pittsburgh, 1006 N. Lincoln Ave., N. S., April 27, 1941.
John G. Rainey, Pittsburgh, 101 Court House, April 27, 1941.
William A. Schock, Pittsburgh, 1801 Forbes Street, April 27, 1941.

BUCKS COUNTY

Miss Annie Heller, Riegelsville, April 27, 1941.

BUTLER COUNTY

Mrs. Gertrude M. Barto, Butler, April 27, 1941.

CHESTER COUNTY

A. M. Mcvuiston, Easttown Twp., Berwyn, April 27, 1941.

CLEARFIELD COUNTY

Mrs. Violet Butterworth, Chester Hill, April 27, 1941.

DAUPHIN COUNTY

Miss Rosemary D. Dodd, Harrisburg, April 27, 1941.

DELAWARE COUNTY

H. Eugene Bowerman, Upper Darby Twp., 1400 Bywood Ave., Upper Darby, April 27, 1941.
Miss Catharine M. Gallagher, Upper Darby Twp., 69th St. Blvd. at Locust St., Upper Darby, April 27, 1941.

ERIE COUNTY

Fred S. McDonald, Erie, April 27, 1941.

FAYETTE COUNTY

Miss Bertha L. Darby, Uniontown, April 27, 1941.

INDIANA COUNTY

Miss Martha Daugherty, Indiana April 27, 1941.

LANCASTER COUNTY

Walter A. Buckius, Lancaster, April 27, 1941.

LUZERNE COUNTY

Miss Mary E. Keeler, Wilkes-Barre, April 27, 1941.
Warren E. Myers, Wilkes-Barre, April 27, 1941.
T. G. Wadzinski, Wilkes-Barre, April 27, 1941.

McKEAN COUNTY

Mrs. Marie Fessenden, Kane, April 27, 1941.
Henry N. Harvender, Bradford, April 27, 1941.
Byron Wolfe, Bradford, April 27, 1941.

MONTGOMERY COUNTY

Miss Elizabeth R. Fox, Norristown, April 27, 1941.
G. Carroll Hoover, Norristown, April 27, 1941.

NORTHAMPTON COUNTY

John R. Chidsey, Easton, April 27, 1941.
James E. Knipe, Bethlehem, April 27, 1941.

PHILADELPHIA COUNTY

R. G. Bannister, Phila., 2012 Chestnut St., April 27, 1941.
P. Di Benedetto, Phila., 406 North 65th St., April 27, 1941.
Alexander O. Dunlap, Phila., 5554 Market St., April 27, 1941.
Mrs. Sylvia Manashil, Phila., 1833 South 7th St., April 27. 1941.
Harry W. Raff, Phila., S. W. Cor. 67th and Ogontz Ave., April 27, 1941.
Francis M. Smith, Phila., 813 E. Allegheny Avenue, April 27, 1941.
Charles H. Young, Phila., 1215 West Glenwood Avenue, April 27, 1941.

SCHUYLKILL COUNTY

Richard L. Jones, Pottsville, April 27, 1941.

TIOGA COUNTY

Mrs. Beatrice C. Coolidge, Wellsboro, April 27, 1941.

WASHINGTON COUNTY

H. D. Patch, Donora, April 27, 1941.
Charles F. Polacci, Charleroi, April 27, 1941.

WESTMORELAND COUNTY

L. Russell Grove, New Kensington, April 27, 1941.
Miss M. P. Poole, Greensburg, April 27, 1941.
Laird F. Shrader, Jeannette, April 27, 1941.

ERIE COUNTY

William O. Morrow, Union City, April 29, 1941.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward,
Dent,	Lanius,	Stevenson,	Ziesenheim,
DiSilvestro,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS JUSTICE OF PEACE IN BUCKS COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. Arthur Gross, Danboro, Bucks County, for appointment as Justice of the Peace in and for the Township of Plumstead, Bucks County, until the first Monday in January, 1942, vice Wm. W. Hall, deceased.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office. Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William I. Hunsberger, 59 Penn Street, Souderton, Montgomery County, for appointment as a member of the Board of Trustees of Norristown State Hospital, for the term of four years and until his successor is qualified, vice Mrs. Kathryn A. Gottshalk, whose term expired.

ARTHUR H. JAMES.

BILLS INTRODUCED

Mr. MALLERY. Mr. President, I deem it a privilege on behalf of the State Council for the Blind to present the following bill.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 508, entitled:

An Act to amend section two thousand three hundred twenty of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the State Council for the Blind to furnish certain aids and services to needy blind persons for persons with impaired vision for the purpose of restoring or improving their vision, and authorizing the State Council for the Blind to accept and expend Federal moneys in furtherance of such purpose.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 509, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. FARRELL (by request), read in his place and presented to the Chair Senate Bill No. 510, entitled:

An Act to amend sections 504A, 607 and 608A of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 565), entitled, "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by providing for the taking of possession of the business and property of building and loan associations and savings and loan associations the shares of which are insured in the State Building and Loan Insurance Fund.

Which was committed to the Committet on Banking.

He also (by request), read in his place and presented to the Chair Senate Bill No. 511, entitled:

An Act to further amend section 402 of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," exempting the affairs of the State Building and Loan Insurance Board from audit by the Auditor General.

Which was committed to the Committee on State Government.

He also (by request), read in his place and presented to the Chair Senate Bill No. 512, entitled:

An Act providing for the creation and for the administration by a State Building and Loan Insurance Board created in this act, of a state fund for the insurance of shares in building and loan associations and savings and loan associations; and prescribing penalties.

Which was committd to the Committee on Banking.

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 513, entitled:

An Act creating a commission to be known as the Pennsylvania Board of Tax Appeals; defining in part the powers and duties of such commission; abolishing the Board of Finance and Revenue of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Board of Tax Appeals the records, employes, property, and equipment of the Board of Finance and Revenue; authorizing the Pennsylvania Board of Tax Appeals to appear in and complete all pending proceedings, instituted before, by or against the Board of Finance and Revenue; providing that all devisions, orders, and rules and regulations of the latter board shall remain effective until repealed, changed or modified by the Pennsylvania Board of Tax Appeals, and transferring and appropriating to the Pennsylvania Board of Tax Appeals any unexpended balance of any existing appropriation to the Board of Finance and Revenue.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 514, entitled:

An Act to further amend subsection (b) of section eight hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay licenses fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further prescribing the time within which the Department of Revenue shall make settlements of taxes and bonus due the Commonwealth.

Which was committed to the Committee on State Government.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 515, entitled:

An Act to amend article nine of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections,

including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests, creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by requiring an additional affidavit by candidates for nomination for any office.

Which was committed to the Committee on Elections.

He also read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act establishing certain public roads and streets in the borough of Mauch Chunk and county of Carbon, as a State highway, and providing for their construction and maintenance by the Department of Highways, subject to certain terms and conditions.

Which was committed to the Committee on Highways.

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 517, entitled:

An Act to establish as a State highway, a certain section of public road in the County of Fayette, and providing for construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 518, entitled:

An Act to further amend the first paragraph of subsection (a) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing additional causes for termination of a contract of a professional employee.

Which was committed to the Committee on Education.

Mr. HEYBURN read in his place and presented to the Chair Senate Bill No. 519, entitled:

An Act to amend sections three hundred one and three hundred two of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1037, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by changing the rate of contributions by employers to the Unemployment Compensation Fund.

Which was committed to the Committee on Workmen's Compensation.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 520, entitled:

An Act to establish as a State highway a certain section of public road in the county of Crawford, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

Mr. HALUSKA. Mr. President, I have for presentation to the Senate several bills and I wish to make a short statement concerning one of these bills.

This is a very important bill, I would think, and I would like to have my colleagues give it due consideration. It provides that the youths of our land who reside within the Commonwealth of Pennsylvania and who are inducted into service of the United States Navy or Army shall be compensated to the amount of $42 per month, including however, the amount paid by the federal government.

Many of these lads are leaving home and, if called upon, will be willing to make the supreme sacrifice and the least we can possibly do is to encourage them to the extent where we shall compensate them for their services.

Under the present act, as we all know, for the first four months of military service the compensation amounts to $21 per month; after serving four months it goes up to $30 per month. In any case the compensation under my bill shall not exceed $42 per month.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 521, entitled:

An Act providing for the payment of compensation by the Commonwealth of Pennsylvania to residents entering the military and naval services of the United States.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 522, entitled:

An Act to amend the title and further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by conferring all powers and duties of the Department of Public Instruction upon the Board of Examiners for Beauty Culture Registrations; eliminating apprentices, and setting-up classification of junior operators; further regulating operators, junior operators and beauty parlors; setting-up new period for expiration of certificates issued by boards; and imposing penalties.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act to further amend section two hundred two and to add section four hundred eighteen and one-tenth to the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal

Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a new administrative board in the Department of Public Instruction to be known as the Board of Examiners for Beauty Culture Registrations and conferring powers and duties on such board.

Which was committed to the Committee on State Government.

Mr. CARR read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act validating settlements between counties of the fourth, fifth, sixth, seventh and eighth classes and county tax collectors, and authorizing settlement of the duplicates of county tax collectors by the county commissioners.

Which was committed to the Committee on County Government,

He also read in his place and presented to the Chair Senate Bill No. 525, entitled:

An Act in the interest of public and social welfare or social service and to provide uniform law and defining the procedure and powers, thereto relating as to county probation officers, parole officers, social service officers and court investigators, and to define and to increase the powers and prerogatives and promote efficiency by providing aid and assistance to the several and various courts of this Commonwealth, such as, Quarter Sessions, Oyer and Terminer, Common Pleas, County, Municipal, Juvenile, or Orphans' Court; before, after, during or in the trial, sentence, releasing on probation or parole of any convict or person charged with, or convicted of any criminal offense, and proceedings in desertion and non-support, adoptions, habeas corpus or any hearing or other matter whatsoever coming before any such court of which said court or President Judge thereof shall or may have jurisdiction; authorizing and providing for appointment and securing the services of probation officers, social service officers, court investigators, clerks, stenographers, physicians, psychiatrists and other assistants; defining their duties, and authority; providing for the payment of the compensation, costs, salaries, and such general expenses as may be incurred under or in conjunction with the provisions of this act.

Which was committed to the Committee on State Government.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 526, entitled:

A Supplement to the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways; and providing for their construction and maintenance at the expense of the Commonwealth," establishing an additional route in the boroughs of South Langhorne, Langhorne Manor and Langehorne, Bucks County.

Which was committed to the Committee on Highways.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 527, entitled;

An Act requiring all Boards of School Directors to purchase and distribute to all the public schools within their respective school districts, patriotic books and pamphlets; requiring oath of allegiance to the government of the United States to be taken in each school year by teachers of said schools; requiring teachers of said schools to teach patriotism, and providing for the dismissal of teachers who fail ao comply with the provisions of this act; imposing certain duties on the Department of Public Instruction; and providing penalties.

Which was committed to the Committee on Education.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 528, entitled;

An Act making a deficiency appropriation to aid certain school districts.

Which was committed to the Committee on Appropriations.

Messrs. MALLERY and STEVENSON read in their place and presented to the Chair Senate Bill No. 529, entitled;

An Act relating to taxation in counties of the fourth, fifth, sixth, seventh, and eighth classes; designating the subjects, property and person subject to and exempt from taxation for all local purposes; creating a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county, borough, town, township, school and institution district purposes; regulating the office of ward, borough, town and township assessors; authorizing the appointment of a chief assessor, assistants and other employes; providing for their compensation payable by such counties; eliminating the triennial assessment; and abolishing the distinction between seated and unseated lands for the purpose of taxation.

Which was committed to the Committee on Municipal Government.

TIME OF NEXT MEETING

Mr. T. B. WILSON offered the following resolution which was twice read, considered, and agreed to:

In the Senate, April 7, 1941.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 14, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 14, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTIONS

RESOLUTION URGING APPOINTMENT OF A JOINT EXECUTIVE AND LEGISLATIVE COMMITTEE OF PENNSYLVANIA

Mr. BECKER offered the following resolution which was twice read.

In the Senate, April 7, 1941.

Whereas, Differences of opinion frequently arise between departments, boards and agencies of the Commonwealth and departments, boards and agencies of the Federal Government relating to the joint actions or projects of State and Federal agencies and the cost or the division of the cost thereof and the interpretation of the law providing therefor; and

Whereas, These differences often arise during interims between Legislative Sessions, and the General Assembly as well as the executive branch of the government should participate in the settlement and adjustment thereof; and

Whereas, No joint agency of the Executive and Legislative branches of the State Government now exists that could act for and in behalf of the Commonwealth in attempting to settle such differences, therefore be it

Resolved (if the House concur) by the General Assembly of the Commonwealth of Pennsylvania that a joint Executive and Legislative Committee consisting of two persons to be appointed by the Governor, two members of the Senate to be appointed by the President pro tempore of the Senate, and two members of the House to be appointed by the Speaker of the House of Representatives, is hereby created to meet, when considered necessary by the Governor of the Commonwealth, with representatives or officers of any federal department, board or agency with which any controversy or dispute exists relative to any joint action or project entered or to be entered into by the Federal Government and the Commonwealth of Pennsylvania, in an effort to come to any agreement necessary to carry out such action or project.

That the members of said committee shall serve without compensation but shall be reimbursed for necessary traveling and hotel expenses actually incurred in the performance of duties imposed hereby; and

That an item of five thousand dollars shall be inserted in the General Appropriation Bill to provide for the payment of such expenses.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Lebanon, Mr. Becker.

The PRESIDENT. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. BECKER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Lebanon state whether or not this has anything to do with the dispute between the Department of Labor and Industry and the Federal government?

Mr. BECKER. I would answer the gentleman from Philadelphia by saying the resolution speaks for itself.

Mr. SHAPIRO. It did not speak loud enough, Mr. President, and I thought the gentleman from Lebanon might explain it.

Mr. BECKER. Mr. President, I have a light voice but the clerk has read the resolution loudly and I think it speaks for itself.

Mr. SHAPIRO. Mr. President, I am asking the gentleman from Lebanon whether he will put his interpretation upon his own resolution; would the gentleman from Lebanon interpret his own resolution to carry into effect the question I asked?

Mr. BECKER. Mr. President, I think I answered the gentleman from Philadelphia. I might state I think the inquiry of the gentleman from Philadelphia is quite proper but I believe it might be more appropriate to ask the question when the resolution is brought up for action.

Mr. SHAPIRO. Mr. President, am I supposed to vote on the resolution without understanding its intent?

Mr. BECKER. I did not ask unanimous consent, Mr. President.

Mr. SHAPIRO. But, Mr. President, sooner or later we will be obliged to vote on it. I accept the gentleman's refusal to answer the question.

Mr. BECKER. I have not refused to answer the question, Mr. President. I have answered the question.

The PRESIDENT. The resolution is referred to the Committee on Federal Relations.

RESOLUTION DIRECTING JOINT STATE GOVERNMENT COMMISSIONS STUDY OPERATION OF WORKMEN'S INSURANCE FUND

Mr. SHAPIRO offered the following resolution which was twice read, considered, and agreed to:

In the Senate, April 7, 1941.

Whereas, Many states have provided that their State Workmen's Insurance Funds should be the exclusive agency in which employers can insure workmen's compensation risks; and

Whereas, It appears that the State Workmen's Insurance Fund of this Commonwealth, in operation since 1915, may become the sole agency for such risks in this Commonwealth; and

Whereas, Changes in the conduct of the operation of said fund, may become necessary by reason thereof, therefore be it

Resolved, That the Joint State Government Commission be, and is hereby directed to make a thorough and comprehensive study of the operation of the State Workmen's Insurance Fund, comparing such operation with that of exclusive state funds in other jurisdictions, and to make a report thereof, with recommendations relating to the operation of an exclusive state fund in this Commonwealth, to the next session of the Legislature.

Resolution is referred to the Workmen's Compensation.

RESOLUTION REQUESTING GOVERNOR TO DESIGNATE 15TH OF DECEMBER AS "BILL OF RIGHTS DAY"

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 7, 1941.

Whereas, December 15, 1941, will be the 150th Anniversary of the ratification of the "Bill of Rights": 1791-1941, and

Whereas, The "Bill of Rights," that expression of American genius which guarantees our fundamental freedoms of speech, press and worship, is an Immortal Monument of Human Liberties which serves as a "Guiding Light" to the peoples of all Democratic Nations, and

Whereas, The "Bill of Rights," on its 150th Anniversary should be duly honored by some outward manifestation of our gratitude and deference, and

Whereas, A national homage paid to this most important document in American History may well serve as an opportune reminder to all Americans that they are indeed fortunate to live under our democratic form of government, and how important it is for them to do their utmost to preserve our "Bill of Rights" and protect its principles from being ravaged or distorted.

Resolved (if the House of Representatives concur), That his Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania designating for observance this year, the fifteenth day of December, as the "Bill of Rights Day."

MOTION TO SUSPEND RULE 39

Mr. CAVALCANTE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. EALY. Mr. President, I object.

On the question,

Will the Senate agree to the resolution?

Mr. CAVALCANTE. Mr. President, it appears there is some confusion between my resolution and a resolution introduced before this time in this Senate. I am willing to withdraw my request for immediate consideration of the resolution but I want those who are objecting to my resolution to read closely the resolution which has been passed; it is merely a resolution memorializing Congress to do certain things. This is a resolution that applies specifically to the State of Pennsylvania.

Mr. EALY. Mr. President, the gentleman from Philadelphia, Mr. Stiefel, introduced a resolution providing for this same matter, which has been referred to the Committee on Education.

The PRESIDENT. The Chair is of the opinion the present resolution should be referred to the same committee as the previous resolution.

The resolution is referred to the Committee on Military Affairs.

MOTION TO READ BILLS THE FIRST TIME

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 206, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by providing for the furnishing of statements to persons against whom claims are due for support, maintenance and assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 360, entitled:

An Act creating a commission to make a thorough investigation of all matters that might interfere with carrying out of the National Defense Program within the Commonwealth, conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings to the Legislature or to the Governor, together with its recommendations as to such regulatory legislation as may be needful to promote the production of implements of defense, authorizing the commission to employ counsel and employees, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 411, (House Bill No. 583), entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two certain plots of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 417, (House Bill No. 688), entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons, and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

CONSIDERATION OF SENATE BILL No. 285

Mr. GELTZ. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 285, on second reading, page 6 of the Calendar.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinqrent school taxes in school districts of the first class, and on unpaid delinquent poll, poor district, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

The first section of the bill was read as follows:

Section 1 All penalties and interest imposed on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class for the tax year one thousand nine hundred and thirty-nine and all previous years assessed and levied against any parcel or parcels of real estate are hereby abated without the necessity of further action by the authority levying the tax unless such authority rejects the provisions of this act within thirty (30) days after the effective date hereof if said delinquent taxes are paid as hereinafter provided

In order to receive the benefits of the installment system of payment provided by this act at least twenty per centum of the unpaid delinquent taxes due for the year one thousand nine hundred and thirty-nine and for all previous years shall be paid on or before the first day of November one thousand nine hundred and forty-one and each year thereafter a payment shall be made in such an amount that on or before November first one thousand nine hundred and forty-two at least forty per centum of such taxes shall have been paid and that on or before November first one thousand nine hundred and forty-three at least sixty per centum of such taxes shall have been paid and that on or before November first one thousand nine hundred and forty-four at least eighty per centum of such taxes shall have been paid and that on or before November first one thousand nine hundred and forty-five the final payment of the entire balance due on such taxes shall

have been paid Provided however That if at any such installment period a person desires to pay either more or less than twenty per centum of the said unpaid delinquent taxes he shall be required subject to the above limitations to pay all said taxes on such parcel or parcels of real estate levied for any one or more years or any balance unpaid and owing for such year or years at the time of such payment And provided further That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred and forty-one together with any interest and penalty due thereon shall be paid on or before the first day of November one thousand nine hundred and forty-one And provided further That the respective current taxes on such parcel or parcels of real estate levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purpose of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event there shall become due and payable for such year a sum equal to one-fifth of the total amount of the abated penalties and interests in addition to the other payment required to be paid under this act during that year which delinquent payment and said additional sum shall be payable and must be paid at the time the next succeeding installment payment becomes due under this act If such sum is not so paid then the total amount of the abated penalties and interest less the aggregate of any such additional sums theretofore paid shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 1, page 3, line 9, by striking out the word "at" and inserting in lieu thereof "during"; Amend Sec. 1, page 3, line 10, by striking out the word "person" and inserting in lieu thereof "taxpayer or owner."

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any taxpayer or owner having the right of redemption may anticipate the payment of such unpaid delinquent taxes for the year one thousand nine hundred and thirty-nine and previous years at any time on or before November first one thousand nine hundred and forty-one by paying the entire amount of such delinquent taxes and receive the benefit of this act and in such cases payment of the taxes assessed and levied for the year one thousand nine hundred and forty-one shall be required at the time of such payment

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 2, page 4, line 26, by striking out the word "year" and inserting in lieu thereof: "years one thousand nine hundred and forty and"; Amend Sec. 2, page 4, line 26, by inserting after the words "forty-one" the following: "together with any penalty and interest due thereon."

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agreed to:

Section 3 This act shall be construed to apply to all such unpaid taxes whether or not liens therefor have been filed in the office of the prothonotary of the county or proceedings for the collection of such taxes have been instituted in any court in said county or where real property has been sold to any taxing authority coming within the scope of this act at a tax sale or on a tax lien and the period of redemption has not expired but this act shall not be construed to apply to cases where real property has been sold other than to a taxing authority coming within the scope of this act at a tax sale or on a tax lien and where the period of redemption has not expired The taxpayer shall be liable for the payment of all costs incurred except the solicitor's fees where liens for such taxes have been filed in the office of the prothonotary or proceedings for the collection thereof have been instituted in any court

Section 4 The benefits of this act shall extend to and accrue to any successful bidder or purchaser at sheriff's or other judicial sale grantee transferee mortgagee or owner having the right of redemption under a tax sale or other party in interest in the parcel or parcels of real estate against which the above mentioned taxes have been assessed and levied whether separated or not

The fifth section of the bill was read as follows:

Section 5 Any taxpayer or owner having the right of redemption shall have the right to pay the delinquent taxes assessed and levied against any parcel or parcels of real estate without being required to pay the delinquent taxes assessed and levied against any other parcel or parcels of real estate

The tax levying authorities of each of said counties cities or school districts shall at the cost of the county city or school district cause to be published two times in not more than two newspapers of general circulation throughout the city a notice to the taxpayers giving a synopsis of the terms of this act setting forth the benefits provided by the act and the necessary conditions required by the taxpayers in order to receive the same Upon application either in person or in writing by any taxpayer or owner the person or persons charged with the collection of such delinquent taxes or the person or persons in whose custody the records of such delinquent taxes are kept shall furnish to such delinquent taxpayers or owners a statement of the delinquent taxes owed by him to such county city school district poor district or institution district showing the face amount the penalty if any the interest if any and any costs or other charges in detail against such real property as shown by the records in his custody

Every collector of taxes whose duty it is to send to the respective taxpayers any notice or statement of their annual taxes shall include in each such notice or statement an additional notice of the date when the next installment payment is due under the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Sec. 5, page 6, line 2, by striking out the word "shall" and inserting in lieu thereof: "may"; amend Sec. 5, page 6, line 5, by inserting after the word "city" the following: "and county and in the legal journal."

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to:

Section 6 In order to enable the taxpayer or owner having the right of redemption under a tax sale to receive the full benefits of this act no real property shall be sold for nonpayment of taxes before November first one thousand nine hundred and forty-one and any tax sale shall be adjourned or readjourned or right of redemption extended as often as may be necessary for this purpose If any tax sale is adjourned or readjourned or right of redemption extended after advertisement or sale no additional advertisement or notice shall be necessary for the adjourned or readjourned sale or right of redemption No such adjournment or readjournment or redemption failure to advertise or hold any such tax sale shall invalidate the lien of any tax due and unpaid or sale had subject to redemption but the lien of all such taxes shall be fully preserved during the entire installment period herein provided for if the taxpayer avails himself of the privileges or benefits of this act Provided however That in every case where a taxpayer avails himself of the privileges or benefits of this act the period during which payment of the said deliquent taxes is postponed or continued under this act shall not be included in computing and determining whether or not any right of the tax assessing and levying authority has been barred or lost by reason of the provisions of any statute or statutes now existing or hereafter enacted limiting the right of the said tax levying and assessing authorities to file preserve or maintain the lien of the said taxes

Section 7 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 8 The act approved the fourteenth day of April one thousand nine hundred and thirty-seven (P. L. 302) the act approved the twenty-sixth day of May one thousand nine hundred and thirty-seven (P. L. 893) the act approved the twenty-fifth day of October one thousand nine hundred and thirty-eight (P. L. 84) the act proved the twenty-fifth day of October one thousand nine hundred and thirty-eight (P. L. 88) and the act approved the nineteenth day of June one thousand nine hundred and thirty-nine (P. L. 405) shall continue in full force and effect as to any and all taxpayers who have taken advantage of and are not in default in the provisions thereof All other acts and parts of acts general local and special inconsistent herewith be and the same are hereby suspended during the time this act shall be in effect

Section 9 Any taxpayer who has made any payment or payments on delinquent taxes under the provisions of any of the acts referred to in section eight above but who has defaulted in any payment required by such act may secure the benefits of this act by making payments on the balance due on all taxes covered by the provisions of this act whether or not covered by the abatement act under which he was previously making payments

Section 10 This act shall become effective immediately upon final enactment

The title of the bill was read as follows and agreed to.

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class and on unpaid delinquent poll poor district institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

And said bill as amended having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. FREY. Mr. President, I move that Senate Bill No. 285, as amended, go over without passing second reading.

Ordered, That said bill lie over for printing.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Tuesday, April 8, 1941, at 11:00 o'clock, a. m.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:02 o'clock, p. m., until Tuesday, April 8, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

MONDAY, April 7, 1941

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

Our Father and Our God, we thank thee for the leadings of thy providence, even though at times we become frightened and dismayed. Give us grace to walk gladly as thou dost lead us from day to day. Establish us in truth and strengthen us in courage that we may never fail thee, or those who love us.

In this hour of uncertainty we beseech Thee to bless the President of the United States and all those in authority with him. Be with the Governor of our Commonwealth and those with him who assist in the administration of the affairs of State. Bless the Speaker of this House and his co-laborers; the Chief Clerk, and his assistants. We ask Thee to look with favor upon all who contribute a part in making the conduct of this legislative body, efficient and effective.

Grant wisdom and understanding, patience and sacrificial love to the members of this House of Representatives, thus assuring our nation and our State the certainty of its way as we put our trust in Thee, Our God.

Hear our prayer, we beseech Thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 2, 1941.

The Clerk proceeded to read the Journal of Wednesday, April 2, 1941, when, on motion of Mr. POLEN, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WATKINS. HOUSE BILL No. 1113.

An Act extending the time within which county commissioners may sell seated or unseated lands purchased by them at tax sales upon which the period of redemption has expired and validating certain sales heretofore made.

Referred to the Committee on Municipal Corporations.

By Mr. WATKINS. HOUSE BILL No. 1114.

An Act to further amend sections nine, fifteen, sixteen and seventeen of, and to add sections seventeen and one-tenth and seventeen and two-tenths to, the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," further regulating the sale of lands purchased by the county commissioners at such sales, providing for the discharge of mortgage liens by such treasurers' sales and by the sales of such lands now in the hands of the county commissioners, and providing for the distribution of the proceeds of all such sales.

Referred to the Committee on Municipal Corporations.

By Messrs. MODELL and VOLDOW.
HOUSE BILL No. 1115.

An Act to add section forty-three to article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled, as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein; to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," regulating the opening of, and the removal of securities, goods, chattels and property from, safe deposit boxes, storage vaults, storage rooms and storage spaces leased to or used by a decedent, or to which a decedent was entitled or authorized to have access or to remove and carry away any securities, goods, chattels or property deposited or stored therein; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. THOMAS H. LEE and LEVY.
HOUSE BILL No. 1116.

An Act to further amend clause two of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by specifically prescribing minimum annual salaries and increments for vocational school teachers in school districts of the first class.

Referred to the Committee on Education.

By Mr. LEVY. HOUSE BILL No. 1117.

An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto.

Referred to the Committee on Judiciary General.

By Mr. ELLWOOD B. WELSH. HOUSE BILL No. 1118.

An Act to regulate the practice of chiropody in the Commonwealth of Pennsylvania, to provide for the establishment of a State Board of Chiropody Examiners in the Department of Public Instruction to define the duties and powers of said board to provide for examining and registering of chiropodists in this State and to provide penalties for the violation of this act.

Referred to the Committee on Professional Licensure.

By Mr. CHUDOFF. HOUSE BILL No. 1119.

An Act exempting automatic merchandise vending machines, and their contents, located on leased premises and held under conditional sale, bailment lease or other like agreement, from levy and sale on execution or distress for rent, if certain written notice of such agreement is given the lessor of the premises on which such machines are located, and saving the right of lessors to levy on and sell, or distrain, any rights which lessees may have in such automatic merchandise vending machines under a conditional sale, bailment lease or other like agreement.

Referred to the Committee on Judiciary General.

By Mr. FALKENSTEIN. HOUSE BILL No. 1120.

An Act to further amend three hundred and five of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic, and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control, Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establisment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local, option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," fixing the discount to be allowed by Pennsylvania Liquor Stores on sales to licensed dealers.

Referred to the Committee on Liquor Control.

By Mr. HAINES. HOUSE BILL No. 1121.

A further supplement to the act, approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

By Mr. MORAN (By Request) HOUSE BILL No. 1122.

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant

Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating a State Board of Examiners of Opticians in the Department of Public Instruction.

Referred to the Committee on State Government.

By Mr. HEATHERINGTON. HOUSE BILL No. 1123.

An Act making an appropriation to aid certain school districts.

Referred to the Committee on Appropriations.

By Mr. GILLETTE. HOUSE BILL No. 1124.

An Act to validate conveyance, purporting to be the act and deed of a corporation, heretofore erroneously executed and acknowledged, or executed and acknowledged by persons purporting to be agents of, or trustees for, a corporation which has since been dissolved.

Referred to the Committee on Judiciary General.

By Mr. DOLON. HOUSE BILL No. 1125.

An Act prescribing certain powers and duties of the county commissioners of the various counties in relation to real property purchased by them at tax sales.

Referred to the Committee on Counties.

By Mr. READINGER. HOUSE BILL No. 1126.

An Act to further amend part of section three hundred and two, to amend section three hundred and seven and part of section fifteen hundred and one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," establishing the Surplus Commodities Stamp Fund; and authorizing the State Treasurer to disburse money from said fund upon requisition of the Secretary of Public Assistance.

Referred to the Committee on State Government.

By Messrs. CORRIGAN AND EDWIN A. LEE. HOUSE BILL No. 1127.

An Act defining, regulating and providing for the licensing and registration of employment agents and their representatives, including private employment agents, theatrical employment agencies and nurses' registries; providing for revocation and suspension of licenses and registrations, subject to appeal, and for their reinstatement; defining the powers and duties of the Department of Labor and Industry and the Department of Public Instruction; providing penalties; and repealing existing laws.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. STINE. (Concurrent) RESOLUTION No. 67.

In the House of Representatives, April 7, 1941.

Whereas, The public schools in America are a vital force in preserving and carrying on our democratic traditions and whereas all American children are entitled to equal educational opportunities, and

Whereas, The burden of maintaining high standards in school programs is becoming increasingly difficult for some of our states and municipalities to bear since they do not all have equal resources for supporting an adequate educational system, and

Whereas, Several of our states and municipalities are in a precarious financial position resulting in stringent retrenchment and even in the closing of schools thus causing a local problem so serious as to have become a matter of national concern, and

Whereas, A federal aid bill to grant funds to States and territories would promote the general welfare by providing more effective programs of public education, and

Whereas, A federal aid bill would give grants to states on the basis of the index of educational load and financial ability for Adult Education, Rural Library Services, Cooperative Educational Research and Demonstrations, and for the improvement of Public Elementary and Secondary Schools by improving Teacher Preparation, Construction of School Buildings, and Administration of State Departments of Education, now

Therefore Be It Resolved, That the Legislature of the State of Pennsylvania hereby memorialize the Congress of the United States to enact legislation granting federal aid to education, and

Be It Also Resolved, That one copy of this resolution be forwarded to each of the following:

The President of the United States, Franklin D. Roosevelt

Vice-President Henry A. Wallace, President of the U. S. Senate

Speaker Sam Rayburn, House of Representatives

Senator Joseph Guffey

Senator James P. Davis

All members of the House delegation from Pennsylvania.

Referred to the Committee on Rules.

By Mr. BENTZEL. (Concurrent) RESOLUTION No. 68.

In the House of Representatives, April 7, 1941.

Whereas, The education and welfare of the children of the state are fundamental to the future of Pennsylvania, and

Whereas, Pennsylvania has recognized this in the past by enacting a system of compulsory education and by enacting laws for the regulation of employment of minors, and

Whereas, In the World War, Pennsylvania witnessed a great increase in child delinquency, accompanied by a tendency to disregard the compulsory school attendance laws and the child labor laws, and

Whereas, In the present emergency there is a danger that these conditions may arise again, a situation which all enlightened citizens desire earnestly to avoid, therefore be it

Resolved, That the Legislature of the Commonwealth

of Pennsylvania call upon all local school boards to be vigilant in the enforcement of the compulsory attendance laws, and be it further

Resolved, That the Legislature of the Commonwealth of Pennsylvania call upon the Department of Labor and Industry, by enlarging the appropriate divisions if necessary, to enforce strictly the child labor laws of this state.

Referred to the Committee on Rules.

By Mr. SARGE. (Concurrent) RESOLUTION No. 69.

In the House of Representatives, April 7, 1941.

Whereas, There are many laws and parts of laws on the statute books of the Commonwealth of Pennsylvania that are obsolete, unnecessary and unworkable for the proper functioning of the state government; and

Whereas, The presence of such laws upon the statute books creates confusion and possible disregard of laws which should be followed and enforced; and

Whereas, In the furtherance of good government and proper regard for our government, it is required that all unnecessary and obsolete statutes should be repealed: now therefore be it

Resolved, (if the Senate concurs), that a committee of three members of the House of Representatives to be appointed by the Speaker of the House, three Senators to be appointed by the President Pro Tem of the Senate and three persons to be appointed by the Governor, is hereby created, whose duty it shall be to survey, investigate and consider all the statutes of the Commonwealth of Pennsylvania and seek out such Acts or parts of Acts which are obsolete and inconsistent and unnecessary to the proper functioning of this Commonwealth and report its findings and conclusions to the next regular session of the General Assembly, with bills to repeal such obsolete, inconsistent and unnecessary laws to be introduced at the next regular session of the General Assembly.

The said committee shall organize immediately after its appointment and elect a chairman and a secretary from its membership and appoint any clerks, stenographers or other employes necessary to carry out the purpose of this resolution.

The members of the commission shall receive no compensation but shall be reimbursed for any necessary traveling and living expenses actually incurred in the performance of the duties hereby imposed.

An item of ten thousand dollars shall be inserted in the general appropriation bill for the purpose of paying such expenses and the salaries of such clerks, stenographers or other employes, appointed by the committee.

Referred to the Committee on Rules.

By Mr. MATTHEW J. WELSH.

RESOLUTION No. 70.

In the House of Representatives, April 7, 1941.

Whereas, In the administration of old age assistance by the Department of Public Assistance many needy citizens are discriminated against or deprived of assistance for various technical reasons such as necessity to depend on contributions from relatives who may have difficulty in supporting themselves on an American standard of living or because of the ownership of small amounts of property or insurance or the like; and

Whereas, The purpose and object of old age assistance was humanitarian to provide funds for the needy aged to live their own lives separately without being a burden on relatives or become public charges in a county home an institution now being maintained only for those who need institutional care; and

Whereas, It is believed generally by the public that investigators employed at comfortable salaries are unduly technical in trying to ferret out reasons for the rejection of applications for old age assistance, and for the discontinuance of aid to those who may have been receiving the same, and that as the result thereof many worthy aged are placed in dire distress; and

Whereas, It is believed the rules and regulations of the Department of Public Assistance are more stringent than required by law and more stringent than required by the Social Security Board in order to receive Federal grants-in-aid for old age assistance; therefore be it

Resolved, That the House of Representatives hereby requests the Department of Public Assistance to administer the Old Age Assistance Law in a spirit of equity and justice, and to grant assistance to all the needy aged in order that they may enjoy such comforts as it is the governmental duty of the state assisted by the Federal Government to provide for those who are unable to help themselves economically, and to so modify its rules and regulations as to be no more stringent than required by the Social Security Board in order to receive Federal grants-in-aid.

Referred to the Committee on Welfare.

COMMUNICATIONS AND PETITIONS

The SPEAKER laid before the House the following communications and petitions which were read by the Clerk.

OCCUPATIONAL DISEASE

A resolution from Local 615 United Electrical, Radio and Machine Workers of America, requesting a deficiency appropriation to cover claims and liabilities under the Occupational Disease Act.

Referred to the Committee on Appropriations.

THADDEUS STEVENS INDUSTRIAL SCHOOL

A communication from the Thaddeus Stevens Industrial School, addressed to the Speaker, urging passage of House Bill No. 501.

Referred to the Committee on Appropriations.

STATE FORESTS

A communication from Gertrude Ely, addressed to the Speaker, urging passage of House Bill No. 611, providing for the purchase of Ricketts Glen.

Referred to the Committee on Appropriations.

TWENTY-EIGHTH DIVISION SHRINE

Resolutions from the Society of The Twenty-Eighth Division, A. E. F. Harrisburg, urging passage of House Bill No. 639, providing for the completion and maintenance of the Twenty-eighth Division Shrine at Boalsburg.

Referred to the Committee on Appropriations.

REAL ESTATE LEASES

A communication and resolution from the City of Pittsburgh, addressed to the Speaker, requesting enactment of legislation to provide for staggering of leases for dwelling houses and apartments in cities of the Second Class.

Referred to the Committee on Cities—Second Class.

SCHOOLS

Resolutions from Central Labor Union of Philadelphia and vicinity urging adequate support for free public schools child welfare and democracy in education.

Referred to the Committee on Education.

TEACHER'S SALARIES

A communication from the Pennsylvania State School

Directors' Association, Harrisburg, favoring passage of House Bill No. 165, if the state provides funds for the increase.

Referred to the Committee on Education.

SCHOOL CODE

A communication from Philadelphia Teacher's Association addressed to the Speaker, urging passage of House Bill No. 1.

Referred to the Committee on Education.

SCHOOL CODE

A communication from Stoney Creek Council No. 269, Junior Order United American Mechanics, Johnstown, addressed to the Speaker, approving passage of House Bills Nos. 205, 302, 308, 396, 360, 394, 395, 413, 433, 435, and 485 and disapproving passage of House Bills Nos. 171, and 385.

Referred to the Committee on Education.

INTERSTATE TRADE BARRIERS

A communication from the Council of State Governments Chicago, Illinois, addressed to the Speaker, disapproving passage of legislation which constitutes trade barriers.

Referred to the Committee on Interstate Cooperation.

MARRIED TEACHERS

Communications and telegrams from citizens of Pennsylvania, requesting passage of House Bill No. 404.

Referred to the Committee on Judiciary General.

PRIORITIES ON LIENS

A telegram from attorneys for automobile owners, dealers and finance companies protesting passage of House Bill No. 608, providing for priority of lien.

Referred to the Committee on Judiciary General.

DAUPHIN COUNTY COURT

A communication from Caroline White, Harrisburg, addressed to the Speaker, requesting investigation of Dauphin County Court and attorneys.

Referred to the Committee on Judiciary General.

SABOTAGE

A communication from United Federal Workers of America, Local No. 9, Philadelphia, adderssed to the Speaker, opposing of House Bill No. 452, anti-sabotage bill.

Referred to the Committee on Judiciary Special.

UNEMPLOYMENT COMPENSATION

A communication from Pennsylvania Industrial Union Council, Harrisburg, favoring passage of House Bill No. 868 and Senate Bill No. 380.

Referred to the Committee on Labor.

BOWLING

A communication from the Methodists Ministers' Meeting in Philadelphia, addressed to the Speaker, protesting passage of House Bill No. 367, legalizing Sunday bowling.

Referred to the Committee on Law and Order.

LIQUOR AND VICE

A communication from the Philadelphia Baptists Association. Philadelphia. addressed to the Speaker, urging passage of legislation to reduce intemperance and vice.

Referred to the Committee on Liquor Control.

LIQUOR LICENSES

Communications and telegrams from citizens of Pennsylvania, protecting passage of legislation increasing hours during which liquor may be sold by licensee.

Referred to the Committee on Liquor Control.

TRUCK WEIGHTS

A communication from Legislative Boards of Brotherhood of Railroad Trainmen, Brotherhood of Locomotive Firemen and Enginemen and Order of Railway Conductors, protesting passage of House Bill No. 690, increasing legal weights of trucks.

Referred to the Committee on Motor Vehicles.

TAX LIENS

A communication from School District of Philadelphia, addressed to the Speaker, protesting passage of House Bills 140 and 451.

Referred to the Committee on Municipal Corporations.

OPTOMETRISTS

Communications and petitions from citizens of Philadelphia, favoring passage of House Bills Nos. 684, 685 and protesting passage of House Bill No. 707.

Referred to the Committee on Professional Licensure.

NURSES

Communications from The Pennsylvania State Nurses Association favoring passage of House Bill No. 675.

Communications from citizens of Philadelphia, protesting passage of House Bill No. 675.

Referred to the Committee on Professional Licensure.

STATE POLICE

Telegrams from CIO unions, Philadelphia, addressed to the Speaker, requesting investigation of State Police activities in Bethlehem.

Referred to the Committee on Rules.

ADMINISTRATIVE CODE

A communication from State, County and Municipal Workers of American Local 46, Philadelphia, addressed to the Speaker, favoring passage of House Bill No. 777, providing for increase of salaries of employes in Department of Public Assistance.

Referred to the Committee on State Government.

COMMERCE LAW

A communication from the Philadelphia Board of Trade addressed to the Speaker, urging defeat of House Bill No. 773, repealing "Commerce Law."

Referred to the Committee on State Government.

WEIGHMASTERS

A bulletin from Retail Coal Merchants Association of Greater Pittsburgh protesting passage of House Bill No. 849.

Referred to the Committee on State Government.

FUEL OIL TAX

A petition from residents of Delaware and Montgomery

counties protesting passage of House Bill No. 122, three cent tax on fuel oil.

Referred to the Committee on Ways and Means.

INSURANCE TAX FUND

A telegram from Greensburg Volunteer Fire Department addressed to the Speaker favoring passage of House Bills Nos. 199 and 364.

Referred to the Committee on Ways and Means.

PUBLIC ASSISTANCE

A communication from United Mine Workers of America, Local No. 1190, Ellsworth, favoring adoption of Senate Resolution Serial No. 18, discontinuing cancellation of life insurance policies.

Referred to the Committee on Welfare.

MILK

A resolution from American Association of Social Workers, Pittsburgh Chapter, addressed to Mr. John L. Powers, urging repeal of "Eckels Milk Act."

Referred to the Committee on Welfare.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 244.

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks", by providing for the appointment of additional probate clerks.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 366.

An Act to add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 366.

An Act to add clause seven to subsection (b) and to further amend subsection (c) of section one thousand two of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled, "An act for the protection of the public safety, regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth, providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts, making an appropriation and providing for refunds," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 7, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday, April 14, 1941, at 4:30 o'clock p. m., and when the House of Representatives adjourns this week, it reconvene on Monday, April 14, 1941, at 9:00 o'clock p. m.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Owens for Mr. CHERVENAK on account of illness.

Mr. Wagner for Mr. HARE for tonight's session.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act providing for the reimbursement by the Commonwealth of counties for costs and the maintenance of prisoners incurred as the result of prosecutions under laws providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties; and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. McINTOSH. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 974, entitled:

An Act to amend article twelve, section one thousand two hundred six, of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for the issuance of a certificate of approval for weights and measures of county, city and borough sealers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 576, entitled:

An Act to further amend subsection (f) of section one thousand two hundred five of the act, approved the fifteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating determination of charges against professional employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 455, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment officers, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 669, entitled:

An Act providing for the support and promotion of aviation training through public school districts of the Commonwealth; authorizing school districts to acquire real estate for such purpose; conferring powers and imposing duties on the Superintendent of Public Instruction; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act to amend section three of the act approved the twenty-third day of March, A. D. one thousand eight hundred and sixty-five (Pamphlet Laws 607) entitled "An act for the better management of the Allegheny county prison" by requiring all contracts involving an expenditure of one hundred dollars to be in writing and prohibiting the mak-

ing of any contract involving the expenditure of over five hundred dollars unless made with the lowest and best bidder after due advertising and requiring all purchases to be made through the purchasing department of the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. YESTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 532, entitled:

An Act to amend section one thousand and forty-seven of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," limiting the number of days for the completion of borough audits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 526, entitled:

An Act to amend section one hundred thirty-six as amended, and section one hundred thirty-seven, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" providing for the establishment of the office of controller in certain counties and for the abolition of the office of county auditor; and for the audit of accounts of the county and its officers for the preceding year in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 360, entitled:

An Act to further amend section six hundred and twenty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for suitable pupil ceremonies affirming and developing allegiance to the Flag of the United States of America.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 536, entitled:

An Act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt return to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled "An act creating the Department of Health and defining its powers and duties'; approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act" as amended, by providing for the payment of all fees to local registrars of vital statistics by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I mave that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 392, entitled:

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1017, entitled:

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 525, entitled:

An Act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds, as herein defined, of bonds imposing no general obligation of debt, and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties; and regulating existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 534, entitled:

A joint resolution proposing an amendment to article nine, section fifteen, of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 530, entitled:

An Act to amend section three hundred and five of the act approved the third day of June, one thousand nine hunand thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by providing for the reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 528, entitled:

An Act to amend section 1081 of the act approved May fourth, one thousand nine hundred twenty-seven (P. L. 519), entitled, "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs, "as amended, by changing the conditions of the tax collectors bond and fixing the time when the same shall be entered into.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns, and townships of the first class maintaining a police force; creating a civil service commission in each borough, incorporated town, and townships of the first class, defining the duties of such civil service commission; imposing certain duties and expense on boroughs; incorporated towns, and townships of the first class; imposing penalties; and repealing inconsistent laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 995, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by eliminating the duty of filing a copy of the auditor's report with the Department of Public Instruction by the auditors in school districts of the third and fourth classes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 227, entitled:

An Act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure and registration of persons, engaging in the care, preparation and embalming of the bodies of deceased persons, creating a State Board of Embalmers, setting forth its powers and duties; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 405, entitled:

An Act to amend section three of the act, approved the tenth day of June one thousand nine hundred and thirty-one (P. L 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training, not exceeding one year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 776, entitled:

An Act to amend subsection (b) of section one of the act, approved the twentieth day of June, one thousand nine hundred thirty-nine (P. L. 508), entitled "An act defining the rights, powers and duties of collectors of county taxes, except in counties of the second class and counties having local or special laws relating thereto, and of collectors of city, in cities of the third class, borough, town, township, school district and institution district taxes; providing for the collection of such taxes by suit, distraint, and lien and sale of the chattels of taxables and of tenants on the real estate affected, and from employers of delinquent taxables; authorizing the appointment of deputies by the tax collectors; defining certain definite defaults of tax collectors as embezzlements; and imposing penalties," defining certain rights and duties of tenants on real property when demand is made on them for the payment of taxes assessed against such property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 121, entitled:

An Act approving, ratifying and enacting into law the Ohio River Valley Water Sanitation Compact for the pre-

vention, abatement and control of pollution of the rivers, streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto, creating the "Ohio River Valley Water Sanitation Commission," providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 531, entitled:

An Act to amend sections five hundred one, five hundred two, five hundred three, and five hundred four, of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections;" providing for and limiting the creation of election districts in this Commonwealth; providing for a complete redistricting of election districts in the Commonwealth in the year one thousand nine hundred and forty-one and the procedure therefor; and conferring powers and imposing duties on county boards of elections, registration commissions and courts of quarter sessions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.
The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 809, entitled:

An Act to amend section thirteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 415), entitled "An act relating to the qualification, jurisdiction, powers, and duties of registers of wills, and regulating proceedings before said registers, and the costs thereof, the effects of their acts, and appeals therefrom," by imposing on registers of wills the duty, when requested, of recording releases in decedents estates, and prescribing the effect of releases so recorded.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CORRECTION

The SPEAKER. The Chair calls the attention of the Members to an error to the title of the bill. The word "and" following the word "wills" in the seventh line of the title on the calendar should be changed to the word "the".

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 808, entitled:

An Act to further amend sections twenty-eight and to amend section twenty-nine of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by making the subpoena alias subpoena and publication in divorce proceedings returnable in twenty-one days.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act providing for the recording of birth records of certain persons whose births have not heretofore been made a public record; or whose record of birth is incomplete or incorrect and imposing such records competent legal evidence; and imposing certain duties upon the Orphans' Court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study.
The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 236, entitled:

An Act protecting the rights of students in colleges, universities and other educational institutions to credits represented to be obtainable at the time of commencing work therefor; imposing penalties; and providing for equitable relief.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 165, entitled:

An Act to further amend subsection six and to repeal subsection seven of section twelve hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," fixing the minimum annual salary and increments of members of the teaching and supervisory staff in school districts of the fourth class.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HIRSCH. Mr. Speaker, I move that this bill be re-

committed to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 203, entitled:

An Act to further amend the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws Four hundred sixty-three) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by defining the term "commission" by changing the method by which notice of the formation of a municipal authority shall be made public by limiting the power of an authority to engage in the acquisition or operation of a public utility by requiring approval of the Public Utility Commission setting up a procedure for such regulation by the Public Utility Commission; further regulating incorporation and existence of the authority; defining procedure whereby an authority can enter into contracts and dispose of its bonds; imposing additional qualifications and duties on members of the authority; requiring annual audits; providing for maximum compensation of members of an authority; and imposing additional duties on the court of common pleas.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. RUSH. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 666, entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D., one thousand nine hundred thirty-two, entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GERARD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 1, lines 1 to 4, by striking out the words "Be it enacted by the Senate and House of Repre-" in line 1, all of lines 2 and 3, and the word "section" in line 4, and inserting in lieu thereof: "Section."

Amend Sec. 1, page 1, line 5, by inserting after the word "thirty-two the following: (Pamphlet Laws, 101)."

The amendments were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. GERARD. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 3 of title, by inserting after the word "thirty-two" the following: (Pamphlet Laws, 101)."

Amend bill, page 1, by inserting after the title and before line 1 of Sec. 1, the following: "The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:"

The amendments were agreed to.

The title and bill were agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 100, entitled:

An Act granting to representatives for collective bargaining designated by employes of anthracite or bituminous mines or collieries, the right to accompany mine inspectors on all tours of inspection of such mines.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TARR. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 62, entitled:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FINNERTY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 4, by inserting after the word "dollar' the words "per annum".

The amendment was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

Mr. FINNERTY. Mr. Speaker, I desire to offer the following amendment, a new section.

The amendment was read by the Clerk as follows:

Amend the bill, page 2, by inserting after line 4, thereof, the following: "Section 3 The provisions of this act shall become effective on the first day of January, one thousand nine hundred forty-two".

The amendment was agreed to.

The bill was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 646, entitled:

An act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 799, entitled:

An Act to further amend clauses nine and ten of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by increasing the allowed value of advertising matter displayed on the inside or outside of licensed premises.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of further study and possible amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 849, entitled:

An Act to amend the act approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointments of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use and keeping of weighmaster's certificates; conferring powers and imposing duties upon the State, city, and county inspectors of weights and measures and the Department of Internal Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the act; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 593, entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 755, entitled:

An Act to further amend section seventeen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State

employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 916, entitled:

An Act making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg, and for the construction of the necessary approaches thereto.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. PETROSKY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act establishing certain public roads and streets in the borough of West Leechburg, Westmoreland County, as a state highway; providing for their construction and maintenance by the Department of Highways, and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. PETROSKY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages; and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BONEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 473, entitled:

An Act to further amend clause (i) of section two of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by changing the definition of eating place.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 474, entitled:

An act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by changing the definition of restaurant.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 667, entitled:

An Act creating an independent board to be known as The Regulatory Board of Review; conferring powers and duties on said Board, describing procedure on appeals to said Board and to the courts of common pleas; and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOVETT. Mr. Speaker, this particular bill we have before us at this time deals with rules and regulations made by the departments and boards and commissions in the state of Pennsylvania. I realize that we possibly will not get an opportunity to talk upon this bill at a later date during this session. That is the reason I ask tonight to speak upon it.

I have received in the past weeks numerous letters from the old people in the state of Pennsylvania asking me to do something for the people of the state in regard to the rules and regulations made by the departments that are inconsistent with the laws of Pennsylvania. You gentlemen will recall that at the special session of the Legislature I pleaded with you to do something about the rules and regulations made by the departments and boards in the state. I am again appealing to you to-night to do something for the people of Pennsylvania and to do something in behalf of the form of government we have, because I feel unless there is some curb, some action by the legislature on the rules and regulations made by the boards and departments in the state of Pennsylvania, eventually we will destroy the form of government which we now have. For that reason I am asking you to give this matter particular consideration at this session of the legislature because I know and I feel that every Member of this legislature feels in his heart that there should be something done in regard to the rules and regulations made by the boards and departments of the state of Pennsylvania.

Mr. Speaker, I would like at this time to interrogate my good friend, the gentleman from Delaware, Mr. Turner, if he will permit me to do so.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman from Delaware, Mr. Turner, if he feels in his long experience as a Member of the legislature that there is need for some legislation in regard to curbing the rules and regulations of the boards and commissions in the State of Pennsylvania.

Mr. TURNER, I do, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, that is all the interrogation I have. I wanted Mr. Turner to answer that question because I feel he is a Member of the Legislature who has served many years and is one who I know is interested in the people of the state. I feel that we as Members of the Legislature should do something at this session of the Legislature in order to protect the people of the state of Pennsylvania. I realize that there are many departments and many boards in this state that do not need this type of legislation because the rules and regulations with which they deal affect people of the state who have money to go to court, and they are taken to court when the rule and regulation is inconsistent with the law. My friends, the people I am interested in mostly in this particular piece of legislation is our old people of the state of Pennsylvania who are living on public assistance and those who are living on old age assistance. I might say to you that these rules and regulations are most unfair and unjust and are not within the law which this Legislature passed. For that reason I am pleading with you to-night to do something about these people in order that they may be able to have their cases heard without the necessity of going to court, especially at this particular time when they haven't got the money to do so.

Mr. Speaker, I would like to interrogate the majority floor leader, the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I should like to ask the gentleman from Monroe Mr. Achterman, if he feels that there is need for this type of legislation.

Mr. ACHTERMAN. Mr. Speaker, I do.

Mr. LOVETT. That is all Mr. Speaker. I have proven to the House, I think, that both sides of this House agree, and especially the attorneys of this House agree, that there is need for this type of legislation. I do not say that this particular bill of mine is perfect. I am willing to have this bill amended and I am willing to go along with any Member of this House in order to do something in the interest of the people of this state. I might say to you that at the last session of the legislature, when I introduced a similar bill, I received a letter from the Bar Association of the state of Pennsylvania, telling me that they felt there should be some such type of legislation, but at that particular time they were opposed to my particular bill.

I feel that the Bar Association or any other association that is interested in and feels the need for protecting our form of government at least year after year should do something about it. If I do not have the right bill, if my bill is not the cure, there is assuredly something that we can do in order to curb the boards and commissions in the state of Pennsylvania from making rules and regulations that are inconsistent with the law.

I say to you that the Department of Public Assistance is one of the greatest offenders in this type of rule and regulation; they continually make rules and regulations which are inconsistent with the law that you men passed, and when you go back home to your people, as I told you before, they cannot understand why you as Members of the legislature cannot do something about it.

So, my friends for the last time I appeal to you to do something in behalf of this type of legislation. I am about to make a motion to recommit this bill to the Committee on State Government, with the hope that this House will do something in this matter.

On the question recurring,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LOVETT. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and amendment.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I do not arise to oppose this motion because I believe that there is a necessity for study. I answered that question very easily because this afternoon I attended a wedding and I had that answer "I do" in my mind at the moment I was asked the question by the gentleman from Westmoreland, as to whether or not I believe there should be some legislation of this type.

I think this is one of the difficult problems that a democracy has to face. It is necessary to operate the government and in that connection it is necessary that we have bureaus and departments. The Legislature passes laws that define or determine what rules or regulations may be set up. There is no question about it, but that the Legislature must be eternally vigilant to see that in the making of rules and regulations the departments do not legislate and exceed the powers which the Legislature gives them. For months, yes, for years, in Washington they have been studying this problem, endeavoring to find some way to curtail the excessive number of rules and regulations that have been made by departments. In fact, literally thousands of feet of book shelves are taken up by the rules and regulations which the departments have made. It is almost impossible for the average citizen to be able to keep up with all the rules and regulations of the departments. Therefore, while we must give the powers to the departments to make rules and regulations in order for the government to function properly, yet on the other hand we should have some legislation by which we can appraise those rules and regulations.

The Joint State Government Commission undertook that job during the last two years in conjunction with the Pennsylvania Bar Association. It is my fond hope that before this session is ended we will have a report from that committee. While it does not make an attack entirely on the question of rules and regulations it does at least attack the question of the administrative procedure and practice before our different boards and commissions, and I feel we should during this particular session endeavor to make some semblance of order out of the practice or procedure before our boards and commissions, and by doing so we will have started along the line which the gentleman from Westmoreland has indicated in this bill and in the things which he says.

In the 1939 session of the Legislature I remember that the gentleman from Westmoreland had a somewhat similar bill and he consulted me in the matter. I encouraged him to go ahead because I thought it should be brought home to the Members of this House and some thought should be given to this entire question, which is one of the most important question facing our people today—the excessive number of rules and regulations from the various departments and boards. The power of the departments, boards and commissions to make rules and regulations can break down the whole democratic system of government, but on the other hand we must have these boards and commissions in order to make our government function properly. I trust if this bill is sent back to the committee that the Joint State Government Commission will give some thought to it and we will continue to think seriously about this, one of the most prominent, one of the most important and one of the most vital questions before our people.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. TATE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 145, entitled:

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 316, entitled:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 850, entitled:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 510, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture

exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by changing the method whereby future referendums be initiated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 650, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 77, entitled:

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania, to allow all employes of state penal and correctional institutions twenty-four consecutive hours of rest each week; authorizing the Department of Welfare to provide additional employes.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 648, entitled:

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, twelve hundred and seventy-eight) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto" providing roads to be county roads as soon as so determined and further providing for the repair, construction and maintenance of such roads within the limits of boroughs and cities.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 375, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 874, (Senate Bill No. 187), entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax or the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act relating to wages, regulating the time and manner of payment of wages, providing for the enforcement of wage claims, imposing certain new liabilities upon contractors, and certain duties and liabilities upon employers, and waiving certain exemptions in certain cases, and con-

ferring certain powers and imposing certain duties on the Department of Labor and Industry, and providing penalties, and repealing existing laws.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HIRSCH. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 854, entitled:

An Act to further amend sections three hundred four and four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties." further regulating the hours of when sales may be made at Pennsylvania Liquor Stores, and permitting hotel and restaurant licensees to sell by the bottle at certain times, for consumption off the premises regulating such sales and imposing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCANLON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 304), page 3, lines 12 to 21, both inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendment?

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Philadelphia, Mr. Scanlon.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SCANLON. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I desire to ask the gentleman from Philadelphia who sponsored these amendments to please explain what changes they make in the bill.

Mr. SCANLON. Mr. Speaker, they make this change, they do not set up any number of hours, any limited number of hours. They just strike that out. That permits the sale of liquor at the option of the State Stores.

Mr. WOODSIDE. Mr. Speaker, do I understand then that the amendments leave it up to the Liquor Control Board to determine what hours the stores can be open, is that correct?

Mr. SCANLON. That is right, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The section was agreed to as amended?

The title was read.

On the question,

Will the House agree to the title?

Mr. SCANLON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by striking out the words "sections three hundred four and" and inserting in lieu thereof: "section."

Amend title, page 2, lines 8 to 10 of title on page 2, by striking out the following: 'further regulating the hours of" in line 8, all of line 9, and the words "Stores and" in line 10.

The amendments were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 579, entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

MEMBER WELCOMED

The SPEAKER. The Chair welcomes the gentleman from Philadelphia, Mr. Shepard, on his return from his vacation in the South, and congratulates him on his wonderful tan.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 383, as follows:

An Act to further amend section one thousand five hundred three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the fourth class may employ at their own expense a medical inspector

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act

to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2560) is hereby further amended to read as follows

Section 1503 In every school district of the fourth class in this Commonwealth the State Department of Health shall provide in such manner as it may determine medical inspection for all the pupils in the public schools by proper medical inspectors to be appointed by the State [Commissioner] Secretary of Health at the expense of said department [In the event that such department because of lack of funds is unable to provide adequate medical inspection at its expense the] The school district may at its own expense provide such medical inspection or additional medical inspection and each school district shall in any event provide at least one medical inspector at its own expense who shall perform such duties as the school board shall prescribe and shall be paid such compensation as the school board may determine not however to exceed eight hundred dollars ($800) for any one year All such medical inspectors shall be legally qualified physicians who have had not less than two years experience in the practice of their profession Such medical inspection shall be made in the presence of the parent or guardian of the pupil when so requested by parent or guardian

On the question,

Shall the bill pass finally?

Mr. REAGAN. Mr. Speaker, this bill is of course permissive but at the same time it is generous, almost excessively so. In my county the state performs medical inspection at a cost of three hundred dollars, and this medical inspection has always been effective and satisfactory. Under the provisions of this amendment any district in my county, no matter how small, could spend eight hundred dollars, if they so desired. It seems to me this will enable our much distressed school districts to further distress themselves.

Mr. BONEY. Mr. Speaker, all this bill does by this amendment is to set a maximum sum they may pay. In other words, they may pay any where from one dollar to eight hundred dollars. It takes us back to the old story of home rule, and being a firm believer in home rule, I felt it would be logical to extend that power to the fourth class school districts.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—202.

Achterman,	French,	Malloy,	Royer,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	Maxwell,	Sarge,
Baker,	Gerard,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester,	Scanlon,
Baugher,	Gillette,	McDermott,	Schwab,
Bentzel,	Goodwin,	McDowell,	Serrill,
Bentley,	Greenwood,	McFall,	Shaffer,
Boles,	Gross,	McGrath,	Shaw,
Boney,	Gryskewicz,	McIntosh,	Shepard,
Boorse,	Gyger,	McKinney,	Simons,
Bower,	Habbyshaw,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Haines,	McMillen,	Sollenberger,
Bretherick,	Hall,	McSurdy,	Sorg,
Brown,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Harkins,	Mihm,	Stank,
Brunner, P. A.,	Harmuth,	Modell,	Stine,
Burns	Harris,	Monks,	Stockham,
Burris,	Heatherington,	Mooney,	Tarr,
Cadwalader,	Helm,	Moran,	Tate,
Chudoff,	Hering,	Moul,	Taylor,
Cochran,	Herman,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nagel,	Trout,
Cook	Hirsch,	Nunemacher,	Turner,
Cooper,	Holland,	O'Brien,	VanAllsburg,
Cordier,	Huntley,	O'Connor	Verona,
Corrigan,	Imbrie,	O'Dare,	Vincent,
Croop,	James,	O'Mullen,	Vogt,
Cullen,	Jefferson,	O'Neill,	Voldow,
Dalrymple,	Jones, G. E.,	Owens,	Voorhees,
Dennison,	Jones, P. N.,	Petrosky,	Wagner,
DiGenova,	Keenan,	Pettit,	Watkins,
Dolan,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, N.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, L. H.,
Fikestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy, Speaker
Foor,	Lyons,	Rosenfeld,	

NAYS—3.

Dix,	Reagan,	Weingartner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 550, as follows:

An Act to repeal the act approved the twenty-eighth day of March one thousand eight hundred and seventy-eight (Pamphlet Laws 9) entitled "An act relative to the employment of females in hotels taverns saloons and eating houses or other places for the sale of intoxicating and other drinks and the penalty for the violation thereof"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-eighth day of March one thousand eight hundred and seventy-eight (P. L. 9) entitled "An act relative to the employment of females in hotels taverns saloons and eating houses or other places for the sale of intoxicating and other drinks and the penalty for the violation thereof" is hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ACHTERMAN. Mr. Speaker, in connection with House Bill 550, I wish to call to the attention of the Members House Bill 1088 introduced by Mr. Samuel Rose. House Bill 1088 deals with bar maids and prohibits their employment throughout the state of Pennsylvania. The term "bar maids" as contained in the bill is used synonymously with the word "bar tenders" as now known and accepted in Pennsylvania. In other words, House Bill 1088 is in effect a companion bill to House Bill 550, and

with the passage of both bills we would have a complete prohibition in Pennsylvania of the employment of bar maids. It would not prohibit women from acting as waitresses in the serving of food and liquors in restaurants and hotels throughout the state of Pennsylvania but it would prohibit their employment as bar tenders.

I might say, in connection with House Bill 1088, that there are two exceptions to that employment if we can call it employment. One exception is of course, where the licensee is a woman and the other exception is where it is the wife of the licensee. It is with that understanding and upon that condition that I am supporting House Bill 550.

Mr. WOODSIDE. Mr. Speaker, in consideration of what the majority floor leader has said that House bill 1088 is a companion measure to House Bill 550, it seems to me to be unwise for this House, and unfair to ask the individual Members of the House to vote on House Bill 550 without having before us House Bill No. 1088. House Bill 1088 has just been introduced, is now in committee and has not yet been reported to the floor of the House. It seems to me the fair thing to the members of the House and to the public generally would be to withhold action on House Bill 550 until House Bill 1088 is before us.

MOTION TO POSTPONE

Mr. WOODSIDE. Mr. Speaker, I move that House Bill 550 be placed on the postponed calendar, with the hope that it will be left there until House Bill 1088 is before the House for final passage.

On the question,

Will the House agree to the motion?

Mr. O'BRIEN. Mr. Speaker, in rising to oppose this motion I do so for this reason: as Chairman of the Liquor Control Committee I had a conversation with the representative of the Anti-Saloon League in relation to this bill, No. 550. I might also add that it was the opinion of the Liquor Control Board in connection with our subcommittee's action on this particular board, that they felt this particular act of 1878 should be repealed.

I honestly feel, Mr. Speaker, and I made an agreement that should this other bill be introduced we of the Liquor Control Committee would give it every consideration, but there is no earthly reason for further postponement of this particular bill because since 1933 we have been under the present Liquor Control Act permitting waitresses in legitimate hotels and restaurants to dispense liquor, not as barmaids but as waitresses.

Mr. Speaker, I oppose this motion to hold this bill on the calendar.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. HUNTLEY. Mr. Speaker, I am opposed to the repealing of this bill in favor of some other bill which has not been considered and brought out on the floor of this House.

This bill proposes to repeal the Act of 1878 which outlawed in Pennsylvania, what are sometimes called bawdy house barrooms.

Let us examine the bill. First it forbids liquor vendors employing women to sell or deliver any kind of intoxicating beverages. Would you repeal that law? Second. It forbids liquor vendors employing women for the purpose of enticing customers or making assignations for improper relations. Would you repeal that law?

I oppose this bill because it means taking jobs from men and giving them to girls who must serve in environments that induce immoral relations. I oppose permitting girls to peddle liquor in barrooms, reception rooms and bedrooms of hotels, clubs or any other place where men and women can communicate in secret. The effect of this bill is to remove the barriers that keep road houses from becoming places of assignation for girls to have carnal relations with men. Restaurants can be imposed upon as convenient places for trapping girls to be seduced into commercial shame. What will hinder scarlet women, under the guise of employes, using hotels as bootleg markets for their trade.

Pass this bill and you challenge the womanhood of every working girl in this state. There is no necessity for this bill. The liquor vendor still has the same rights which he has enjoyed ever since the passage of this law, sixty-three years ago. It has always been lawful for liquor vendors to employ women in respectable service. If the liquor vendor chooses not to employ men to peddle liquor into every nook and corner of his place, the law provides that he can use his wife and daughter for that purpose. It is very evident that he has sufficient freedom to conduct his business without the repeal of this law.

This bill is an unwarranted piece of legislation and should not pass finally.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. FOOR, SARGE and McCLESTER asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—138

Achterman,	Flynn,	McFall,	Rooney,
Allmond,	Gallagher,	McGrath,	Rose, S.,
Baker,	Gerard,	McIntosh,	Rosenfeld,
Balthaser,	Goodwin,	McKinney,	Royer,
Bentley,	Gross,	McLanahan,	Rush,
Bentzel,	Gryskewicz,	McLane,	Sarraf,
Boies,	Haines,	McSurdy,	Scanlon,
Boney,	Hamilton,	Melchiorre,	Schwab,
Boorse,	Harkins,	Mihm,	Shaffer,
Bradley,	Harmuth,	Modell,	Shaw,
Brown,	Heatherington,	Monks,	Sorg,
Brunner, C. H.,	Hering,	Mooney,	Stank,
Brunner, P. A.,	Herman,	Moran,	Tarr,
Burns,	Hersch,	Moul,	Tate,
Cadwalader,	Hirsch,	Muir,	Taylor,
Chudoff,	Holland,	Munley,	Thompson, E. F.,
Cochran,	Jefferson,	O'Brien,	Thompson, R. L.,
Cohen, R. E.,	Jones, G. E.,	O'Dare,	Trout,
Cook,	Jones, P. N.,	O'Mullen,	Van Allsburg,
Cooper,	Keenan,	O'Neill,	Vincent,
Cordier,	Kenehan,	Owens,	Vogt,
Corrigan,	Kline,	Petrosky,	Voldow,
Cullen,	Kolankiewicz,	Pettit,	Voorhees,
Dalrymple,	Komorofski,	Polaski,	Watkins,
DiGenova,	Leonard,	Polen,	Weiss,
Dolon,	Lesko,	Powers,	Welsh, E. B.,
D'Ortona,	Levy,	Prosen,	Welsh, M. J.,
Duffy,	Lichtenwalter,	Rausch,	Williams,
Early,	Longo,	Readinger,	Winner,
Elder,	Lovett,	Reese, D. R.,	Wolf,
Elliott,	Malloy,	Reese, R. E.,	Wood, L. H.,
Finestone,	Marks,	Regan,	Woodring,
Fleming,	Maxwell,	Reynolds,	Yester,
Fletcher,	McClanaghan,	Rhea,	Kilroy,
	McDermott,	Riley,	Speaker.

NAYS—54

Auker,	Gates,	Krise,	Sarge,
Baugher,	Gillan,	Lee, E. A.,	Simons,
Bower,	Gillette,	Lee, T. H.,	Snyder,
Breth,	Greenwood,	Leisey,	Sollenberger,
Burris,	Gyger,	Leydic,	Stambaugh,
Cohen, M. M.,	Habbyshaw,	McClester,	Stine,
Croop,	Hall,	McDowell,	Stockham,
Dennison,	Harris,	McMillen,	Weingartner,
Dix,	Helm,	Nagel,	Wood, N.,
Eckels,	Hewitt,	Nunemacher,	Woodside,
Ely,	Huntley,	O'Connor,	Wright,
Fisher,	Imbrie,	Rank,	Yeakel,
Foor,	James,	Reagan,	Young,
French,	Knoble,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. FLEMING. Filed the following reasons for his vote:

1. If this Bill is not passed the livelihood of 30000 waitresses will be jeopardized.

2. The majority floor-leader has indicated that House Bill No. 1088 will be favorably reported to the House, which bill will abolish the employment of women behind bars.

Mr. GEORGE E. JONES. Filed the following reason for his vote:

I will not vote to cause the girl waitresses in our good hotels and restaurants to lose their jobs. This bill should have been amended instead of repealed.

Mr. KRISE. Filed the following reason for his vote:

I vote "no" as bills now pending will give necessary relief for females to serve in restaurants and not permit the bar maid and hostess.

Mr. RHEA. Filed the following reasons for his vote:

My reason for voting "aye" on Bill 550 is that I do not consider the employment of women as waitresses in bars and tap-rooms either as an evil per se or within the contemplation of the Act of 1878.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 226, as follows:

An Act to reenact and amend the title and the act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" providing for the annexation of townships of the first class or parts thereof to other townships of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the entire act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2803) entitled "An act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto" are hereby reenacted and amended to read as follows

Providing a method of annexation of townships of the first class and parts thereof to cities [and] (except cities of the first class) boroughs or other townships of the first class and regulating the proceedings pertaining thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever electors equal to at least ten per centum of the highest vote cast for any office in any township of the first class contiguous to a city [or] other than a city of the first class borough or other township of the first class at the last preceding general election or whenever ten per centum of the qualified electors residing within any part of a township of the first class contiguous to [a] such city [or] borough or other township of the first class shall petition the council of such city or borough or the commissioners of such township for the annexation of the township of the first class or part thereof to [the] such contiguous city [or] borough or other township of the first class and for a referendum on the question of such annexation the council or commissioners shall cause a question to be submitted at the primary election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners of the county or counties in which any part of the annexing city [or] borough or [the] township of the first class or the township all or part of which is to be annexed is located for submission of such question on the ballot or on voting machines at such election both in [such] township all or part of which is to be annexed and in [the] such city [or] borough or other township of the first class to which annexation is desired in the manner provided by the election laws of this Commonwealth Such question shall be in the following form

Do you favor the annexation of the township of ..... x(or the part of the township briefly described) to the city (or borough) (or township) of .....?	Yes	
	No	

If a majority of the persons voting on such question in the entire township all or part of which is to be annexed and a majority of the persons voting on such question in [the] such city [or] borough or annexing township shall vote "yes" then the township of the first class or part thereof as the case may be shall on the first Monday of January next following be and become a part of [the] such city [or] borough or annexing township

All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings and all petitions for the annexation of a part of a township of the first class shall include a description of the part of the township sought to be annexed

Section 2 Until changed in the manner provided by law the annexed township of the first class or part thereof if not divided into wards shall constitute a separate new ward of [the] such enlarged city or of the enlarged borough if such borough is at the time divided into wards or of the enlarged annexing township if such township is at the time divided into wards and if the annexed township or part of a township at the time of the annexation was divided into wards then each ward of the annexed township or part of a township shall constitute a separate new ward of [the] such enlarged city or borough (if divided into wards) or annexing township (if divided into wards) and shall be numbered by the council of the annexing township consecutively beginning with the next highest number after the existing highest numbered ward of the annexing city [or] borough or township Until changed in the manner provided by law all election districts in the annexed township of the first class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of [the] such enlarged city [or] borough or annexing township All election and other officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 3 In the case of the annexation of an entire township of the first class all the indebtedness of the

township as well as the indebtedness of [the] such city [or] borough or other township of the first class to which the same is annexed shall be paid by the city [or] borough or annexing township as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged city [or] borough or annexing township All taxes thereafter levied therefor shall be uniform throughout the territorial limits of [the] such enlarged city [or] borough or annexing township

All of the public property owned by any such annexed township shall become and remain the public property of [the] such city [or] borough of township to which it is annexed

Section 4 Where any part of any township of the first class is annexed to any such city [or] borough or other township of the first class the township officers of that part of the township not annexed and the annexing city or borough council or the annexing township commissioners shall make a just and proper adjustment and apportionment of all public property owned by the township part of which is being annexed at the time of annexation both real and personal including funds as well as of indebtedness if any to and between the township part of which is being annexed and the annexing city [or] borough or township In making such adjustment and apportionment of the property and indebtedness the township and the annexing city [or] borough or other township shall be entitled respectively to share in a division of the property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed The adjustment and apportionment as made shall be reduced to writing in proper form and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions in the county in which said annexing city borough or township is located

Section 5 In case the council of the annexing city [or] borough or township and the authorities of the township [authorities] part of which is being annexed cannot make such amicable apportionment and adjustment of their property and indebtedness in compliance with this act within six months after any such annexation then the council or any officer of the township part of which is being annexed may present a petition to the court of quarter sessions of the county in which the annexed city [or] borough or other township is located whereupon the court shall appoint three disinterested commissioners residents and taxpayers of the county not residing in the annexing city [or] borough or township nor in the township part of which is being annexed who after hearing notice of which shall be given to the annexed city [or] borough or township and to the township [interested] part of which is being annexed as the court shall direct shall make report to the court making an apportionment and adjustment of all the property as well as indebtedness if any to and between the annexing city [or] borough or township and the township part of which is being annexed said report to state the amount if any that shall be due and payable from the annexing city [or] borough or township to the township part of which is being annexed or from [the] such township to the annexing city [or] borough or township as well as the amount of indebtedness if any that shall be assumed by the annexing city [or] borough or township or by the township part of which is being annexed or both of them

Section 6 The commissioners shall give the annexing city [or] borough or township and the township part of which is being annexed at least five days' notice of the filing of their report and unless exceptions are filed thereto by the annexing city [or] borough or township or by the township part of which is being annexed within thirty days after filing thereof the same shall be confirmed by the court absolutely and any sum awarded by said report to the annexing city [or] borough or township or to the township part of which is being annexed shall be a legal and valid claim in its favor against the annexing city [or] borough or township or township part of which is being annexed charged therewith and the amount of debt if any apportioned to any such city or borough or township shall be a legal and valid claim against such city or borough or township charged therewith and any property real or personal given and adjudged to the annexing city [or] borough or township or the township part of which is being annexed shall become and be the property of [the] such city or borough or the township to whichever one the same is given and adjudged and upon such report being confirmed such claim or indebtedness charged against any annexing city [or] borough or township or against any township part of which is being annexed may be collected in the same manner as a judgment is collected against any city or borough or township Such commissioners shall be allowed five dollars per day for each day actually spent by them in the performance of their duties together with their actual necessary expenses All costs and expenses of such proceedings shall be apportioned by the court to and between the annexing city [or] borough or township and the township part of which is being annexed as it shall deem proper

In case exceptions are filed to the report of such commissioners the court shall dispose of the same taking testimony therein if deemed advisable and the decision of the court thereon shall be final and binding on the several cities boroughs and townships unless an appeal is taken within thirty days to the Superior or Supreme Court as in other cases

Section 7 In cases in which such cities boroughs or townships of the first class are situated in two or more counties the court of quarter sessions of the county in which the annexing city [or] borough or township is located shall have exclusive jurisdiction over the matter but the same shall be heard by a judge not a resident of either of the judicial districts affected who shall be called to preside specially in the matter and in such case the court shall appoint the commissioners hereinbefore provided for from both or all of such counties

Section 8 When an election is held on the question of annexation under the provisions of this act and the township of the first class proposed to be annexed or in which the territory proposed to be annexed is located votes against such annexation the question of such annexation shall not again be voted upon for a period of two years from the date of such election

Section 9 All proceedings for the annexation of a township of the first class or a part thereof to any such city [or] borough or other township of the first class under the provisions of any existing law that are pending and not finally disposed of on the effective date of this act shall [in the discretion of the courts before which they are pending or if not pending in any court upon petition of any city borough or township affected to the court of quarter sessions of the county in which the township is located] be discontinued and vacated and all proceedings for the annexation of any township of the first class or part thereof to any such city or borough or other township of the first class shall thereafter be had only under the provisions of this act

Section 10 The following acts and parts of acts and their amendments are hereby repealed so far as they relate to the annexation of a township of the first class or a part thereof to a city other than a city of the first class or a borough or other township of the first class

The act approved the twenty-eighth day of April one thousand nine hundred and three (P. L. 332) entitled "An act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same"

The act approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 473) entitled "An act authorizing the annexation to cities of the second class of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships"

Article four of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

Article five of the act approved the twenty-third day

of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto"

All other acts and parts of acts inconsistent with or supplied by this act are hereby repealed

Section 11 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Section 12 This act shall become effective immediately upon its final enactment

Section 2 The act approved the nineteenth day of June one thousand nine hundred and thirty-nine (P. L 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" is hereby repealed absolutely

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I desire to interrogate the sponsor of this bill the gentleman from Allegheny Mr. Goodwin.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GOODWIN. I shall, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask whether this bill would permit the city of Philadelphia to annex townships in the counties of Delaware, Montgomery and Bucks.

Mr. GOODWIN. Mr. Speaker, as this bill has been amended, I would say that first class cities are excluded.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—121

Achterman,	Gallagher,	McDermott,	Rose, S.,
Allmond,	Gerard,	McFall,	Rosenfeld,
Baker,	Goodwin,	McLanahan,	Sarraf,
Balthaser,	Greenwood,	McLane,	Scanlon,
Baugher,	Gryskewicz,	Melchiorre,	Schwab,
Bentley,	Hall,	Mihm,	Shaffer,
Bentzel,	Hamilton,	Modell,	Shaw,
Boles,	Harkins,	Monks,	Shepard,
Boney,	Harmuth,	Mooney,	Stank,
Bradley,	Harris,	Moran,	Stine,
Breth,	Heatherington,	Moul,	Tarr,
Brown,	Herman,	Munley,	Tate,
Brunner, P. A.,	Hersch,	Nagel,	Thompson, E. F.,
Burns,	Hirsch,	Nunemacher,	Thompson, R. L.,
Chudoff,	Holland,	O'Brien,	Vincent,
Cochran,	James,	O'Connor,	Vogt,
Cohen, M. M.,	Jefferson,	O'Mullen,	Voldow,
Cohen, R. E.,	Jones, P. N.,	O'Neill,	Weingartner,
Corrigan,	Keenan,	Owens,	Weiss,
Croop,	Kenehan,	Petrosky,	Welsh, E. B.,
Cullen,	Kolankiewicz,	Pettit,	Welsh, M. J.,
DiGenova,	Komorofski,	Polaski,	Wilkinson,
Dolon,	Leonard,	Polen,	Williams,
D'Ortona,	esko,	Powers,	Wolf,
Duffy,	Levy,	Prosen,	Woodring,
Early,	Longo,	Rausch,	Wright,
Finestone,	Lovett,	Readinger,	Yester,
Finnerty,	Malloy,	Reese, R. E.,	Young,
Fleming,	Marks,	Regan,	Kilroy,
Flynn,	Maxwell,	Reynolds,	Speaker.
French,	McClanaghan,		

NAYS—56

Auker,	Gates,	McKinney,	Stambaugh,
Boorse,	Gross,	McSurdy,	Stockham,
Bower,	Gyger,	Muir,	Taylor,
Brunner, C. H.,	Habbyshaw,	O'Dare,	Trout,
Cadwalader,	Haines,	Reagan,	Turner,
Cook,	Helm,	Reese, D. P.,	Van Allsburg,
Cooper,	Hewitt,	Rhea,	Voorhees,
Cordier,	Imbrie,	Royer,	Wagner,
Dalrymple,	Jones, G. E.,	Rush,	Watkins,
Dennison,	Kline,	Sarge,	Winner,
Dix,	Knoble,	Serrill,	Wood, L. H.,
Eckels,	Lee, E. A.,	Simons,	Wood, N.,
Ely,	Leydic,	Snyder,	Woodside,
Fiss,	McDowell,	Sollenberger,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMBER WELCOMED

The SPEAKER. The Chair welcomes back to the fold the gentleman from Lawrence, Mr. Jones, after an absence of several weeks due to an operation.

PERMISSION TO ADDRESS THE HOUSE

Mr. PRESLEY N. JONES asked and obtained unanimous consent to address the House.

Mr. Speaker and gentlemen of the House, I do appreciate very sincerely the consideration you have shown me during my absence. I want to extend my heartiest thanks to each and every one of you.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOLLAND asked and obtained unanimous consent to address the House.

Mr. Speaker and members of the House, in the heat of debate in this House, sometimes are made, from time to time, statements which are misinterpreted, sometimes deliberately, and sometimes unintentionally by the press and others. I have in reference a statement made by me in the heat of the argument last Tuesday, April 1st, on a bill to increase the weights of trucks.

I stated in debate that the bill was not reported out by the House Motor Vehicle Committee until after a $25,000.00 words spread was held in Harrisburg. Of course, in the heat of a debate, sometimes figures are exaggerated, but I do want to convey to this House that this amount mentioned, was not mentioned in a way that anyone would infer that money was actually passed out among Members of this House.

I spoke about a banquet that is held by the Pennsylvania Motor Truck Association and has always been held in the four sessions that I have attended this House. But it seems that some of the papers have written up the statement to insinuate that some of the Members of this House have secured actual cash.

I did not in any way attack the integrity or the honesty of any Member of this House, whether he be Republican or Democrat, and I want to clear up this impression that has been given to the public.

We may differ on bills and legislation, but I have faith that the Members of this House have that difference based on their own convictions, and are not influenced by any banquet that may be given.

I am convinced that no Member of this House was given any cash consideration or anything else of value for the purpose of influencing their vote on this legislation, and I am surprised that anyone would have construed my statements to so mean.

RESOLUTION

SYMPATHY EXTENDED

Messrs. NORMAN WOOD, TROUT and ROYER, offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted:

In the House of Representatives, April 7, 1941.

The Members of the House of Representatives have learned with a profound sense of sorrow of the passing of Oliver E. Martin on Friday, April 4.

Mr. Martin was well known and beloved by all the Members of the House of Representatives because of his service as Reading Clerk in the Assembly for a period of twenty years.

During the time he officiated, his voice would spread throughout recesses of the Chamber so that all Members in their seats and in the hall of the House would, in spite of all the buzz and activity going on in the House, have their attention called to the important matters before the House for their consideration.

During his mature life Oliver E. Martin was active in politics and served for many years as County Committeeman in Providence Township, Lancaster County and was extremely active in the affairs of the Republican Party, in the county.

During his entire life he was active in the church activities of his community and often would assist the Members of the House in their determination on matters in which the church was interested.

At the time of his death he was teaching in the schoolroom of New Providence and he died in the line of duty.

His lifetime stands as a symbol to those who, engaged in the political arena because of his devotion to his community, his county and his State, therefore be it

Resolved, That the Chief Clerk of the House send a copy of this resolution to the family of the deceased as a token of the sincere heartfelt sympathy of the Members of the House of Representatives, to them in their great bereavement.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, for some considerable time in the past the Secretary of Labor and Industry has been playing politics with the Unemployment Compensation system in the state of Pennsylvania, rather small politics, annoying politics, perhaps I should say destructive politics to the end that finally the entire program has reached a climax that was carried in the press on Sunday.

I feel I would be remiss in not making some comment on the situation that has been created by the Secretary of Labor and Industry for the sole purpose apparently of taking advantage of patronage and advancing what he feels might be his party interest to the expense of a system that has been established not only in this State but in the United States, and that has met the approval I should say of this entire country.

To that end, Mr. Speaker, I have prepared a statement which I now desire to read into the record. That statement, Mr. Speaker, is as follows:

Lewis G. Hines, Secretary of Labor and Industry, is threatening the entire unemployment compensation system of the Commonwealth.

In his zeal to jam through wage increases for 209 favorites, he has violated the Federal Social Security Regulations with the result that Washington has advised him that no further administrative funds will be forthcoming.

Hines' superior, Governor James last week shrugged off the situation by doubting Washington's willingness to act. Governor James and Secretary Hines received their answer today. But what is most tragic is that not they but innocent employes of the Unemployment Compensation Bureau are threatened with loss of pay and the tens of thousands of jobless now dependent upon their weekly payments are in danger of losing their only income.

This is not a sudden or captious decision Washington has made. Hines was warned on December 15 that the raises were not in accordance with civil service regulations, but he has proceeded to disregard this notice.

Hines has also withheld between 1500 and 2000 promotions from men and women entitled to them, hoping, I suppose, that their pressure would bring the Federal Social Security Board to relax its stand against his favorites' increase.

The only bright spot in the entire picture is the statement by leaders of the unions to which many employes belong that they will continue their work without pay in order that the jobless may receive their benefits.

We have tonight another brilliant illustration of that honesty, integrity, and efficiency in government of which our Governor claims to be such a magnificient example. Another section of our State Government has been turned into a shambles under his direction and the small beginnings of a merit system in our government, made a huge joke and a plaything for unscrupulous underlings.

What shall we see next? Our State Hospitals are riddled with political incompetents;. a high-principled business man is forced out of the cabinet because he refused to play peanut politics; by his own admission the Secretary of Health is incompetent to protect the people of the State against unsanitary milk production.

Latest development is this nasty mess in the Department of Labor and Industry with charges of favoritism, disregard of civil service regulations and disruption of office morale widespread.

The James Administration is in a state of collapse. I am sincerely grieved that at a time so crucial as this, Pennsylvania should have an Administration so limited in vision, so lacking in courage, and so incompetent in direction.

"Fortunately for the people, they will have to endure only twenty more months.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, the majority floor leader has attempted to cover all of the field of this administration. In two minutes he has picked out all the things that he thought were wrong with the administration and ended up by suggesting that it was in a state of collapse.

Mr. Speaker, the thing that provoked it seems to be the contest between the National Government and the State Government concerning certain employees in the Department of Labor and Industry. According to the information in the press, in the morning papers, I understand the Secretary of Labor and Industry has written demanding an investigation by the Congress of the United States. The gentlemen on the other side and the public well know that the Congress of the United States is in the hands of the Democrats, that it is the National Government and represents the National Government. Certainly if he is not afraid of an investigation by that group there must not be anything wrong with the state's position. I might also call attention of the gentleman who made reference to the Department of Health; not so long ago Dr. McElroy, Dean of the University of Pittsburgh who is recognized I think throughout the state as one of the leading medical authorities in the Commonwealth of Pennsylvania had this to say concerning Dr. Shaw of the present Department of Health; he said that never, never in the history of the Commonwealth has the Department of Health occupied the high place that it does today nor has the Department of Health ever done as good a job as it is doing today.

REPORTS FROM COMMITTEES

Mr. AUKER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 527, entitled:

An Act fixing the salary of the controller in counties of the seventh and eighth classes; and providing for a salary board to fix the number and salary or compensation of any deputies and clerks to assist the controller.

Mr. MELCHIORRE, from the Committee on Rules, reported as amended, House Resolution No. 66.

RESOLUTIONS RE-REFERRED

Mr. READINGER returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Workmen's Compensation House Resolution No. 62.

The SPEAKER. The resolution is re-referred to the Committee on Workmen's Compensation.

Mr. MELCHOIRRE returned from the Committee on Rules with the recommendation that it be re-referred to the Committee on Welfare House Resolution No. 63.

The SPEAKER. The resolution is re-referred to the Committee on Welfare.

PERMISSION TO ADDRESS HOUSE

Mr. WOODSIDE asked and obtained unanimous consent to address the House.

Mr. Speaker, supplementing the remarks I just made concerning the Department of Labor and Industry, I have since speaking been able to check something that I thought of but had not known definitely, and that was concerning a resolution that was introduced in the Senate today, asking for an investigation of the contest, as you might call it, now existing between the Department of Industry of Pennsylvania and the Federal Government, so that the people of Pennsylvania may know the true facts concerning this situation.

That resolution is a concurrent resolution and was laid over under the rules of the Senate for printing and I think will receive consideration of the Senate in the very near future so that the people of Pennsylvania can know what the true situation is in this matter.

INTERROGATION

Mr. ACHTERMAN. Mr. Speaker, I desire to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I shall, Mr. Speaker.

Mr. ACHTERMAN. Mr. Speaker, I would like to ask the gentleman from Dauphin, Mr. Woodside, if I understand that it is a concurrent resolution with equal membership on both sides of the House?

Mr. WOODSIDE. Mr. Speaker, I have not seen the resolution and I do not know the drift of it but I am advised that it is a concurrent resolution.

Mr. ACHTERMAN. I thank the gentleman from Dauphin, Mr. Speaker. I wish to assure the gentleman from Dauphin that we certainly have no objection to an investigation that will be impartial and fair, and I trust that the Senate in this particular resolution will show more speed and a greater desire of having a resolution passed than apparently they are showing concerning the hospital resolution passed by this House several weeks ago. I realize in that particular resolution that the Governor of Pennsylvania said, "No, we have nothing to hide, we are not fearful, we welcome an investigation." We have been waiting to hear the Senate speak.

I haven't forgotten the attitude of the Members on the other side of the House when the resolution was called. Of course there was no roll call but it was with surprise I heard a large number on the other side of the House oppose the resolution. Mr. Speaker, I indeed am anxious to see how the two resolutions fare, whether the Members on the other side and whether the Republican Senate is willing to have the activities of their administration investigated. I assure them that we will not hesitate to see that there is a fair and impartial investigation of everything with which we have any part to play or anything to do, and we the Members on this side of the House do hope that this Republican administration does not proceed to pickle or to place in the Committee resolutions seeking to investigate thoroughly the manner in which the Republican administration has taken care of the sick and the ill of this Commonwealth.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Appropriations, Tuesday, April 8 at 9:30 a. m. in Room 327.

Cities, First Class, Tuesday, April 8 at 12 noon in Room 521.

Cities, Second Class, Tuesday, April 8 at 11:30 a. m. in Room 521.

Elections, Tuesday, April 8 at 11 a. m. in Room 323.

Judiciary General, Tuesday, April 8 at 10 a. m. in Room 246.

Judiciary Special, Tuesday, April 8 at 11 a. m. in Room 246.

Law & Order, Tuesday, April 8 at 12:45 p. m. in Room 331.

Liquor Control, Tuesday, April 8 at 12:30 p. m. in Room 325.

Motor Vehicles, Tuesday, April 8 at 12 noon in Room 324.

State Government, Tuesday, April 8 at 11:30 a. m. in Room 325.

Townships, Tuesday, April 8 at 10 a. m. in Room 329.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, in the New House Caucus Room.

The Second Term Members from Philadelphia for the first time will meet in the same place where the First Term Members met the second time.

All members are urged to be present this time, on time; there will be some hope then that the question raised the last time will be settled for all time.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, in relation to the remarks just made by the gentleman from Dauphin, Mr. Woodside, in relation to a resolution placed in the Senate, I just learned that the author of the resolution was interrogated on the floor of the Senate. He was asked whether the resolution intended to have an investigation in relation to the present difficulties, and the gentleman unfortunately didn't know. May I state, Mr. Speaker, that we await with great curiosity the arrival of that resolution from the Senate.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER. asked and obtained unanimous consent to address the House.

Mr. Speaker, now that the "Purity League" is on the job everything will be all right during the rest of the session.

ADJOURNMENT

Mr. WILLIAMS. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 8, 1941, at 1 p. m.

The motion was agreed to, and at (11:25 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1941. 135th of the General Assembly.

Vol. 25. HARRISBURG, PA., TUESDAY, APRIL 8, 1941. No. 32.

SENATE

TUESDAY, April 8, 1941.

The Senate met at 11:00 o'clock, a. m.

The PRESIDENT (Lieutenant-Governor Samuel S. Lewis) in the Chair.

PRAYER

The Chaplain, Rev. BURLEIGH A. PETERS offered the following prayer:

Our heavenly Father, just as this day is filled with sunshine and warmth from above so may our lives and hearts be filled with sunshine and warmth from within through The lovely presence. With keen anticipation do we await the awakening of nature from her long winter's sleep and with it may we be awakened unto new opportunities and privileges of continued service unto Thee and our sacred trusts of representative government.

Upon the horizon of our day ominous clouds of threatening dangers to orderly government have arisen. Stagnation of defense preparation has been greatly in evidence. Problems which test ano will continue to test the stability of our government must be solved aright. Help us all to accept the challenges thrown down to us that the sun of representative government may never set and especially not in our own land.

Let us call Thee back into our confidence again for we have largely set Thee aside and forgotten Thy handiwork and abiding power as we have followed the ways of our prodigality. God bless America. For Jesus' sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. JAMES and Mr. GELTZ, the further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. JAMES. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, April 8, 1941, by His Excellency, the Governor of the Commonwealth.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Alan Arensberg, Swissvale.
Miss Frances Diamond, Pittsburgh, 5911 Baum Blvd.

CAMBRIA COUNTY

Miss Verna Williams, Ebensburg.

DAUPHIN COUNTY

Miss A. Ethel Keim, Harrisburg.

DELAWARE COUNTY

Miss Aletha May, Chester.

LANCASTER COUNTY

Richard N. Lightner, Lancaster.
Paxton W. Wolfe, Lancaster Twp., 917 Edgewood Ave., Lancaster.

PHILADELPHIA COUNTY

Lewis Carley, Phila., 2775 N. Frankford Ave.
Miss Margaret F. Hellings, Phila., 8047 Frankford Ave.

WESTMORELAND COUNTY

Floyd R. Bosch, Madison.

ARTHUR H. JAMES.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. JAMES and Mr. EALY.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 43

Barr,	Edmonds,	Letzler,	Tallman,
Bartlett,	Farrell,	Mallery,	Taylor,
Becker,	Frey,	McGinnis,	Thomas,
Carr,	Geltz,	McQuiddy,	Tyler,
Cavalcante,	Haluska,	Miller,	Wade,
Coleman,	Heyburn,	Mundy,	Walker,
Cox,	Homsher,	Reed,	Wilson, H. I.,
Crider,	James,	Ruth,	Wilson, T. B.,
Crowe,	Jaspan,	Scarlett,	Woodward,
DiSilvestro,	Kephart,	Snowden,	Ziesenheim,
Ealy,	Lanius,	Stevenson,	

NAYS 0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 226, (Senate Bill No. 530, entitled:

An Act to reenact the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto."

Which was committed to thecommittee on Municipal Government.

House Bill No. 383, (Senate Bill No. 531), entitled:

An Act to further amend section one thousand five hundred three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "Public School Code," providing that school districts of the fourth class shall employ at their own expense a medical inspector.

Which was committed to the Committee on Education.

House Bill No. 550, (Senate Bill No. 532), entitled:

An Act to repeal the act, approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

Which was committed to the Committee on Law and Order.

TIME OF NEXT MEETING

He also informed the Senate that the House has concurred in Resolution from the Senate as follows:

In the Senate, April 7, 1941.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday April 14, 1941, at 4:30 o'clock p. m. and when the House of Representatives adjourns this week it reconvene on Monday, April 14, 1941, at 9 o'clock, p. m.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 366, entitled:

To add clause seven to subsection (b), and to further amend subsection (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the provisions of said act relating to the speed of such vehicles while being operated on highways under the supervision and control of a Turnpike Commission.

Whereupon,

The PRESIDENT (Lieutenant Governor Samuel S. Lewis) in the presence of the Senate signed the same.

PERMISSION TO MAKE A STATEMENT

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent to make a statement.

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from Jefferson may proceed.

Mr. HENRY I. WILSON. Mr. President, I assume that privilege is granted to me because I hear no objection. It would seem that it is necessary at this time to make a statement relative, first, to the question of personal privilege in the Senate as compared with the House and, secondly, relative to the word "compensation."

It might well be that so far as the word "compensation" is concerned that we should limit our brief remarks to the words "workmen's compensation" but inasmuch as it appears that politics are brought into it, by reason of their going ahead to bring pressure to bear to amend the unemployment compensation bills that have been prepared, that also should be mentioned.

On the question of personal privilege. I was quite concerned when I found that in the Senate there is no rule evidently, that in the many years during the past the Senate has run their affairs by mutual consent and by taking general practice.

In the House, however, where all of my previous legislative experience has been, we have a rule. I feel that I ought to read to this Senate that rule. It is rule No. 67 and is headed Personal Privilege which is as follows: "Any member may rise and explain a matter personal to himself by leave of the speaker, but he shall not discuss any pending question in such explanation. Question of personal privilege shall be limited to questions effecting the rights, reputation and conduct of members of the House in their representative capacity."

Mr. President, I believe it is the duty of every Senator and every member of the General Assembly to be interested in all the affairs that effect the welfare of this Commonwealth, but in so doing I believe it is their duty first to have an understanding of the subjects on which they will take advantage of the question of personal privilege; secondly that they should have interest in the affairs that are affected; and, thirdly, that they have the courage to stand up and tell what is true.

By reason of the fact that I happen to be the dean of all legislators in either the House of Representatives or in the Senate—that service has been intermittent, it began in the year 1899—I feel that even though I am now new in the Senate I should speak at this time because of the fact that yesterday under a question of personal privilege a

number of things were said by the splendid Senator, the very able Senator from Philadelphia, touching the question of workmen's compensation, and in so doing I want it distinctly understood that I am in no manner answering, I am in no manner doing anything to say those facts and figures do not speak for themselves, but when I see those facts and figures used by reference to imply that the system that we have in Pennsylvania is wrong and that there ought to be some way of overcoming that wrong; it is a rather familiar situation indeed.

That has been going on for quite some years, in fact it has been going on ever since the first Workmen's Compensation Act was adopted in 1915.

A moment ago I said a man should have understanding. I believe I have reached a time in life that I dare appear in public and say that on at least one subject I have some understanding and that most people in Pennsylvania know that on that subject I have an interest and I think that most people who have come in contact with me in business life or in legislative affairs on the floor of the House will at least concede I have sufficient courage and sincerity to tell what I think.

Now, Mr. President, in order to qualify as a compensation expert, for which I have been paid for twenty-five years continuously last past or since the Workmen's Compensation Act has been in effect, I want to make this statement: I was a member of the House when the first bill was introduced that would grant workmen's compensation in this State, in 1911. Mr. President, I was a reporter in the session of 1913 when a bill was more seriously considered and as a result of the work in 1913 a committee was appointed and reported back to the next session of the House.

I was a member of the session of 1915 and I was a member of the committee on Judiciary General that formulated that bill and I really do think that an investigation of the records will disclose that I took a part in the formulation of that bill and it was adopted on the floor of the House.

Now, when that bill was formulated, after four years of consideration, it was finally decided that it would be best to have a number of ways of carrying workmen's compensation responsibility. Twenty-five years of experience has fully justified that. There are four ways really in which people who carry workmen's compensation may provide for that coverage. One way is to get a regular old line insurance company to take that risk; another way is to reject the act and be under the old damage law; another way is to insure in a State Workmen's Insurance fund; another way is ignore the act in its entirety and take the consequences.

The reason this committee who formulated the act of 1915 decided that those number of ways would be better was that if one did not give satisfaction perhaps another one would, and I want to state here that in all of those years I have sought to keep just that balance in the power of carrying compensation. I am forced by reason of the statement made by the Senator from Philadelphia to question, first, his experience along this line and this investigation and because it affects me personally possibly I could have risen on a question of personal privilege and made an answer because in the last analysis in reading this very wonderful statement of twenty-nine pages of closely typewritten work that has been handed on to the members, on their desks today, by taking all of those things into consideration, as one who has had these twenty-five years of experience, one who helped to formulate the bill himself and one who really drew the workmen's compensation act that we have today, one who fought in 1935 what was proposed by the party of the other side and one who warned them on the floor of the House in 1937 of what would take place if they passed the bill, I believe that all of those things and the statements that were made affecting the question of whether we have an adequate workmen's compensation bill would make it a matter of personal privilege for me to rise here to speak today.

But what I am trying to do now is put some of this information before the Senate and before the public or anybody who is concerned about it to see whether the point is well taken that we should have only a state workmen's insurance fund; then you would have only one way of taking out workmen's compensation and you would have that fund run politically in spite of yourself.

It so happens the people I have represented were self-insurers, among the very largest self-insurers of the state, and in order to qualify myself still further I want to say those self-insurers number perhaps four hundred in the state and at least a hundred of them, perhaps more, important ones, are associated together in what is known as the Pennsylvania Self-Assurers Association, and in order to further qualify myself I want to say I have been on the Board of Managers of that association for at least fifteen years and in addition to that I have been on the Workmen's Compensation Committee of the State Chamber of Commerce and this work I have been doing for twenty-five years. I took the act of 1915 and analyzed every word, every clause, every paragraph, every section of that act, and had written it down to witness what the effect of it was.

A number of those test cases were first carried through at my instance. I was there when they made the first rules of the Board and I watched carefully every act and directed it as best I could. Again and again it has been advocated by wise people we should not only have state workmen's compensation fund but also self-insurers; I really had not intended to talk about the details but you have actually to handle the work to know what you are talking about.

Here is another thing: within a very few days after I took up the position as workmen's compensation attorney for this large company—and also, by the way, that covers the entire central district—there was an explosion and twenty-seven men were killed. To show my interest in those things I was at the mine and with my own hands helped to take them out and I helped to bury them and I did not have my clothes off for three days and I listened to every one of those widows and orphans—fifty of them traipsing through the snow.

With twenty-five years of that service, drawing agreements, appearing before bureaus and boards, Common Pleas Courts, Superior Courts, Supreme Courts, I feel I know something about the workmen's compensation act of 1915, as rewritten by myself in the Session of 1939.

I want to make a public statement that in 1936 when I came back here it was because I saw what was being proposed in the Session of 1935 when I spoke and explained what that bill would do, and they did not believe it. I do not know why it is that it has gradually grown to be political; it was not political for a great many years.

Labor leaders often come here and nearly always they have demanded a one hundred per cent increase but after all that was their interest, but when it advanced, as it did advance in 1935, when a particular party, a very great party, took it upon themselves to champion what they are pleased to call the small man, the little man, why then it was that it became political and then it was that those of us who had training and experience began to warn them and I want to say beginning with 1935 the warnings that I issued in 1935 and 1937 and the work I did in 1939, not one bit of that do I have any regrets for and I claim credit.

Now, if we must be partisan, which I am very sorry to see in a matter of this kind, and I might say I am very sorry to see so many other affairs in which we are partisan, and the Republicans are not altogether free from that either, but if we must now be partisan we should approach this thing in a fair spirit, to know in the last analysis what is best for Pennsylvania. I am asking you now to stop and consider do we want to observe this act? Of course we do. Everyone wants to preserve the act. What is political about it? The politics about it is that now we have changed the 1937 act and in some mysterious manner that is wrong and in some mysterious manner the drowntrodden little man has something done to him that was not done properly.

Now, Mr. President, you will all note I did not step before this microphone with twenty-nine pages of closely typed papers, you will notice that I have not read anything that somebody else told me about it; you will notice there at least is a tone of sincerity in every statement that I make and it is only for the purpose of serving this Senate of which I am so proud to be a member that I am offering these suggestions:

First, we should check up on every statement that was made by the Senator from Philadelphia and follow them through. I am not commending, neither am I here holding a brief for any insurance company, but I want to call attention to the fact that there are people carrying insurance that are know as groups and one of those groups evidently is the object of attack at this time. I have not talked to them, I have no concern with them, I have never represented them and I have no intention and I do not know anything about it except I do happen to know the chairman of the board has been supposed to be a very prominent Republican and I do know that the president served for many years with the dean of the House and he was known as a very prominent Republican, although the Democrats in his district supported him, and I do know the Republican State Committeeman happens to occupy the office of general solicitor for those people, and therefore I can readily understand why there might be something political with regard to the personal thing, but after all it just happens to occur to me to say to this Senate I happen to know some of the very fine group companies and I would like you to know this, I would like you to know that they have paid actually more than they have taken in and in all those years they have not made a single dollar. I am not speaking of any particular company but just because I happen to know the facts and have had the training and experience that I have had and have passed on.

Surely it would not apply to a company which actually did not get a penny out of it. After all insurance is a business and an insurance company is checked up when it comes here and it has his wares which it offers to sell to you and on which it hopes to make a profit. The self-insurer says why should I pay an insurance company, I can carry that insurance myself, and I have often taken the stand and explained in public and otherwise that the self-insurer can render and does render the very best possible service. That is true because here right by the side of the injured man, right by the side of the widow and the orphan and right where the responsibility is, that company is, and therefore it would be proposed to do away with the self-insurers who carries half of the dollars and cents liability of workmen's compensation.

That bill proposes to bar from the confines of our state every insurance company carrying workmen's compensation, it is proposed particularly to do away with groups, and who are those groups? I happen to be familiar with the Farmers and Threshers Insurance Company, through looking after their interests and through looking after the interests of self-insurers, and we have a group of self-insuring companies in Pennsylvania known as the Pennsylvania Manufacturers Association Casualty Insurance Company. I happen to know these things by reason of my training and my experience with them and those I am now trying to defend. Why? Because we decided they had a right when we formulated this bill to be in business in Pennsylvania and they had a right to save dollars and cents for themselves if they could and they had a right to take their profit and give it back to their patrons if they wanted to, and that is often done by casualty companies, the same as it is often done by automobile companies. Why, I have just now cashed a small check because I was a safe driver last year. Think of it, an old fellow like me being a safe driver. What do you know about that? They give you credit if you render service.

The way to look at this problem is: are we going to approach this problem from a political angle or are you going to say we are going to be constructive?

What happened after 1935? This state went Democratic and in 1937 they had control of both Houses. I stood on the floor of the House and told them what would happen if they passed the bill which was introduced. The 1937 act passed and it was with great difficulty I got them even to listen but I made a prediction at that time, and you can read the record, it came true.

The Supreme Court of this State passed upon eight particulars as to constitutionality and they were unconstitutional, in a test case, and they sent them back in two or three more important instances.

When we passed that bill in the Session of 1937 immediately following that there were 1,630 big employers in this State who rejected the act. They will say, oh, they must not be permitted to reject an act, but they are permitted at the present time to reject the act.

What happened when they rejected the act? Between three hundrd and five hundred thousand employes of this state were not under any act at all. Why should an employer reject an act, when it is so much trouble, and go back to settling things under the old law known as the liability law? I will tell you why. It is because they can not pay it. Now listen, any workmen's compensation act will provide its own funds.

He who advocates an act that is unreasonable advocates the passage of an act that is unconstitutional under the constitution of this state and he who says the 1937 act

is possible of being carried out by employers in this state is just as much in error at this moment as he was in the sessions of 1935 and 1937. I have been personally, I have been repeatedly personally complimented upon the act which I gave them to bring back the three hundred or five hundred thousand employees previously under no act at all, so they would have workmen's compensation.

What did I do? I gave them the first occupational disease law that was constitutional, and you had none until 1939. I took out of the unconstitutional act the provision that related to agriculture, I took out of that unconstitutional act the provision that related to volunteer firemen, I took out the people who were casual employees and made them all separate, and then I proposed a compensation bill that would pay twenty per cent more than the act prior to 1937.

I want to make a public statement now that that was the last bit of increase that would be accepted by the self-insurer and the large employers of this state and I was in a position to know.

Now, the act of 1915 was passed by the Republican Party and bills amending it have been brought out year after year and after everyone of the amendments made by the Republican Party until 1937 and that was why I protested in the House, subjected myself to all the criticism and abuses which followed on after the session and up to the time I became a candidate for this body, subjecting myself to all these things because I believed I was right; I went on and explained what the result would be and it proved to be true.

Why should anybody want to rob an employe who was injured; why should anybody want to rob any widow?

If you do away with self-insurers in this state, as you propose, and put it into a State Workmen's Compensation fund you will always have it run politically and you will always have it where they might run it in one way or another, but you may not have it for always, because the history is that they break up very often in other states; but at least it will be run politically and there will be a lot of jobs.

Now, Mr. President, I am wondering to you if you think it is wise to take a system that has worked out well and upon the theory of politics, alleging some particular company directed by some particular evil minded person—do you think you ought to destroy the system that has grown up in Pennsylvania and has been successful? I have personally computed ten thousand cases and I have personally been in contact with this company for twenty-five years and I know how much it costs and I want to say that the money that has been referred to as being taken away from the employe is not taken away from the employe because he never would get it. He cannot get it The employer under the present act would reject the act, and he cannot get it.

In any business you undertake to do you do it for a profit and for a reason. The insurance companies are in that business but, listen, a rating board is here guided by the Department of Insurance to tell them to charge an adequate amount and therefor is there one of you who wants to assume the responsibility that there should not be an adequate amount of money in the fund to take care of the possible losses? Listen, under the act of 1937 fatal cases might be twenty thousand, just simple injury cases, men prominently totally disabled, twenty thousand cases—you have twenty-seven men killed in one accident very often and if you had a fund of only one million dollars what would happen in such a case to that little fund of one million dollars. It does not take long to use up one million dollars.

What this state has tried to do was to make it safe and make it sure and what this state failed to do in 1937 was to make it safe and make it sure. There is not anyone in this Senate that can successfully deny that statement because there are in litigation yet many cases coming under the 1937 act and they do not have the courage to face that condition. It is like the fellow that said, "Well, the world is flat." The other fellow said, "No, it is round." The other fellow said he didn't think so and then another man said, "No it is flat." It all depends on the point of view but he said, "I still think it is round."

I want to tell you first of all you ought to be fair and I am making this statement out of my heart because of the fact that in my desk are workmen's compensation bills and I assume there are some that should be in my desk that are not there. I am willing to assume responsibility and to be answerable to the people of this Senate and to the House and to the Governor of the Commonwealth of Pennsylvania and every man, woman, and child that every action that I take as Chairman of the Workmen's Compensation Committee is proper. I want to ask you people is it proper and right to bring a question like this in a political mess or muddle while we are on this subject.

I would like the members of this Senate to check up on how many bills have been introduced in this session by the Democrats and how many bills have been introduced in this session by the Republicans.

Mr. President and members of the Senate, how and what questions are covered by those propositions that have been fostered by the other side? I say this and I want it made very plain, that it applies to the Republicans as well as to the Democrats, the eyes of the people of this State are on this legislature and they are pretty nearly tired of the political end of it; one House saying one thing, the other House saying another. I am saying this as an old man, that if you continue to do that, if you continue to refuse to note the tendencies of the time, if you refuse to understand that war is just ahead and that there are boys being trained now, working for twenty-one dollars a month, and some of these people are telling us we don't know what we are talking about while we are here threshing out political questions when nobody knows what the future holds for us, with the uncertainty of banks and the uncertainty of all these questions which we have with us, when all our daily lives are involved—as to the years to come, and people are dying by the thousands in Europe and property is being destroyed. Why? Because a great party of this nation failed to grasp the danger in time and provide so that it could not happen, and loyalty to the American people requires us to stand up and be counted. I say this, Republicans or Democrats, this is no time for politics. Certainly it applies to the Workmen's Compensation Bill of Pennsylvania.

Now, then a word about unemployment compensation. Unemployment compensation is one-half part of the social security law of this state passed by the special session of 1936. We were through in one week and two days over, and passed a bill that would supplement the Federal Act. We passed that bill and we have incorpo-

rated in it this so that we could then appoint a commission, seven of us, four members of the House and three members of the Senate, to be a commission to formulate a new bill and to make a report back to this General Assembly at this session. Those seven members—there were some Democrats on it too—and we worked as best we could and went into every phrase of it. We kept in touch with Washington, heard hundreds of witnesses, we did everything we could and there was hardly a dissenting voice to the final conclusion, because we eliminated all controversial questions.

Among them was the merit rating system, among them was an idea of changing the Constitution so as to permit that the smaller employers would not be covered. Mr. President, talking about the little fellow, I ask you about the little employer, as to how he is to pay this and how it effects him.

However, Mr. President, social security began in 1936 as far as unemployment compensation was concerned. There is great confusion among people as to the word "compensation." Some really do not understand there is a difference between unemployment compensation and compensation. They think really they are in some way connected together, there is some mysterious connection, something about it which means the employe can get something in the line of compensation.

In 1936, in December, we passed it and the employer had to pay one per cent on the wages that he paid out in 1936; in 1937 he paid two per cent; in 1938 he paid three per cent. Unemployment compensation is paid by the employer entirely. Knowing that and knowing that is positively the law, it means three cents is being paid by the employer and then you have old-age pensions and pay one per cent. What is now proposed? The Federal Act made the changes and we sat down and figured out what would happen and tried to agree all along the line.

What happened? We made our report to this Senate and to the House, and in passing I might say we worked all summer and into the fall and got that in shape.

What happened? Four of us, including a Democrat, prepared a bill involving what we called uncontroversial points and we presented it to the Senate.

Now, Mr. President, I am asking this Senate, I am asking all the members—and that includes even the Democrats—I am asking you have you any inclination to help me with that bill, have you any thought toward helping me along with that bill ? There were four of us. Who is paying any attention to it? I am just asking you all to pay attention to that bill.

Now, Mr. President, I ask you who has copied the facts and figures out of that report—the work we worked so hard to do, and then prepared another bill? What kind of a bill? Why, Mr. President, a little larger one so they could tell the down-trodden little fellow "we are going to give you just a little bit more than this bill which was proposed, which was going to fostered by the Republican Party, but particularly in the Republican Senate.

When you think about that, Mr. President, I want to tell you that there was not a word of dissention, everybody thought it was all right, but all of a sudden a Democratic member wants to be relieved from an obligation—and the rest of us feel that was all right—and then they make a motion to delay it and they take the same figures and increase them and pass a bill in the House and I rather imagine that bill is now in my desk and that is the reason I am speaking here today.

How did that happen to be there, Mr. President? That is the reason I am trying to say to you and whoever it is and wherever it applies that it is pure politics; they are trying to claim credit for something which was done by us.

Mr. President, I want to say to you in defense of that bill, known as Senate Bill No. 80, which is on second reading today, that is the result of the work of the unemployment commission which was appointed to carry it out and which received the commendation from our own department and also received commendation from Washington and also from everybody else interested.

Now, Mr. President, I want to make another statement I do not care whether they pass that bill or not or any other bill but I want to tell you that when you embark upon social security in the manner in which we have it in this nation and this Senate you assume one of the greatest responsibilities of all times, but we have done so, and as a loyal Pennsylvanian, as a lawyer who has had forty-eight years of experience, as a member of the Assembly, the dean of both of the Houses, my effort will be to make it a success.

Mr. President, that question came to us from Germany and other European countries and in order to clarify ourselves we sent men over there to investigate conditions and to look up and seek personal knowledge or information.

What is going to happen to unemployment compensation money and the bills? What is going to happen to unemployment compensation money and the bill itself, in America, when we get into this war and money is needed by the Federal Government? What is going to happen to our fund here in Pennsylvania that we have and are trying to make work?

These remarks have been too extensive, I know that. I promise you I will not often rise to my feet and make a statement but that statement previously made by the gentleman from Philadelphia involved me personally so much that I feel that in so far as I am concerned that I should answer that part of it, but I do not pretend to answer any charge against any particular company that is not doing the right thing or of which it is alleged it is not doing the right thing.

Mr. President, I think we have the proper governmental machinery in this state to run down anything that is improper or that is wrong and I do not think it is proper to bring this into politics.

I do hope this Senate will forgive me for taking up its time today but the privilege was extended to the gentleman or the Senator from Philadelphia and it took the entire afternoon, supplemented by some other little work, to put before us this statement in a left-handed manner, although my name was not mentioned, although he brought out criticism of the work done in 1939.

Mr. President, I am asking every citizen of the Commonwealth of Pennsylvania, I am asking every member of the Democratic Party and every member of the Republcan Party, I am asking the Governor and I am asking anybody and everybody if you ought not to feel grateful towards somebody who steps forward, and having the qualifications, if you please—may I be forgiven—and having the interest to work day and night and had the courage to do it.

Now, as a sequel, Mr. President, may I say that when

I ran for the Senate those who were opposed to me in 1937 and 1939 said all the dire things, came into my district with loud speakers in the fairgrounds and up around and across and in between in my little district, they said what a terrible man I was and how much I was against labor—although I have been working with them for these forty-eight years, and as a result of that whole thing I received more votes in Jefferson County than any other candidate excepting the candidate for Congress.

I am making that statement to give you an answer as to my sincerity of purpose on the question of whether this thing has been done rightfully.

I want to say one word of warning; if you do the things advocated by the very splendid Senator from Philadelphia you will regret all the days of your life because you will have limited the responsibility of the success of the workmen's compensation act to one fund, and that fund sometimes has been dangerously close to bankruptcy in this state; you will be limiting it in a manner so that it will be run politically; you will be limiting it in a manner so that the people who are injured will not receive quick service; you will be driving out of business the self-insuring companies who carry in dollars and cents one half of this risk; you will be upsetting the good work that has been done in Pennsylvania in the last twenty-five years.

I want now, Mr. President, to thank the members of this Senate for the splendid attention they have given me and all I ask is that you believe I actually think what I am saying.

Mr. HALUSKA. Mr. President, yesterday we sat here and listened to a long discussion by my colleague from Philadelphia, Mr. Shapiro and by my colleague from Montgomery County, Mr. Edmonds, and I feel that is as it should be. This is the sounding board of Pennsylvania and I firmly believe we should have the right to give our thoughts out on the floor, but about three or four weeks ago, I happened to rise to my feet to discuss a subject of great importance to me and it so happens, Mr. President, that up until this very day I have been the only man to whom anybody has objected. The gentleman from Allegheny, Mr. Geltz, saw fit to rise and object to my question of personal privilege. I felt very much offended at that time. However, the next morning he came to my desk and informed me he had had a discussion with the Democratic Minority Floor Leader, and he asked him that we delay making speeches on personal privilege until we were through with the Calendar. After hearing that, I felt somewhat different, and had my Floor Leader told me that the afternoon before, I would have felt different.

Now, the Chair has been very very lenient, in fact more than lenient, and in all of the years that I have been in this Hall, I must say, Mr. President, I have never heard one man rise to his feet and confine himself to a question of personal privilege; each and everyone of them have gone far afield. We have brought in the European situation and many many items of no importance to the question of personal privilege, but the Chair, as I said a moment ago, sat by idly and gave a very broad outlook on each discussion.

Now, Mr. President, since I have been the only victim I might say to the Senate I feel we should arrive at some definite conclusion, either that we should wait until our Calendar is finished to discuss a question of personal privilege or if we should talk on a question of personal privilege, which is personal and which has preference, of course, then we should confine ourselves strictly to that question.

Now, Mr. President, before this day is over, I expect to offer a motion or perhaps some resolution on the question of personal privilege, because a question of personal privilege is in order before, or in the middle of the Calendar, or after, and because I feel I should not be the only one to be subjected to criticism.

The PRESIDENT. The Chair rises to speak on a question of personal privilege.

The condition that exists here is due no doubt to the liberality of the Chair and also due to the lack of backbone on the part of a body to adopt rules that they want to apply at times and at other times they do not want them to apply.

Now, all this could be obviated, as the Senator from Jefferson, Mr. Wilson, stated. I have watched it work and function for years, and the guiding rule has been by mutual consent. It has always been that, and the Chair has tried to carry that out.

There is no rule here on the point of personal privilege, neither is there anything in the order of business to say when one may address the Senate on a matter which is not on the regular order of business.

This can be obviated by some person in authority—and there is a majority here as there was a majority in 1939, by adopting such rules and so avoid embarrassment to the President of the Senate, but in the absence of that rule the Chair is going to continue in the future as he has in the past.

The Chair recognizes the gentleman from Philadelphia, Mr. Shapiro.

Mr. SHAPIRO. Mr. President, on Wednesday of last week when I left this session, I suggested to the Chair that I had a statement concerning an important subject which I felt the Senate and the Citizens of the Commonwealth were interested in. I said that I was going to make that statement on a question of personal privilege, because there was nothing on the Calendar or under any other head under which I could make the statement, and as I think due notice was given I thought it a matter of sufficient importance to feel it ought to be publicized and I took the liberty of seeing that copies of the statement were sent to each of the morning newspapers in Philadelphia. I made no secret of that and it was because that fact that I was insistent on making the statement. It did not make any difference to me whether it came before the Calendar or after, except that I did not want to put the newspapers in the position of saying that I had made the statement at a certain time and the statement had not be so made, and that was the only reason I insisted on making it at that time. I thought the statement was of sufficient importance to the people of this Commonwealth that it should have been made, but whether it was made one time or another in the course of the Senate's work during the day, to me is utterly irrelevant.

I am going to suggest, to the gentleman from Jefferson and make a real question of personal privilege out of it, and say gentleman that I did not bring his name or any other name in the discussion that I made yesterday, because I have found that you detract from the force of any real speech by engaging in personalities. The gentleman himself has injected himself into this picture today, and I would like to suggest to him that his statement

convinces me that the real vice in all of our laws is the fact that some of us, many of us, have too much personal interest in legislation on which we are voting.

I hope the gentleman will not consider it a personal statement concerning him because I do not so intend, but the framers of the Constitution thought it of sufficient importance to give some attention to it, to such an extent that they put a clause in the Constitution, a section about it.

I say the trouble with our laws is that we place the enactment or the drafting of laws, and the acting upon laws, in the hands of people who have an interest. The gentleman from Jefferson has qualified himself as an expert on the subject, and I say very frankly that we and others who have an interest in bills, such as he has described himself, have disqualified themselves from sitting as chairmen of committees handling such bills and from voting on them, and I say that because of the fact too many people have had personal interest in bills which conflicted with the general welfare of the community and they are responsible for that situation, not only as to workmen's compensation, but in many other laws that we have passed here.

The gentleman has told us very frankly he represents a group which is vitally interested in seeing to it that if a law if enacted it should exclude them from it. How under the sun could that constitutional provision ever be operative, if that is to be continued.

The gentleman from Jefferson tells us he is the father not only of the original bill, but of the 1939 amendments, and if you look at the original bill you will find that it excludes self-insurers. It says there may be self-insurers, and if you look at the 1939 bill you will find there is not anything it that bill that affects self-insurers or protects the workman from any vices that may exist in the self-insuring system.

I say this very frankly, I do not expect any man, after having heard the statement I made, which covered twenty-nine pages—I could have covered more if I had not cut out a number of facts which I thought could be developed later—I do not expect anybody to get up and say you are one hundred per cent right or fifty per cent wrong but I have laid on the desks of the Republican Senators copies of the statement. The figures are not mine; there is not a word in that statement which is mine. Every figure in that statement comes from an authoritative source, the figures concerning workmen's compensation come from the Workmen's Compensation Board. The figures concerning insurance in this Commonwealth of Pennsylvania come from the insurance commissioner of the Commonwealth of Pennsylvania and from the rating bureau. The figures that come from the United States and the nation at large come from the reports of every insurance company doing workmen's compensation business in the United States.

Mr. President, those figures are not mine. They do not lie. They are therefor your consideration and I have not only made the suggestion but I have made research into all of the workmen's compensation laws of every state in the union for the purpose of finding out whether I was on safe ground.

I do not propose to argue the merits or the demerits of the suggestions I have made. I say on the question of self-insurers there is a great deal of discussion to be had.

I have said in that statement it is my opinion the only reason that insurers exist is because they know of these overloaded charges and they do not feel they should be bound to pay them and therefore they have organized themselves into a group to avoid paying them.

I am told by many people that compensation in some instances by self-insurers is even more than provided for in the act. If that is so and if there is a real reason for their existence after the unnecessary charges are taken out, then disinterested persons can decide that and cover it, and I say disinterested persons advisedly, because I do not feel a subject as far-reaching as this is, persons who have any interest in the result, should be in on the discussion or in on the voting, and I say that without any personal reflection upon anybody.

As to politics, Mr. President, let me say right here and now that in 1932 and before 1933 there need not have been any politics in any piece of legislation because there were not two political parties, but there has been politics in all legislation since there have been to strong political parties contending in Pennsylvania.

I say I have deliberately made an issue of the political situation in that speech to the extent to which it was necessary because I contend that the Democratic Party has taken one stand on that issue and the Republican Party has taken another stand and the question of which stand is correct is involved in the statement

I have not been politically personal because I said yesterday and I repeat today that there is no insurance commissioner in the Commonwealth, including the Democratic insurance commissioner, who is not in my opinion responsible for and who has not contributed to the condition or the system, the perpetuation of the system to which I referred as an unnecessary and vicious system.

The act gives to the commissioner of insurance the right to say that the rate must be safe rate; it does not give him any longer the right to establish the rate, because every time he establishes a rate he must make allowances for the unnecessary expense of the stock companies and their expense of 44 or 46 per cent.

I referred to a particular insurance company with the hope you would see the point I tried to make, which is this: if an individual private insurance company can run without solicitation of business, without unnecessary expenses, can privately conduct a portion of a statewide business at an expense of twelve per cent, while others conduct the same kind of a business at 45 per cent, and if the situation is such that in order to allow a company which has to consider ordinary and necessary administrative expenses to make a profit, and another company is allowed to make an extraordinary and unnecessary profit, there is something wrong with that system and what stands out is if one private company can run a portion of the business at twelve per cent expense, then maybe the whole state running this business can run it at a lesser expense.

I have produced evidence as to what other states have done upon that subject and I say to you now if you are not going to accept my statement, and I hope it is going to be accepted, you are going to reject them just because you believe there may be some political repercussion one way or the other; but obviously it does not make any difference if there is a paternalistic attitude on the part of some insurance companies in giving back to some of their customers some of their own money.

The point is if the insurance companies are permitted to

include forty-five cents in their charge, if that is fair, in my opinion it is much fairer the forty-five cents should go to the workmen, and if the gentlemen who framed the 1939 amendment, including the gentleman from Jefferson, had taken into consideration the fact that we could take those expenses and turn them into benefits, everybody would feel better about it and there probably would not have been any necessity for my statement.

No one would assume, Mr. President, that the gentleman from Jefferson should have suggested when the unemployment compensation act was passed to permit insurance companies to insure industry against the cost of compensation, no one would have suggested for a moment that he should permit insurance companies to insure against the cost of old age pensions.

Then why do we need insurance companies to insure against loss of workmen's compensation? Why do we need them when it is a State proposition? That is the question, I contend, that this is a state economic and social problem, which should be handled by the State on an economic and social basis.

The opposite side contends it is a private enterprise and that is the line of demarcation.

When you answer that question you will have solved your problem, but you must answer it honestly, thoroughly and disinterestedly, and you cannot answer it by simply saying the able Senator from Philadelphia has brought us facts and figures but he is often mistaken, very often mistaken, and therefore we will not pay any attention to the figures.

I suggest, Mr. President, you must meet this issue, because if you continue the laws as they are today you will next be met with the situation of what are you going to do with the state fund, because gradually under the system inaugurated by this administration the state fund is approaching insolvency. If you can lose ten thousand policies in a year you can lose ten thousand more.

If you object to the state, which is compelled under the law to accept insurance, it must give insurance to any man who wants it, and if you say to the state do not go out and seek that insurance, and you will allow competitors to continue soliciting insurance with promises the State cannot make, you put the state in the position of taking only those risks which are bad and do not protect the injured workmen by improved devices for safety or whose solvency is bad and then you are ruining the fund.

My contention is that in 1932 there was a Republican administration; in 1933, 1934 and in 1935 the Sterling report was before us and some of the suggestions I made were made in the Sterling report and the warning which I sounded were sounded in the Sterling report. The Sterling report deliberately avoided making the statement which was obvious of the figures, that in that year of 1932 the Workmen's Compensation Fund was insolvent. The legislators were discussing at that time whether it would be wise to make an appropriation to save the Workmen's Insurance Fund

You have got to choose between insolvency of the Workmen's Compensation Fund and the elimination of it from the picture and setting up something better.

You will not get anywhere with this problem by talking about your experience and determining how the compensation could be awarded, what procedure could be set up for the awarding of compensation, but you will get somewhere if you look at the picture in the general aspect, of what it amounts to.

You must say to yourself, if you are not politically minded and if you want to look at it as a statesman, that the situation as it exists today is a vicious system if it allows a waste of forty-four cents on the dollar.

I do not care whether two or three insurance companies give a portion of it back, to half a dozen lucky policy holders who insured with them, but I call your attention to the fact that under the laws the Workmen's Compensation Department cannot give a commission in cash, but private insurance can give that. Who put that into the law? A disinterested person?

I want to call your attention to the fact and you very well know, that the workmen's compensation fund cannot give a commission until there accounts have been audited, but you will find the private insurance company going out at the end of the year and saying, "We give you a commission, a rebate."

You cannot get it from the state because, first of all, you only get it as a credit on next year's premium, unless you cancel the policy, and then you do not get it for two years. If you want to prove that look at the reports. The 1938 dividend was paid by the state in 1940 but the 1938 dividends by the private companies was paid within twelve months—at the end of the twelve months term, by the private companies.

Everything in the law points to the fact that interested persons framed those laws and that the persons who could not stop the passage of the compensation law immediately undertook to see how much they could get out of it when it did become a law. Look at the law and read the books and you will see it.

The gentleman tells me about the Supreme Court decision. You ask your attorney general what he thinks of the Supreme Court decision which says under the elective system we have to have a reasonable act; it is only under a compulsory system that we have to have a reasonable act because under an elective system it is a contract and when as employer makes a contract with his employe that he will pay him so much money if he is injured, is that a contract which is subject to revision by the Supreme Court? You never heard of any other contract between an employer and employe.

Look at the books and read how employes have complained about the injustice of contracts which they have made with their employers, were forced to make, and the Supreme Court has said it is a contract; if you fellows entered into it, this is a voluntary contract, if you were forced into it we are sorry.

Here is a law passed when there was no authority to pass a compulsory act. Since then, within six months there was authority given to pass a compulsory act.

Mr. President, I have told you of a number of states that have compulsory acts, I have told you of a number of states that have insurance. Let me tell you about New York. The New York fund today is worth $62,000,000.00; the New York fund today is competing with private insurance companies; the New York fund can go out and sell a policy, as they do, at a twenty-five per cent premium less than private companies, and make a profit.

Why here, Mr. President, if the workmen's compensation fund tries to reduce the rate, even though its expenses are only ten or twelve per cent, the insurance commissioner says, "Oh, no." He is our own insurance com-

missioner, he is not a man representing the insurance companies, at least he is not supposed to, and he says to them, "Oh, no, you must charge the same rate as these other companies." Why do we want the state fund then?

We can not compete with that and I come back to the same proposition, that so long as we have a political situation in which certain strong powerful politicians can contribute to the election of one party or the other—and this goes for both parties—and as long as that man can dictate the appointments to the various administrations, so long will you have what we have in this situation, unless you are willing as parties to differentiate between social economic problems as against political problems.

I do not care how much politics you play with purely political problems but I protest against the playing of politics with economic and social problems. They sit here in this Senate and in the House and continuously vote on bills in which they have an interest without disclosing that fact.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WOODWARD. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. WOODWARD. Mr. President, I do not know whose Senate this is, whether it belongs to the fifty members of the Senate or whether it is the property of Senator Shapiro and Senator Henry I. Wilson. I think we ought to do something about this question of personal privilege because yesterday under a question of personal privilege we listened to the gentleman from Philadelphia with his twenty-nine pages and we listened this morning to the gentleman from Jefferson with his twenty-eight and a half pages, and both of them were out of order.

There is no such bill before us, Mr. President, but due to the leniency of our presiding officer we suffered it, but with these gentlemen I would like to be a self-insurer against freedom of speech, and I will tell you I always have voted against vocational diseases.

As a matter of fact, Mr. President, I was one of the framers of the original workmen's compensation act, and I am not taking twenty-eight pages to tell you that, but I am convinced that there is a vocational disease right here in this Senate—it first took root in Senator Shapiro and now Senator Henry I. Wilson has gotten the disease—and that is too much freedom of speech.

These gentleman, if they had a sense of humor and a sense of proportion would know they have no right to stand up and take so much time of this Senate, and I for one protest and will vote gladly for any rule to remedy the practice of rising on a question of personal privilege which are not personal.

I rise on a question of personal privilege in a perfectly genuine way because my reputation has been emasculated and more or less wrecked as the dean of the Senate by the Senator from Jefferson, Mr. Wilson, H. I. The honor rests between the gentleman from York, Mr. Lanius and myself, I protest under personal privilege against the gross intrusion of the Senator from Jefferson, Mr. Wilson, H. I.

Mr. GELTZ. Mr. President, on this question of personal privilege, because of the statement on the part of the Chair, I would just like to look at the record in the Senate for the past four weeks.

My colleague and friend from Cambria, Mr. Haluska, was correct when he said he was the first one who was interrupted and prevented from speaking on a question of personal privilege, and I want to say since that time he and all of his colleagues have cooperated in just splendid fashion and we continued in that form for a period of about four weeks.

Each session before the motion for adjournment was made a check-up was made, particularly on the part of the other side of this Chamber, to learn whether or not any of those individuals wanted to speak on a personal privilege before we adjourned.

That condition continued very satisfactorily, Mr. President, without a rule being passed, to which the Chair referred, until sometime last week when the gentleman from Philadelphia, apparently feeling he was not only entitled to personal privilege but also to special privilege, thereupon secured the consent of the Chair.

Yesterday and today is a fine example of what followed after a matter of that kind. He of course is not entitled to special privilege and the other Senators who, since he spoke yesterday, have taken it upon themselves to speak are perfectly right and proper in so doing and therefore I have made no objection to anybody speaking since I objected to the Senator from Philadelphia yesterday.

Now the Chair has suggested that this situation exists because we apparently lack something, in not having passed a rule covering questions of personal privilege. May I suggest to the Chair that we could not pass any rule that would prevent the stretching of the Chair's imagination to include anything under a question of personal privilege, as we rather felt was done yesterday.

Of course, Mr. President, there is a method that can stop that, and that is by taking an appeal from the ruling of the Chair. We did not, however, think yesterday that is was necessary that we resort to a technicality of that kind and we still do not think it is necessary. We believe the majority of the Senators here on both sides of this Chamber can get along as we have gotten along for the last four weeks, by agreement, in good fellowship, in a friendly manner, providing some individual does not again desire, as did the colleague from Philadelphia, a special privilege instead of personal privilege.

I ask my colleagues that we endeavor to continue until the end of this session as we have for the last four weeks, because I think everything has been going along very nicely. It can go very nicely and there is not any necessity, as I see it, to resort to strict technicalities.

Mr. HENRY I. WILSON. Mr. President, I really want to call attention to the fact that I did not speak on a question of personal privilege. I rose to my feet today with the understanding that I be permitted to make a statement, providing there were no objections.

I made a statement that I wished to make a statement on this floor and not a single Senator objected and not a single Senator objected to anything I said while I was making it.

Then I am criticized afterwards for taking up time but I tell you I believe I had full reason to speak to you on a question of personal privilege, but I wished to avoid that. I say that I did have cause. Although my name was not mentioned it affected me and therefore you gave me permission to make a statement.

I did not rise on a question of personal privilege but

now, Mr. President, I would like, if Mr. Shapiro would allow me, to ask him two questions.

Will he be interrogated for two questions?

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHAPIRO. Certainly, Mr. President.

Mr. HENRY I. WILSON. Senator Shapiro, I wish to ask whether you were a member of the Senate during the session of 1937?

Mr. SHAPIRO. I was.

Mr. HENRY I. WILSON. I wish to ask Senator Shapiro did he then have the same ideas relative to workmen's compensation, as to the coverage, who covered it or how we should cover it?

Mr. SHAPIRO. I did not, Mr. President. I was groping in the dark the same as the gentleman from Somerset, Mr. Ealy, and he gave me the idea when I read the record in December of this year and read his statement in the 1938 session.

Mr. HENRY I. WILSON. Then your full and complete understanding and information on the question of coverage has all been formed since the passage and signing of the act of 1937?

Mr. SHAPIRO. Mr. President, it has been formed since the agitation of the 1939 amendments. When the facts were brought to my attention that the rates would be increased by with what I considered a minor increase in benefits, it was then I first began to think about it.

Mr. HENRY I. WILSON. Mr. President, may I ask the gentleman from Philadelphia one further question?

Mr. SHAPIRO. As many as the gentleman from Jefferson desires.

Mr. HENRY I. WILSON. Back of the 1937 session the gentleman from Philadelphia did not pay much attention to it; is that correct?

Mr. SHAPIRO. That is not so, Mr. President; I have paid as much attention as I was able to with my inexperience at the time. I have made some special efforts to learn more about it since then.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHAPMAN. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Warren will state his question of personal privilege.

Mr. CHAPMAN:

WHAT IS WRONG WITH THE UNITED STATES

The pendulum of time is swinging and the sands of time are running on and on and each day is bringing the grim specter of war closer to our shores and hearths The pages of history are being rapidly turned these days and as I see it the man who feels that war is afar off is deluded and not a keen observer of the signs of the times. And as the hour approaches when the die must be cast it behooves us to know that our path is righteous and our goal is more spiritual than mundane.

History in the making shows us that back in the early days of nations wars were waged for power and wealth alone. There were no just and unjust wars. Leaders fired with a lust of power rose and waged wars; conquered neighbors; seized their wealth and made their people slaves. Then came a period in the 16th and 17th centuries when wars took on a tinge of a different shade. They were started for the relief of the oppressed and the just and unjust war came into being. All wars, however, just they may be in the beginning as a rule ultimately turn into wars of aggression and conquest. It is the adjustment of affairs at the close of the wars that marks deflation of hates that sprang into life during the progress of the blood letting.

The World War in 1914 was not a just war. An assassination was seized upon as an excuse by the Kaiser to turn loose his legions that had been chafing under the lash. Then our nation weighed the consequences of halting an unjust war and by the power of its might turned the scales. The table about which the peace treaty was drawn was surrounded by men in whose hearts black hate held sway. The peace treaty as completed and signed was a series of mistakes but under the circumstances was possibly as good as any that could have been drafted under similar circumstances.

The League of Nations as proposed came into being. It was hamstrung and thwarted by the major powers. Here jealousies were rampant and its rulings without teeth in them or power to enforce its orders caused it to become a helpless, spineless affair, doomed to be cast aside by the first nations that wished to do so.

But in the hearts of men there was still a desire for peace. Leaders in the nations of the world felt the urge to protect their peoples from the scourge of blood and as a result the Kellogg-Briand treaty was negotiated. The signatures of the nations were affixed. Then came the Argentina treaty and by it war became an outlaw. Germany, Italy and Japan were signatories on both treaties. England and the United States also affixed their seals and without reservations.

However, the Dictators evidently in signing the treaties did not let their left hands know what the right hands did and with the left hand feverishly prepared for war. The hand was the hand of Esau and the voice was the voice of Jacob. Finally in real gangster style Hitler turned his legions loose after a fanfare of incidents had been created by that master prevaricator Goebbels. Italy with its dagger in hand struck, and Japan became imbued with an idea of world power. All three labored and impoverished themselves and their people to create war machines.

England appeased until it became evident that the Dictators were determined to divide the world and make free men slaves. Then with France a stand was made. Hitler's termites had bored under the foundations of France and it collapsed and Dunquerke became a symbol of heroism in England's history.

Our peoples have weighed the situation and surveying the events of years passed determined that Germany, Italy and Japan were aggressors in an unjust war. Long before our government acted to give Britain all possible aid the man in the street saw the situation and wondered why there was no action from Washington. The need of arms for United States was known. The corner cigar store diplomats knew our army was puny and that our navy was prepared, but not strong enough to protect two ocean fronts.

And now with all of our facilities turned loose to forge the implements of war and with the flower of American

manhood turning toward camps on shore and ships at sea, we are awakening.

But the Hitler, Mussolini and Mikado termites are boring. Strikes on every hand are not accidents. Strong measures must be taken and while the Administration elected by labors' votes and contributions hesitates to act, valuable time is being lost. Imagine how pleased the triumvirate of Dictators must be to learn that close to a million men are on strike. It is time for the mailed fist to be used on capital and labor—or both—if they are holding up our defense program.

England has its concentration camps for men who are not 100% for the program of the government and I thoroughly believe that the United States should act and act at once to put the termite army at work in the plants of the country, away, behind barbed wire camps, while the loyal men and women of the nation turn out the implements of victory.

I am positively alarmed at the loss of man hours in our industry. It is a picture that when held up and viewed calmly will cause any legislator of the land to shudder at the prospect. Hitler predicted that an "inside job" would wreck the United States.

Our Department of Justice has lists of men known to be foreign agents and I take it that gloves should be cast aside and strong action taken. Let the axe fall and the chips fly in cutting down the powers of the Reds, the Nazis and the Fascists.

We, in the upper house of our Legislature, should take action that would aid the authorities in cleansing our state of these elements that hamstring our march to make the freemen of the world continue to be free.

May the widom be given us to see what is needed and then to act without fear or favor in passing legislation—if it is needed—to make punishment swift and sure for those who are undermining our nation.

We must act and every true American must be awakened to the fact that we are now being warred upon by the most perfidious campaign of lies, deceptions and sabotage possible for the human mind to conceive.

War is just ahead of us. I can see no other path. The Dictators have threatened us with reprisals for our aid to Britain and in no distant day, we will be stunned by some act that will show the threats were not idle words. No nation can exist with such pernicious gnawing at its vitals, a cancer of disunion.

The situation is a dangerous one. Our position in the scheme of things is absolutely correct. We know that Germany, Italy and Japan are the aggressor nations and to thwart their aims we must align ourselves with the Democracies of the world and give until it hurts, of our wealth and our equipment.

The clash of armed forces is not yet heard on our shores but the stealthy tread of the moccasin of the Fifth Column is becoming so loud that in every section of our land it can be heard.

It is time to deal with an iron hand with the man who for greed, fame or glory of a foreign flag takes any step to halt our onward march. Our government at Washington is enjoying the cooperation of all political parties in its effort to arm our nation; but it must forget past political debts due to labor leaders and enforce our laws and open our factories. Strikes and disturbances in the armament program must cease and the nation looks to the President for action.

A just war being fought by our Motherland has our support. Let no man try to turn our nation from its chosen path. Let the might of our laws fall on anyone who endeavors to turn us from our way to victory over the forces that makes men slaves.

"One nation indivisible" is the goal of the United States at present and any force of disunity must be dealt with.

Let the world know that the Commonwealth of Pennsylvania is loyal and that if laws be needed to punish the traitor we are ready to pass them hastily and keep our flags flying over the land of the free and the home of the brave.

MOTION TO RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now recess until two o'clock p. m.

On the question.

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, while I do not object to a recess, under the heading of remarks I should like to remind the Majority Floor Leader there is a public hearing scheduled to be held by the Committee on Judiciary General at two o'clock this afternoon in the Senate Caucus room. I have no objection to a recess and neither have I any objection to a continuation of the speeches under personal privilege. I understand quite a number of Senators are desirious of making speeches but, Mr. President, as I have said, there is a public hearing scheduled for this afternoon which has been advertised for two o'clock and if we are to recess until two o'clock I should like to ask on behalf of my colleagues on the Committee on Judiciary General that we be excused from the two o'clock session. However, I do not want to miss any of these speeches.

Mr. REED. Mr. President, I suggest that after we are through with the public hearing this afternoon we come back and if it takes until ten or eleven o'clock tonight we complete the Calendar.

MOTION AMENDED

Mr. GELTZ. Mr. President, I wish to amend my motion.

Mr. CAVALCANTE. Mr. President, I would like to extend a personal invitation to the members of the press to attend the hearing in the Senate Caucus room, on Bill No. 130, as announced.

RECESS

Mr. GELTZ. Mr. President, I move that the Senate do now take a recess until 3:00 o'clock p. m.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being in-

troduced presented for concurrence bills of the House, as follows:

House Bill No. 62, (Senate Bill No. 533), entitled:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

Which was committed to the Committee on Municipal Government.

House Bill No. 145, (Senate Bill No. 534), entitled:

An Act validating county treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if in fact such acknowledgment was taken before a judge of the county.

Which was committed to the Committee on County Government.

House Bill No. 316, (Senate Bill No. 535), entitled:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

Which was committed to the Committee on State Government.

House Bill No. 375, (Senate Bill No. 536), entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Which was committed to the Committee on Judiciary General.

House Bill No. 579, (Senate Bill No. 537), entitled:

Relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 593, (Senate Bill No. 538), entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

Which was committed to the Committee on County Government.

House Bill No. 646, (Senate Bill No. 539), entitled:

An Act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

Which was committed to the Committee on Highways.

House Bill No. 648, (Senate Bill No. 540), entitled:

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," providing roads to be county roads as soon as so determined and maintenance of such roads within the limits of boroughs and cities.

Which was committed to the Committee on County Government.

House Bill No. 650, (Senate Bill No. 541), entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720), entitled "City State Highway Law," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

Which was committed to the Committee on Highways.

House Bill No. 666, (Senate Bill No. 542), entitled:

An Act to amend section one of the act approved the twenty-sixth day of August, A. D. one thousand nine hundred thirty-two (P. L. 101), entitled "An act authorizing collectors of delinquent taxes, except in cities of the first class, to accept payments of delinquent taxes or water-rents or rates in installments," by including counties.

Which was committed to the Committee on Judiciary General.

House Bill No. 755, (Senate Bill No. 543), entitled:

An Act to further amend section seventeen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes Retirement Law," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

Which was committed to the Committee on State Government.

House Bill No. 850, (Senate Bill No. 544), entitled:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class.

Which was committed to the Committee on Municipal Government.

HOUSE CONCURS IN SENATE BILL NO. 187 (HOUSE BILL NO. 874)

He also returned to the Senate, Senate Bill No. 187, entitled:

An Act to amend section thirty-eight of article four of the act approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

with the information that the House has passed the same without amendments.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Military Affairs.

In the House of Representatives, April 1, 1941.

Whereas, December 15, 1941, will be the 150th anniversary of the ratification of the "Bill of Rights" 1791-1941 and

Whereas, The "Bill of Rights" that expression of American genius which guarantees our fundamental freedoms of speech press and worship is an immortal monument of human liberties which serves as a "Guiding Light" to the people of all Democratic Nations and

Whereas, The "Bill of Rights" on its 150th anniversary should be duly honored by some outward manifestation of our gratitude and deference and

Whereas, A national homage paid to this most imoprtant document in American history may well serve as an opportune reminder to all Americans that they are indeed fortunate to live under our democratic form of government and how important it is for them to do their utmost to preserve our "Bill of Rights" and protect its principles from being ravaged or distorted therefore be it

Resolved (if the Senate concur), That the Governor of this Commonwealth be and is hereby requested by the House of Representatives to proclaim December 15, 1941, as "Bill of Rights Day" and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of this House to the Governor of this Commonwealth

REPORTS OF COMMITTEES

Mr. BECKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 269, entitled:

An Act authorizing the reduction of real property purchased by political subdivisions at tax sales, upon the payment of the amount charged against the same and costs, by installment payments; and prescribing the procedure therefor.

Mr. THOMAS, from the Committee on Municipal Government, reported as amended, Senate Bill No. 265 (House Bill No. 349), entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of non payment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

Mr. WATKINS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 402 (House Bill No. 376), entitled:

An Act to amend section eight hundred sixty-five of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by prohibiting the sale, exposing for sale and offering for sale of certain lubricants in a manner to deceive the purchaser.

Mr. FARRELL, from the Committee on State Government, reported as committed, Senate Bill No. 217, entitled:

An Act requiring the Department of Welfare to notify the clerk of court and the county controller of all discharges or releases from institutions under its supervision.

BILL RE-REFERRED

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, Senate Bill No. 481, entitled:

An Act to amend the act, approved the twenty-sixth day of May, 1933 (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," by further defining the organization and powers of credit unions.

with the request that it be re-referred to the Committee on Banking.

REPORTS OF COMMITTEES

Mr. EDMONDS, from the Committee on Education, reported as amended, Senate Bill No. 326, entitled:

An Act to authorize school districts and vocational school districts to solicit sealed bids for the purchase of material, supplies and equipment from Federal funds appropriated or to be appropriated to vocational education for national defense, to be used for training or retraining workers and prospective workers for industries essential to national defense; waiving all statutory requirements as to advertising for said bids.

Mr. MILLER, from the Committee on State Government, reported as committed, Senate Bill No. 261, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon; and making an appropriation.

with the understanding that it be recommitted to the Committee on Appropriations after second reading.

Mr. COLEMAN, from the Committee on Municipal Government, reported as committed, Senate Bill No. 315, entitled:

An Act to further amend section one of the act approved the fourth day of April, one thousand nine hundred and twenty-five (P. L. 127), entitled "An act relating to adoption," by imposing exclusive jurisdiction in adoption proceedings in the municipal court in first class counties.

Mr. CRIDER, from the Committee on Military Affairs, reported as amended, Senate Bill No. 230, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of certain moral claims; providing for the hearing, adjustment, and paying of moral claims of persons injured and dependent relative, members of families and personal representatives of persons killed, through negligence in the operation of trucks of, or under the control of, the Pennsylvania National Guard.

REPORT FROM EXECUTIVE NOMINATIONS COMMITTEE

Mr. JAMES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

APPOINTMENT AS MEMBER OF UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley J. Davis, 144 Belmont Terrace, Scranton, Lackawanna County, for appointment as a member of the Unemployment Compensation Board of Review, to serve as a substitute for Henry S. Lawrence for and during the period that Mr. Lawrence shall be engaged in the military service of the United States, but not beyond the term for which Mr. Lawrence was appointed, to wit, July 1, 1943, and until his successor shall be appointed and qualified.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF THE PEACE OF GREENE COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 27, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Andrew P. Beres, Box 4, Greensboro, Greene County, for appointment as Justice of the Peace in the Borough of Greensboro, Greene County, until the first Monday in January, 1942, to fill a vacancy.

ARTHUR H. JAMES.

APPOINTMENT AS JUSTICE OF PEACE IN JEFFERSON COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred L. Carlson, 917 Pleasant Street, Reynoldsville, Jefferson County, for appointment as Justice of the Peace in and for the Borough of Reynoldsville, Jefferson County, until the first Monday in January, 1942, vice J. H. Ewing, resigned.

ARTHUR H. JAMES.

APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William I. Hunsberger, 59 Penn Street, Souderton, Montgomery County, for appointment as a member of the Board of Trustees of Norristown State Hospital, for the term of four years and until his successor is qualified, vice Mrs. Kathryn A. Gottshalk, whose term expired.

ARTHUR H. JAMES.

RULE 38 SUSPENDED

By unanimous consent,

A motion was made by Mr. JAMES and Mr. GELTZ that Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. JAMES and Mr. GELTZ that the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	DiSilvestro,	Lanius,	Stiefel,
Bartlett,	Ealy,	Letzler,	Tallman,
Becker,	Edmonds,	Mallery,	Taylor,
Carr,	Farrell,	McGinnis,	Thomas,
Cavalcante,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Reed,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. JAMES. Mr. President, I move that the Executive Session do now rise.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED

Mr. REED read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act relating to the summoning and service of jurors (except grand jurors) in the civil and criminal courts of the several counties of the Commonwealth.

Which was committed to the Committee on Judiciary General.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 546, entitled:

An Act to apportion the State into congressional districts.

Which was committed to the Committee on Congressional Apportionment.

Messrs. EDMONDS and McGINNIS read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act to further amend section four hundred twenty of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws" by providing for the conversion of annuity contracts.

Which was committed to the Committee on Insurance.

Messrs. EDMONDS and LANIUS read in their places and presented to the Chair Senate Bill No. 548, entitled:

An Act authorizing the Commonwealth, political subdivisions and certain institutions to purchase blind-made commodities and services from organizations for the blind without contracts or advertisement providing for the fixing of fair market prices for such commodities, and services by a committee composed of heads of certain departments and representatives of institutions where blind-made commodities are manufactured and imposing certain duties upon the Department of Property and Supplies and the State Council for the Blind.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 549, entitled:

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act Number 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing additional routes in the County of Wayne.

Which was committed to the Committee on Highways.

Mr. TALLMAN (by request) read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined"; by adding thereto section 2114 establishing a civil service system for the Department of Health.

Which was committed to the Committee on State Government.

Mr. ZIESENHEIM read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act to amend route 25008 of section two of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act to abolish and repeal route 25008 in Girard Township, Erie County, established by the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (Act No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Which was committed to the Committee on Highways.

Mr. CARR read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act to amend section six hundred and forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting admission of children under fifteen to moving picture theatres on Sundays unless accompanied by a parent or guardian; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. BARTLETT read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act to amend section two and clause (b) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," as amended, by redefining assistance and eliminating the requirement that fresh fluid milk shall be furnished to relief recipients, or their children.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons;

providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance and the State Emergency Relief Board," as amended, by regulating the use or disclosure of public assistance lists and records, and adding to penal provisions.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 556, entitled

An Act to repeal certain sections of, and to further amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," regulating divorces and annulments by and against mentally incompetent persons, as herein defined; and providing that records in divorce cases shall not be open to public inspection.

Which was committed to the Committee on Judiciary General.

Mr. DENT (by request) read in his place and presented to the Chair Senate Bill No. 557, entitled

An Act to amend section sixty-five of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations, and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing a certain route.

Which was committed to the Committee on Highways.

Messrs. MUNDY and CHAPMAN read in their places and presented to the Chair Senate Bill No. 558, entitled:

An Act to safeguard human health and life by providing for the issuance of permits to and the regulation of persons and entities selling milk and milk products; conferring powers and imposing duties on the Secretary of Health and Secretary of Agriculture; establishing a Dairy Advisory Council in the Department of Health; conferring powers and imposing duties thereon; defining certain qualities for milk; providing for inspection of and standards for dairy farms and milk plants; providing for the administration of the act and the establishment of rules and regulations thereunder, and for appeals to the Court of Common Pleas of Dauphin County; and imposing penalties.

Which was committed to the Committee on Agriculture.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 559, entitled:

An Act creating a joint legislative commission to be known as the Educational Survey Commission; prescribing its powers and duties; conferring upon the commission full power to issue subpoenas and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 560, entitled:

An Act to amend clauses three and four of subsection (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of miners, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtailage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generaly dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," providing for the discharge of realty from the lien of certain old legacies, with notice by publication but without the issuance of a citation.

Which was committed to the Committee on Judiciary General.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 176
(PRINTER'S No. 37)

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you, that have this day approved and signed Senate Bill No. 176, Printer's No. 37, entitled, "An Act for the judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class and for proof thereof and to make uniform the law with reference thereto."

ARTHUR H. JAMES.

RESOLUTION TO AMEND RULES OF SENATE

Mr. EDMONDS. Mr. President, on behalf of the gentleman from Somerset, Mr. Ealy, the gentleman from Cambria, Mr. Haluska, and myself, I offer the following resolution and ask that it be read by the clerk and then referred to the Committee on Rules.

In the Senate, April 8, 1941.

Resolved, That the Rules of the Senate be amended as follows:

QUESTIONS OF PERSONAL PRIVILEGE

46. Any member may rise and explain a matter personal to himself by leave of the President but he shall not discuss any pending question in such explanation. Questions of personal privilege shall be limited to questions affecting the rights, reputation and conduct of the members of the Senate in their representative capacity.

The PRESIDENT. The resolution is referred to the Committee on Rules.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

An Act providing that when inmates of an orphan's home or other children's institution, maintained at the cost of any county, attend public school and are not legal residents of such school district, the county shall pay their tuition charges and collect the same from the school district liable therefor.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL No. 1

Mr. CARR. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 1, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. CARR. Mr. President, I voted "aye."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. CARR. Mr. President, I move that the Senate do now reconsider the vote by which the title was agreed to.

Mr. EDMONDS. Mr. President, I second the motion.

And the question recurring,

Will the Senate agree to the title?

Sections one and two inclusive of the bill were severally reconsidered.

The first section of the bill was read as follows:

Section 1 Whenever any child is an inmate of an orphan asylum or home or a children's home or a home for the friendless or other institution for the care or training of orphans or other children and such institution is maintained at the cost of the county wherein it is located and such child attends the public schools of the school district wherein such home or institution is located although not a legal resident of such district the county shall in all such cases pay to such school district the cost of tuition text books and school supplies for such child which shall be fixed as provided by law for tuition costs in other cases Such costs shall be paid annually by the county and shall thereafter be collected by the county from the school district in which such child is a legal resident

On the question,

Will the Senate agree to the section?

Mr. CARR. Mr. President, I move to amend Sec. 1, page 1, line 3, by inserting after the word "friendless" the following: "or a private home; Amend Sec. 1, page 1, lines 4 and 5, by striking out the words "such institution is maintained" and inserting in lieu thereof the following: "the maintenance of such children is provided."

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows:

An Act providing that when inmates of an orphans' home or other children's institution maintained at the cost of any county attend public school and are not legal residents of such school district the county shall pay their tuition charges and collect the same from the school district liable therefor

On the question,

Will the Senate agree to the title?

Mr. CARR. Mr. President, I move to amend title, page 1, line 2 of title, by inserting after the word "institution" the following: "or private home are"; Amend title, page 1, line 3 of title, by inserting after the word "county" the following word: "and."

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill as amended having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 23, as follows:

An Act to amend subsections (a) and (f) of section one thousand three subsection (b) of section one thousand one hundred seven subsection (h) of section one thousand one hundred ten subsection (c) of section one thousand two hundred fifteen and subsection (d) of section one thousand two hundred sixteen and to further amend section one thousand two hundred twenty-three of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth

courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by eliminating the right of electors to vote a straight party ballot by one mark or operation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) and (f) of section one thousand three subsection (b) of section one thousand one hundred seven subsections (h) of section one thousand one hundred ten subsection (c) of section one thousand two hundred fifteen and subsection (d) of section one thousand two hundred sixteen of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining memership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 1003 Form of Official Election Ballot

(a) The official ballots for general municipal and special elections shall be in substantially the following form

OFFICIAL BALLOT

..... District ..... Ward City of ..... County of ..... State of Pennsylvania

..... Election held on the ..... day of .....19..

A cross mark (X) in the square opposite the name of any candidate indicates a vote for that candidate

To vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose A cross mark in the square opposite the names of the candidates of any party for President and Vice-President of the United States indicates a vote for all the candidates of that party for presidential elector To vote for individual candidates for presidential elector write or paste their names in the blank spaces provided for that purpose under the title "Presidential Electors" Use only pencil or indelible pencil

PRESIDENTIAL ELECTORS

(Vice-President or inset the names of candidates)

For John Stiles
and
Richard Doe
Democratic .....

For John Doe
and
Richard Roe
Republican .....

For John Smith
and
William Jones
Socialist .....

United States Senator

(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Governor

(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Representatives in Congress ..... District

(Vote for one)

Richard Roe .....Democratic
John Doe .....Republican
Richard Stiles .....Socialist

Senator in the General Assembly
..... District
(Vote for one)

John Doe .....Democratic
Richard Roe .....Republican

* * * *

Section 1107 Requirements of Voting Machines No voting machine shall upon any examination or reexamination be approved by the Secretary of the Commonwealth or by any examiner appointed by him unless it shall at the time satisfy the following requirements

* * * *

(b) It shall permit each voter at other than primary elections in one operation to vote for all the candidates of one political party for presidential electors

Section 1110 Form of Ballot Labels on Voting Machines

* * * *

Subject to the aforesaid limitations the form and arrangement of ballot labels as to the placing thereon of political bodies shall be within the discretion of the county board

Section 1215 Method of Marking Ballots and Depositing Same in Districts in Which Ballots are Used

* * * *

(c) At elections the elector shall prepare his ballot in the following manner He may vote for the candidates of his choice for each office to be filled according to the number of persons to be voted for by him for each office by making a cross (X) mark in the square opposite the name of the candidate or he may insert by writing stamping or sticker in the blank space provided therefor any name not already printed on the ballot and such insertion shall count as a vote without the making of a cross (X) mark If he desires to vote for the entire group of presidential electors nominated by any party or political body he may make a cross (X) mark in the appropriate square at the right of the names of the candidates for President and Vice President of such party or body If he desires to vote a ticket for presidential electors made up of the names of persons nominated by different parties or political bodies or partially of names of persons so in nomination and partially of names of persons not in nomination by any party or political body or wholly of names of persons not in nomination by any party or political body he shall insert the names of the candidates for presidential electors for whom he desires to vote in the blank spaces provided therefor under the title of the office "Presidential Electors" In the case of a question submitted to the vote of the electors he may make a cross (X) mark in the appropriate square opposite the answer which he desires to give

Section 1216 Instructions of Voters and Manner of Voting in Districts in Which Voting Machines are Used

* * * *

(d) At primaries he shall vote for each candidate individually by operating the key handle pointer or knob upon or adjacent to which the name of such candidate is placed At elections he may vote for each candidate individually by operating the key handle pointer or knob upon or adjacent to which the names of candidates of his choice are placed In the case of a question submitted to the vote of the electors the elector shall operate the key handle pointer or knob corresponding to the answer which he desires to give

Section 2 Section one thousand two hundred twenty-three of said act as amended in part by the act approved the nineteenth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 450) is hereby further amended to read as follows

Section 1223 What Ballots Shall Be Counted Manner of Counting Defective Ballots (a) No doubt ballot which is so marked as to be capable of identification shall be counted Any ballot that is marked in ink or by anything but pencil or indelible pencil shall be void and not counted Any ballot marked by any other mark than an (X) in the spaces provided for that purpose shall be void and not counted Provided however That no vote recorded thereon shall be declared void because a cross (X) mark thereon is irregular in form Any erasure or mutilation in the vote in any office block shall render void the vote for any candidates in said block but shall not in-

validate the votes cast on the remainder of the ballot if otherwise properly marked Any ballot indicating a vote for any person whose name is not printed on the ballot by writing stamping or sticker shall be counted as a vote for such person if placed in the proper space or spaces provided for that purpose whether or not an (X) is placed after the name of such person Provided however That if such writing stamping or sticker is placed over the name of a candidate printed on the ballot it shall render the entire vote in said office block void If an elector shall mark his ballot for more persons for any office than there are candidates to be voted for for such office or if for any reason it may be impossible to determine his choice for any office his ballot shall not be counted for such office but the ballot shall be counted for all offices for which it is properly marked Ballots not marked or improperly or defectively marked so that the whole ballot is void shall be set aside and shall be preserved with the other ballots

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WALKER. Mr. President, I would like to call to the attention of the Senate that Senate Bill No. 23 has absolutely nothing to do with national defense, and in that it is a very unique bill. I would also like to call to the attention of the Senate that it is one of the very few bills that will be presented to the Senate that will be very decidedly in the minority. There are very few of us—

Mr. President, how many of us are going to speak at once.

The PRESIDENT. Just one.

Mr. WALKER. There are few of us, Mr. President, who have not had the opportunity of visiting Mount Vernon, the ancestral and historical home of the Father of our Country, and there is not one that visits that place that is not impressed by the dignity and the majesty of that structure, which has stood there for so many years. Its simplicity and its eternal restfulness, and the majesty of the buildings and the grounds are bound to impress every American citizen, and the majesty and the dignity and the eternalism of the residence of the Father of our Country, impressed me just as does the dignity and the majesty and the eternalism of the Republican Party.

For years I have believed firmly in the doctrines of the Republican Party; at times I have differed and conscientiously so with the expressed leadership of the Republican Party. There have been times when we have differed, and when those differences of opinion are expressed at the polls we have what we wish to call in Pennsylvania an independent Republican faction, and occasionally, through the ballots of the electorate, the independent Republican group became the dominating group and would be successful at the polls. That has occurred in your generation and in mine, and the prior Republican Governor, Governor Pinchot, at one time was successful as the leader of the independent Republican group. At one time it was a worse political stigma to be classified as a Pinchot Republican than some Republicans think when they now classify our friends the Democrats.

At the downfall of the so-called independent Republican group, we saw a sudden springing up of the Democratic Party. Many of the prominent and leading Democrats in Pennsylvania today were members of the Independent Republican group.

For the first time in generations we experienced, not so many years ago, the success of the Democratic Party at the polls. At that time we had a Democratic Governor —and that was something. The Democratic Party was very proud of their victory. In spite of the fact that the Republicans outnumbered the Democrats in registration there was a Democrat elected and he was elected not by the Democratic Party but by the right wing of the Republican Party.

There have been times when the Republican Party lacked foresight in leadership—and that is constructive criticism—which has seriously impaired the effectiveness of the Republican policies at the polls.

In commenting so frequently on the Republican Party concerning this bill, I want to say to you, as I have said the last time this bill was on the floor of the Senate, that the Republican Party made a very serious mistake in its attitude towards good government. Some of the Republican leaders in 1936 were very much in favor of legislation such as is expressed in Senate Bill No. 23.

Then we passed through the second election of President Roosevelt and in the hope that springs eternal within the human breast many leading Republicans immediately said that we did not need that bill any longer because this man will never run for a third term—but he did.

In 1939, it was the opinion of many leading Republicans that this bill would be good legislation, and after the 1938 election that was very encouraging, but there again the Republican leadership expressed itself and suggested we would not need this type of legislation any longer and as a result we did not get it in 1939.

As early as 1933, this type of legislation was urged by some Republican leaders and then it was defeated before it ever hit the floor of the Senate. I am therefore very proud and very happy that we got this bill at least this far advanced towards the root of good government.

Now, Mr. President, in every major issue presented to the populace of Pennsylvania, as well as the other forty-seven states of the nation, very frequently you do not succeed the first time. There were quite a number of bills in Congress prior to the inauguration of Abraham Lincoln dealing with the slavery question and yet it took years and years before the Emancipation Proclamation was declared. I feel some day there will be a bill, such as is suggested by Senate Bill No. 23, passed by the Legislature of Pennsylvania so that the people will have the opportunity of selecting public officials by merit and not by straight party ballot.

There have been examples quoted time after time as to the value of requiring a seeker of public office to stand on his own two feet. This is not blazing a new trail. There are approximately eighteen states that already have adopted this type of legislation and I want to point out to the members of this Senate that this bill follows strictly what is called the Massachusetts Plan; it is not the Ohio bill which was so successful in Ohio last year, and the simple reason for that is that technical engineers advised us it is impossible to fix the voting machines used here in Pennsylvania to conform to the Ohio Plan.

For the purpose of comparison I would like to read to you the States that have the Massachusetts Plan in effect. They are Arkansas, California, Colorado, Florida, Kansas, Maryland, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Jersey, New York, North Dakota, Oregon, Tennessee, Virginia and Wyoming.

Now, Mr. President, these states all arrange the names

on their ballots by offices. They retain the party column and the party designation but do not provide for straight party balloting.

From such States—and I want you to pay close attention to this peculiarity, perhaps it is coincidence—but representatives who have come to the United States Senate from such states as those are Hiram Johnson, Carter Glass, Harry Bird, Senator Kapper, Senator Tidings, Senator Wheeler, Senator Norris, Senator Key Pittman, Senator Pat McCaran, Warren Barbar, Gerald Pye, Charles L. McNary, Joseph C. O'Mahoney, David I. Walsh, and Henry Cabot Lodge, Jr.

They are the men who are the giants in the Senate today, the statesmen of your generation and mine, and I would like to pause for a moment so that in the essence of silent prayer you may compare those giant statesmen with what we have in Pennsylvania.

Now, Mr. President, the results of such a comparison are perfectly obvious. Those men are obliged to run on their merits on a meritorious system acquired by states having such foresight as to have legislation such as is represented in Senate Bill No. 23, and it should be apparent to even the Republicans and the Democratic members of the Senate.

I want to say, Mr. President, I have no doubt if we had such a bill or such an election process in Pennsylvania, today perhaps we could point with pride to giant statesmen representing one of the greatest states of the nation.

Mr. President, I also want to point out to you that opposition to Senate Bill No. 23 is not confined to my colleagues on the right because the Democratic organization—which frankly is one of the most powerful this state has seen in a long time—is opposed to the bill. This is strictly non-partisan opposition; it is opposition engendered by a sudden fear that political chiefs, party leaders, ward leaders—sometimes commonly called ward healers—would lose control of what they so proudly call their vote.

What they fail to see, Mr. President, and what I wish to point out, is the fact that the era of party control is past, and that is the thing that worries me about my inability, to impress upon my own party the fact that the day is coming when we must listen to what the people of Pennsylvania want.

We must be able to interpret by legislation the things that the people need, we must be able to represent the people of Pennsylvania and not the party leaders from either party, and that is where we fail and every time we fail, Mr. President, we lose in a statewide or nationwide election. The minute we achieve success we are blinded by that success and we are blinded to the extent we no longer pay close attention or rapt attention to what the people want.

Twenty-five or thirty years ago it did not matter because we did not have a strong opposition party in Pennsylvania. The question of political supremacy was fought out in the Republican primaries, and there it ended, and at the conclusion of the primaries those who received what is commonly called the control vote were nominated. They owed their nomination and election to the party leaders, the political bosses we hear so much about from the left side of the Senate and those political bosses having placed those men in office naturally looked to them and vice versa for political support and control.

Today the people of Pennsylvania are a little better educated on the question of public policy and politics. The people of Pennsylvania, in spite of all the war hysteria and the question of national emergency, are deeply interested in what is going on in Harrisburg and know full well how we are discharging the responsibilities of our stewardship, and when we do not properly answer to them for our stewardship we are not returned to office. That is the outcome, and some people try to explain it pointing out the one and only reason we have a change in office is because the people are restless and they take out the ins and put in the outs.

That is the result but that is not the reason, the cause of that is the minute you get into office you forget your obligation is no longer to Joe Blow the county chairman or the ward leader, but your obligation is to John Doe, the Pennsylvania public, and in this bill, Senate Bill No. 23, all it does is to eliminate from the paper ballot and from the voting machines the opportunity to vote a straight party ticket. In other words you stand or fall on your own merits.

No longer would it be possible under this bill for a lot of candidates who are not entitled to represent the people of Pennsylvania to ride in on a head wind created by some popular figure at the head of the ticket.

This bill, Mr. President, I feel, is a little premature—like some of those crime cartoons perhaps, it is introduced thirty years too soon but there will come a day when this bill will become a law—perhaps not when you or I are in the Senate but there will be people who are a little more responsible, to express a willingness to vote for good government and insure good government in Pennsylvania, who will have an opportunity to pass this bill.

This bill has received editorial comment and favorable comment, if I might say so, from many newspapers all over Pennsylvania, especially from Allegheny County due to the fact, no doubt, the sponsor of the bill comes from Allegheny County, but I am deeply gratified that so many newspapers back this up as an opportunity to voice an expression in favor of a step toward good government and I want to say to the Republican leadership and the Democratic leadership that I think you are failing in your responsibility to the people of Pennsylvania in denying them an opportunity to judge you and me and other public officials on our merits and on theirs.

Mr. REED. Mr. President and members of this Senate, in considering this bill I think we should endeavor to determine whether its enactment would tend toward better government. I think that should be the guiding star that should lead towards the enactment or defeat of any bill of this Senate.

Today we have a ballot known as the straight party ballot and I understand this bill is for the purpose of taking away the party square and that is all this bill intends to do. In other words, a person who wants to vote for a Republican candidate under this bill would be compelled to consider and mark each candidate separately.

Now, Mr. President, the argument has been raised that this bill will destroy party government. If we still have party government in Pennsylvania I would argue that the enactment of this bill will not destroy it. I do not know whether we have strict party lines any more. I am in doubt whether we follow the same tactics

as they did in the time of Hamilton and Jefferson; I am sure that party cleavage today is not the same as it was at that time.

I can cite an example. A leading office holder in Pennsylvania a few years ago said to me, "I am not a Democrat, I am a New Dealer."

We can carry the argument further, to the great city of Washington, D. C., where we find with the administration in power, in the cabinet we find two leading Republicans, the great Mr. Knox and the fine Mr. Simpson. So in passing I say I doubt whether we have strict cleavage between the parties at this time but if we do I repeat that the enactment of this bill will not destroy party government.

The gentleman from Allegheny has said wisely when he spoke to the effect that the enactment of this bill will make every candidate stand on his own merit. What is wrong with that under our form of government? I believe that any true American citizen would not want to become an office holder if he could not win that office through his own merits.

Mr. President, I knew the politicians would be against the bill. Certainly they would be against it, because under our present system many weaklings are carried into office for the sole and only purpose of being controlled by some politician in the background. Further arguing in favor of the enactment of this bill I want to call your attention to a case I was in a few years ago relating to ballot fraud and in all of the ballots that we examined where we found fraud we found it on straight party ballots. What they would do, they would mark for a straight party ticket and then go down to some very important office and mark an "X" down there. Under this kind of law that would in a great measure be taken away, because under this bill a voter must consider each candidate separately and mark an "X" after that candidate's name.

Now, members of the Senate, if we are going to follow what the gentleman from Jefferson County said this morning and lay aside political considerations at this time we ought to vote for the bill introduced by the gentleman from Allegheny, Mr. Walker, because it tends to take politics away from the ballot in a great measure, and in a measure that tends to lower the standard of candidates for office. It makes every candidate in a sense independent and then if that candidate is elected he can come into this Senate or go to Washington, D. C., or he can go into any other office feeling that he has broken the shackles or the ropes of political power and he will be able to stand on his own feet and vote as his conscience directs.

I sincerely hope that those who claim that they want to be released from political power, from the power that comes from some politician in the background, will have courage to vote their convictions and pass a bill that will help to bring about independent thought and action in the various governmental agencies in Pennsylvania.

Mr. WOODWARD. Mr. President, my esteemed colleague from Allegheny, Mr. Walker, made two slips in his speech which I would like to correct.

It is unfortunate, when he associated the Republican party with John Doe, because to the minds of some people that might mean, you know, Mr. Joe Pew. That is spelled P-e-w.

In the second place I resent his belittling the statesmanship in this great Commonwealth. Have we not Senator James J. Davis in the United States Senate, who must be the author of some bill, although I can not place it.

Again, Mr. President, have we not Senator Joseph P. Guffey, the author of the Guffey coal bill? If you read the Pennsylvania Legislator, which will come to you this week, you will find out what the Guffey bill does.

On the one hand, Mr. President, the New Deal has an Arnold, who is fighting for monopoly.

Mr. Thurman Arnold in the Department of Justice, I believe, he is fighting monopoly and on the other hand we have Senator Guffey, who is promoting monopoly. It is perfectly true the coal bill encourages monopoly, it forces mine operators to unite in order to fix prices. I urge in conclusion therefore the President must be all things to all men; that is the only conclusion I can see.

Now then, Mr. President, as to the bill, I am heartily in favor of the bill because I think—well not so very long ago we thought we ought to have two parties and we needed more Democrats to have a strong opposition party —but I find that has been overdone. I like the Democratic party so long as it remains the minority party.

This bill appeals to the more intelligent electorate, that is, among the Republican party of course—they know how to cut their ballot—and it hurts the Democrats because the Democratic harmony is conspicuous by its absence; they have awful rows in the Democratic Party and I say give them a chance to cut their ticket—that is all to the good—and I hope everybody will vote for the bill.

Mr. McGINNIS. Mr. President, I am surprised and amazed that a distinguished Republican leader would introduce in this body a bill which in effect confesses they are ashamed of the Republican party. For forty years I have watched these elections and ballots and I saw the grand old Republican party's straight "X" at the top. I never heard a word about split tickets or that this straight-party voting was wrong but now it appears lo and behold you after eight years of Democratic rule in the nation and a strong Democratic party in this state, we find a Republican Senator has introduced a bill which in effect, as I said before, is an admission that they are ashamed of their party.

I know in our county in the past eight years over two hundred thousand Republicans were so disgusted with their party that they left the Republican party and took the time not only to vote but to come over into our party and register Democratic.

Mr. President, I realize in Washington for the past eight years the Republican party has not had a single new idea, that in these trying times, the most trying we have ever gone through, the Republican party in Washington has not had a single idea, and now, when it comes to this state I am sure that anyone who believes in party government and believes in their party and has faith in it will not vote for this bill.

I am a firm believer in party government. I am thoroughly convinced that nothing very good or very lasting will come to this state or any other state unless it comes through a party.

I say the ballot is confusing as it is today; it is very confusing. Why make it more so? In the first place, this bill is unnecessary. Any voter can vote a split ticket today just as he could under this bill, if he wants to; if he does not want to go to that trouble he can vote a

straight party ticket but if he prefers he can do it today under our present legislation.

I feel that to force the voters to go down through a list of candidates—and as a rule they do not know half of them—they will make more blunders, they will not know what they have done when they get through. Mr. President, half of the voters of this state can not pick up any of our ballots and go down through the list and know very well over half of the candidates and therefore I feel that is one good reason for responsibility in party government. A party does not necessarily or very often throw out to the public or give to the public a set of candidates that are not creditable. They are too smart for that; they are too practical for that, and I know that it is the purpose of both parties in this state, to get out as good a ticket as they can possibly get out. It means success, it means better government, and on the whole, people who are in politics are not so bad. I know a lot of good politicians in this state and when it comes right down to it, I will trust them, very often, more than I would some wild eyed reformer. I would take a politician whose word was good and rely on it whether it comes to governmental or party policy much quicker and with much more satisfaction than I would that of some wild eyed reformer who thinks he is going to change the entire complexion of the Government of Pennsylvania and so I am sure on the other side of this house today there are a lot of Republicans who are not ashamed and do not want the Grand Old Party forgotten.

They are not going to say that the party of Lincoln and McKinley should be forgotten and that they should go to the polls without having that grand opportunity of voting for the grand old party so that I know on the other side there will be a lot of people who are still proud of whatever the Republican Party has accomplished in the nation and this state.

Mr. GELTZ. Mr. President, I am afraid our good friend Barney misunderstands the brand of shame and alarm he attributes to our colleague from Allegheny, Mr. Walker. I do think he misunderstands.

On that point, Mr. President, this bill as I understand it and as far as Senator Walker understands it, was not because he was looking down the Republican alley but because he was looking down what was supposed to be the Democratic alley but was marked the new deal alley and what he saw down that alley was so alarming to him that he thought if it was a sample or an example of what was to come, a bill of this kind had better be introduced fast and put through in a hurry for the protection of the Commonwealth and the country.

Mr. HALUSKA. Mr. President, I am going to support Senate Bill No. 23 for a number of reasons. I have heard so much about coat tail riders, I have been accused of being one of them by a local editor in my county. I was always willing to go to the primaries and come out on my own merits and I am willing to go to the fall election and be judged on the basis of my record and I think each and every man in this Senate should be judged accordingly.

Let me give you an illustration of what party policies mean. Here about two months ago I introduced in this body one of the most important bills ever dropped into the hopper, known as the Sixty at Sixty Plan, a bill designed to take care of the senior citizens of our Commonwealth.

Up until this very moment, Mr. President, because of party lines, that bill, as stated by my good colleague from Northampton, is not dead but as he said peacefully sleeping.

This might be premature and it might sound funny but the day must come when members of this Assembly must face the facts and something must be done when bills of that nature shall be given some consideration. As I have stated many times, a man who is sixty years of age will never again be employed by private industry. We all know that and I charge, Mr. President, had it not been for party policies my bill would have been out of this Senate and probably now be peacefully sleeping in the House.

I have talked with my colleagues on the floor and in private and they will tell me they think it is a good measure but on this floor because of party leaders they dare not even bring the bill out of committee. That is some of the results of party politics.

I am willing to go back home three years from now, if I am living and wish to seek public office and ask my constituents to support or defeat me upon the work I do in this Chamber. I am asking for no bosses to come into my county and plead for me. I live in a Republican county and I have been elected three times to serve my people on this Hill. If my party bosses could do it they would make sure that I would stay back home, so I have no fear of party bosses, and I say to you gentlemen, if you are going to be judged on the basis of your record, stand up and be counted and do not be coat tail riders; place your name before the public and ask the people who support your cause on the basis of your record but no, as long as we have party policies, as long as they are able to mark an "X" in the square, as stated by my good friend from Washington, Senator Reed, we have many many persons who come down to serve their people, they think, but they find out they are only puppets and serving the bosses.

I have witnessed in this Chamber a boss come in back of the rail and call members over and then within a few moments time they have changed their minds. They tell you in private how they shall vote and after the bosses contact them immediately you find a different picture. That is party policies. I am fearful that we do not have sufficient red blooded men that will stand up here and vote for this bill. I say that sincerely because I charge most of them will turn out to be those who are happy to ride into office on somebody's coat tail.

Mr. SHAPIRO. Mr. President, there are two sides to this question, one side is the serious side and one is the humorous side. The humorous side has been somewhat taken care of by our good colleague from Germantown, Mr. Philadelphia.

I would like to add a little more to the humor of it and say to you that after the voting on this bill is through some of us may find out what gentlemen prefer blondes—spelled with a "Q."

Mr. President, I have been importuned to vote for this bill by a very good looking reason but I have been thinking about the fact that there is a serious side to the bill. We have been hearing a great deal about the fact that this country thrives on a two party system. We remember when the President of the United States in a great emergency determined to avoid, as he thought, political matters injected into national defense, he ap-

pointed two members to his Cabinet who were members of the other major political party. Those two gentlemen were immediately read out of their party and that was because there is a firm belief in the people who have something to say about the government of this country, and that is that political party leaders feel there should be two strong parties and that they should stand or fall upon their respective principles.

Now, Mr. President, I cannot see how this bill can do other than interfere with that and on the other hand I do not see how this bill can prevent the interference or the injection of the so-called party leaders into politics and into legislation.

Those of us who know anything about elections know we have a primary election and that the party is supposed to put on the ticket candidates who stand for certain principles and who are decent and respected and so long as the party did that the Republican Party got somewhere.

Eventually the people began to figure out that party had not the principles or the candidates and along came another party which developed principles which seemed to appeal to a majority of the voters. That party seemed to think like Henry Ford, that if you get down to rock bottom and go to the people who will buy and give them something that appeals to them, you will get more customers. The leaders of the Democratic Party came to the conclusion if you pay attention to those people who vote and you try to respond to their desires, you will be a real leader and you will be a real party and that in my opinion was the real reason for the growth of the Democratic party, and as long as it continues to follow that principle it can expect to grow. A principle portends, of course, to two important objectives, one is to stand for a real principle and the other is to see that the people who are on your ticket will abide by and carry out the principles and follow the instructions of the people who elect them.

When you come to balloting, in the primaries those people who differ from their party leaders and who favor other candidates can vote for their choice, and when you come to the November election there is nothing to prevent you, as the gentleman from Allegheny, Mr. McGinnis, pointed out, from voting without using the party lever or the party ballot.

Now, Mr. President, there is something which strikes me as peculiar about this bill. The Republican Party has for years talked about the fact that you sell a party principle and then you warn the people that if they split their ballot they are likely to spoil it and therefore you should stand by and vote the party principle by voting the straight party ticket.

That was all right until two things developed. One was a new party, and a lot of voters voted for a real principle and a real candidate. The other was that the party became so strong and the candidate so popular that unless you could break down that straight vote you were doomed to defeat.

It seems to me that is the wrong way to attack a real problem. If the Republican Party feels the principles of the Democratic Party are not good they should offer better principles, they should offer a better program and then they will not have to worry about splitting up the ticket, because I believe in the responsibility of the party for the program, and as long as the party carries out its program it does not have to worry about the men on the ticket; they will be either those who carry it out or the party goes down to defeat.

What else do you want? Do you want to make it more difficult for the Democratic voters to vote for the Democratic Party or do you really stand on principles and good government? If you have good principles, if you have good government, if you have honest candidates, you will win and if you do not you will not, and even this bill will not help you if you do not have both the principles and the candidates; it will not help you a bit, I say to you very frankly, notwithstanding what has been said here.

I do not want to continue breaking my arm patting myself on the back but I do think I am known in my district and I think if I had been a candidate without Mr. Roosevelt I would have gotten a sizeable vote, but I assure you if I had been a candidate on the Republican ticket in 1936, I would have been defeated and I do not hesitate to say that I was elected because of Mr. Roosevelt, and I was elected because of Mr. Roosevelt because I believe in his principles and I said as a candidate I would support his principles.

I see nothing to be ashamed of in that and I see nothing to be ashamed of when a leader of a party comes to the rail to discuss with members of his party about principles and asks them to abide by those principles. That is his duty; in fact if he wants to remain a leader that in my opinion is really the duty of a party leader.

I do not believe in party leaders or anyone else interfering when it comes to a bill which has no party significance, and only having private importance, and so I say this bill neither corrects or helps the situation.

The only thing that will give you the right kind of voting, the only thing that will attract to you or to me enough people who will elect you to public office from now on is party principle, character and reputation and it is because of the importance of that that I disbelieve in any rule which either gags you in voting or interferes with you in voting or makes it more difficult for you to express your choice in the voting booth or makes it difficult for you to express your opinion on the floor of the Senate.

I do not believe either a rule or a bill of this kind will create good government. The only thing that will create good government is an understanding of the responsibility which each public official has when he is elected to public office. The only time to worry about party politics and policies is when you are running on your ticket; see that you explain that to the people and stand by it. When you come here a holder of public office or a member of the legislative body you are not a Republican or a Democrat, you are a public official representing neither party but representing the people of the Commonwealth of Pennsylvania, and carrying out for the people the principles of the party's platform on which you were elected.

You look for reasons why the Republican Party has gone down and try to correct them. Well, if you are looking for the reasons you will not use this method of correction but you will take the only method of bringing any party before the eyes of the people to a standing of respect and that is good party government and performance in carrying out party pledges. This is just a gesture. I am going to vote against this bill because I do not

believe it will help solve the problem, but I will vote in favor of all things that will make party politics and party candidates live up to their promises.

Mr. DENT. Mr. President, I do not intend to prolong this discussion but just in a humorous vein I noticed the gentleman from Allegheny, Mr. Walker, had quite a bit of humor in his talk and at one particular point he said something to the effect that we had a Democratic Governor and that is something. In the same vein I might say we have a Republican Governor and that is nothing. I also liked that part of the talk of my good friend from Germantown when he said he was in favor of this bill because there are too many Democrats. To my way of looking at it, when my friend from Allegheny, Mr. McGinnis, made a slip and he said over on the other side of the House there are "Dem" Republicans he did not mean "Dems."

Personally I think the party primary serves the purpose you would like to have us believe this bill serves. You know once a man told me I was elected to the Senate the first time because I rode in on the coat tails of Roosevelt and I made the remark President Roosevelt did not run in my county in the primary and if I had not won in the primary I could not have run in the general election.

I believe something which is more dangerous to our form of government and the thing which would make for good government would be if we would destroy the party caucus procedure we indulge in here in the Senate and the House of Representatives. No matter if you are elected on a split ticket, when you come down here you caucus with a certain party. Why my good friend from Allegheny, Mr. Walker, was not elected by the Republican party and yet he caucuses with the republican party. If I remember the vote right it was the few votes he got on the Royal Oak ticket, from the Coughlinites, that gave him the necessary majority to defeat his Democratic opponent, but he does not caucus with Father Coughlin and I do not think he even listens to him.

My good friend from Allegheny, Mr. Geltz, is awfully worried about what may be the line of distinction between the New Dealers and the Democrats. Well, that is our own problem and worry and yet for some reason we Democrats get along very well with the New Dealers.

In all seriousness I think we are being very foolish here today. We have wasted an hour and a half or two hours this morning listening to the personal history of one legislator and now we have wasted another hour and a half listening to everybody make themselves independent. Why, Mr. President, we are no more independent—we may kid ourselves a little—but in the final analysis everyone of us leans a little bit on the party. I can remember many times when I would go into a district where I was not particularly well liked—you know, they did not know me very well—and I stood up on a platform and raved and ranted along about the great Democratic Party and how they should vote the straight Democratic ticket, as that was the only way you could save your vote, and of course that helped me. I admit, Mr. President, I am a politician. The difference between the fellow who admits he is a politician and the fellow who does not admit he is a politician is that the one is conceited and the other one is honest.

Once I think it was my friend Tom Kennedy, who served as President of the Senate prior to the time that we had the present very capable President of the Senate, I think he once said to me that a statesman was a dead politician; you only find statesmen under tombstones, not on the Senate floor.

I cannot yet rise to that height but I hope to later, on another bill; in the meantime I am going to vote "No" and for fear of being misunderstood back home and having my good friend Arthur Sweeney, Secretary of Welfare, misquote me as he did last week—I think he said last week I stood on the Senate floor and said the American Legion program was silly and they did not know what they were doing.

Of course, Mr. President, I did not say that but being a Democrat I could expect it in Arthur's paper. Of course that did not keep me from being a statesman and confirming Arthur even if he is a Republican, but as a politician I am going to vote for the bill—I mean to kill it—and in so doing I hope when I am gone they will say "here lies a statesman that was once a politician."

Mr. CAVALCANTE. Mr. President, as an everlasting monument to the integrity of this body and as an everlasting glory to the righteousness of partisan spirit, will the gentleman from Allegheny, Mr. McGinnis, enroll the name of one present day politician on the Journal of this Senate whose word is good and whose motives are geared to the general welfare.

The PRESIDENT. The Chair believes the proper procedure would be for the gentleman from Fayette to interrogate the gentleman from whom he expects an answer.

Mr. THOMAS B. WILSON. Mr. President, will the gentleman from Fayette please take the microphone, as we on this side can not hear what he says when he gets up occasionally.

Mr. McGINNIS. Mr. President, will the gentleman from Fayette repeat his query.

Mr. CAVALCANTE. Mr. President, as an everlasting monument to the integrity of this body, and as an everlasting glory to the righteousness of partisan spirit, will the gentleman from Allegheny, Mr. McGinnis enroll upon the Journal of this Senate the name of a present day politician whose word is good and whose motives are geared to the general welfare?

Mr. McGINNIS. Mr. President, I think this is wholly unnecessary. Whatever I would say to you here would not mean much but it does mean something to the people back home, the voters that have known me for forty or fifty years, and know what I have done, after the campaign where the issues were discussed openly and clearly, and I have been sent here and was reelected after having been here four years, I am willing to trust to the good judgment of the people back home.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. With great pleasure, Mr. President.

Mr. SHAPIRO. Mr President, in response to the interrogation of the gentleman from Fayette I should like to ask him whether he will accept my nomination for the high office and I now nominate Samuel Lewis, our presiding officer.

Mr. CAVALCANTE. The nomination is closed.

Mr. EDMONDS. Mr. President, I move the previous question.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—12

Cavalcante,	Deitrick,	Jaspan,	Walker,
Cox,	Geltz,	Reed,	Woodward,
Crowe,	Haluska,	Wade,	Ziesenheim,

NAYS—37

Barr,	Edmonds,	Mallery,	Stevenson,
Bartlett,	Farrell,	McGinnis,	Stiefel,
Becker,	Frey,	McQuiddy,	Tallman,
Carr,	Heyburn,	Miller,	Taylor,
Chapman,	Homsher,	Mundy,	Thomas,
Coleman,	James,	Ruth,	Tyler,
Crider,	Kephart,	Scarlett,	Watkins,
Dent,	Lanius,	Shapiro,	Wilson, H. I.,
DiSilvestro,	Letzler,	Snowden,	Wilson, T. B.,
Ealy,			

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 24, as follows:

An Act defining and prohibiting unfair sales providing remedites for violations thereof and establishing penalties therefor

The General Assembly of the Commonwealth of Pennsylvania here enacts as follows

Whereas The practice of selling certain items of merchandise at cost or less than cost in order to attract patronage is generally a form of deceptive advertising and an unfair method of competition in commerce and

Whereas Such practice causes commercial dislocations misleads the consumer works back against the farmer directly burdens and obstructs commerce and diverts business from dealers who maintain a fair price policy and

Whereas Bankruptcies among merchants who fail because of the competition of those who use such methods result in unemployment disruption of leases and nonpayment of taxes and loans and contribute to the inevitable train of undesirable consequences including economic depression now therefore

Section 1 This act shall be known and designated and may be cited as the "Unfair Sales Act"

Section 2 (1) When used in this act the term "cost to the retailer" shall mean the invoice cost of the merchandise to the retailer or the replacement cost of the merchandise to the retailer whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than four per cent of the total cost at retail outlet

(2) When used in this act the term "cost to the wholesaler" shall mean the invoice cost of the merchandise to the wholesaler or the replacement cost of the merchandise to the wholesaler whichever is lower less all trade discounts except customary discounts for cash advertising allowances promotional allowances display allowances and any other allowances for services rendered and any other commission or remuneration received for services performed on behalf of any governmental agencies to which shall be added (a) freight charges not otherwise included in the invoice or the replacement cost of the merchandise and (b) a mark-up to cover in part the cost of doing business which mark-up in the absence of proof of a lesser cost shall be not less than two per cent of the total cost at the wholesale establishment

(3) Where two or more items are advertised offered for sale or sold at a combined price the price of each item named shall be governed by the provisions of subsection (1) or (2) of section two respectively.

(5) The terms "sell at retail" "sales at retail" and "retail sale" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or in the usual prosecution of the seller's business of title to tangible personal property to the purchaser for consumption or use other than resale or further processing or manufacturing The above terms shall include any transfer of such property where title is retained by the seller as security for the payment of such purchase price

(6) The terms "sell at wholesale" "sale at wholesale" and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual prosecution of the seller's business of title to tangible personal property to the purchaser for purposes of resale or further processing or manufacturing The above terms shall include any such transfer of property where title is retained by the seller as security for the payment of the purchase price

(7) The term "retailer" shall mean and include every person partnership corporation or association other than a manufacturer engaged in the business of making sales at retail or performing the retail function within this state Provided That in the case of a person partnership corporation or association other than a manufacturer engaged in the business of making sales both at retail and at wholesale such terms shall be applied only to the retail portion of such business

(8) The term "wholesaler" shall mean and include every person partnership corporation or association other than a manufacturer engaged in the business of making sales at wholesale or performing the wholesale function of supplying any retailer or retail outlet with merchandise for retail sale within this state Provided That in the case of a person partnership corporation or association other than a manufacturer engaged in the business of making sales both at wholesale and retail such terms shall be applied only to the wholesale portion of such business

(9) Every person partnership corporation or association other than a manufacturer engaged in the business of making sales at retail as defined in this act within this state which in addition to such business shall purchase merchandise and commodities for sale at retail from manufacturers packers processors growers or producers thereof without resort to a wholesaler as such shall be taken deemed and construed for the purpose of this act to be engaged in business both as a wholesaler and retailer as defined in this act and as such shall be subject to both the retail and wholesale mark-up provisions of this act

Section 3 It is hereby declared that advertisement offer to sell or sale of any merchandise either by retailers or wholesalers at less than cost as defined in this act with the intent of unfairly diverting trade from or otherwise injuring a competitor or with the result of deceiving any purchaser or prospective purchaser substantially lessening competition unreasonably restraining trade or tending to create a monopoly in any line of commerce is an unfair method of competition contrary to public policy and in contravention to the policy of this act

Section 4 Any retailer who shall in contravention of the policy of this act advertise offer to sell or sell at retail any item of merchandise at less than cost to the retailer as defined in this act or any wholesaler who shall in contravention of the policy of this act advertise offer to sell or sell at wholesale any item of merchandise at less than cost to the wholesaler as defined in this act or any person partnership corporation or association engaged in business both as a wholesaler and retailer as defined in this act who shall in contravention of the policy of this act advertise offer to sell or sell any item of mer-

chandise at less than cost subject to both the retail and wholesale mark-ups provided by this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) and costs of prosecution and in default thereof shall undergo imprisonment for not more than ten (10) days Proof of any such advertisement offer to sell or sale by any retailer or wholesaler in contravention of the policy of this act shall be prima facie evidence of a violation of this act

Section 5 In addition to the penalties provided in this act the courts of this state are hereby invested with jurisdiction to prevent and restrain violations of this act and any person partnership corporation or association shall be entitled to sue for and have injunctive relief in any court of competent jurisdiction against any loss or injury by reason of a violation of this act

Section 6 The provisions of this act shall not apply to sales at retail or sales at wholesale (a) where merchandise is sold in bona fide clearance sales if advertised marked and sold as such (b) where perishable merchandise must be sold promptly in order to forestall loss (c) where merchandise is imperfect or damaged or is being discontinued and is advertised marked and sold as such (d) where merchandise is sold upon the final liquidation of any business (e) where merchandise is sold for charitable purposes or to relief agencies (f) where merchandise is sold on contract to departments of the government or governmental institutions (g) when the price of merchandise is made in good faith to meet competition (h) where merchandise is sold by any officer acting under the order or direction of any court

Section 7 If any section sentence clause or provision of this act shall for any reason be held unlawful or unconstitutional the validity of the remaining parts thereof shall not be affected thereby

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 9 The provisions of this act shall become effective sixty (60) days after final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree to the bill?

Mr. CAVALCANTE. Mr. President, as we note in this bill, the first section is preceded by many whereas clauses and the first two clauses are very, very interesting. The first clause reads thus:

"Whereas, the practice of selling certain items of merchandise at cost or less than cost in order to protect patronage is generally a form of deceptive advertising and an unfair method of competition in commerce; and

"Whereas, such practice causes commercial dislocation, misleads the consumer, works back against the farmer directly, burdens and obstructs commerce and diverts business from dealers who maintain a fair policy.

Mr. CARR. Mr. President, I should like to hear what the gentleman from Fayette is saying. Will he please take the microphone.

The PRESIDENT. A request has been made that the gentleman from Fayette make use of the microphone.

Mr. CAVALCANTE. Mr. President, I think I was reading the second whereas clause:

"Whereas, such practice causes commercial dislocation, misleads the consumer, works back against the farmer, directly burdens and obstructs commerce and diverts business from dealers who maintain a fair price policy."

Now, Mr. President, paraphrasing somewhat the language used by the gentleman from Washington when speaking concerning Senate Bill No. 50, when this bill came into this body it was a perfectly good healthy person, had all of its members from top to bottom.

I do not recall that I was in the Committee on Judiciary General when this bill was acted upon and finally sent to the Senate floor but I have examined the bill on my desk and I notice that on page 4, lines 2 and 3, there has been inserted an amendment which excludes from the provision of this bill manufacturers and from that page on we will find that same amendment.

I would like to ask the gentleman from Allegheny, the sponsor of this bill, whether manufacturers are not amenable to the same conditions as retail dealers are and as mentioned in the first whereas of this bill.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Certainly, Mr. President.

May I suggest to the gentleman from Fayette that manufacturers were excluded so that, for example, take in my home county, some steel mills that make steel and want to sell it will not be obliged to discuss with some people the problem of whether or not they come under the bill and be obliged to take into consideration the two or four per cent mark up.

The word manufacturer is excluded for that purpose, because it was not the purpose of the drafters of the bill, those interested in its passage, to include manufacturing companies and in order to permit that the elimination was stated in the affirmative in the bill to forever lay that ghost that was haunting them.

To directly answer the question of the gentleman from Fayette they are amenable to the provisions of the bill and therefore were taken out.

Mr. CAVALCANTE. Mr. President, does the word "manufacturer" exclude also from the provisions of this bill the oil manufacturers who process crude oil into many other by-products such as gasoline and motor oil.

The PRESIDENT. The Chair is of the opinion the gentleman from Fayette would save time if he would ask permission to interrogate the gentleman from Allegheny, if that is what he desires to do.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny state whether or not the word "manufacturers" excludes from the provisions of this bill the big oil companies that process crude oil into by-products such as gasoline and motor oils and so forth.

Mr. WALKER. Mr. President, in answer to the question of the gentleman from Fayette may I state if oil companies are manufacturers, whether they be big or little, they would be excluded. I am not familiar with the oil industry and I do not know whether or not they are manufacturers but if they are manufacturers they would be excluded.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny permit himself to be further interrogated.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. CAVALCANTE. Mr. President, do we not have in this Commonwealth oil companies such as the Sun Oil Company and the Gulf, who do manufacturing of crude oil into by-products such as gasoline and motor oil and so forth.

Mr. WALKER. Mr. President, I understand there are oil companies in Pennsylvania—the gentleman from Fayette has only named one or two of them—and I

would like to name some more so that the rest of them will not be jealous at the omission; there are hundreds of oil companies, if they are manufacturers, they will be excluded in the bill.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny permit himself to be further interrogated.

Mr. WALKER. Gladly, Mr. President.

Mr. CAVALCANTE. Mr. President, in the opinion of the gentleman from Allegheny are those oil companies mentioned manufacturers under the provisions of this bill.

Mr. WALKER. There again, Mr. President, I must plead ignorance of the oil industry. I do not know whether or not oil companies are manufacturers. If they are manufacturers they are excluded from the provisions of this bill.

Mr. CAVALCANTE. Mr. President, will the gentleman from Allegheny permit himself to be further interrogated.

Mr. WALKER. Gladly, Mr. President.

Mr. CAVALCANTE. Does the word "manufacturer' in this bill exclude from its provisions the A. & P. Stores and other chain stores which manufacture many of their own commodities and sell them over the counters in their own stores.

Mr. WALKER. Mr. President, may I state for the information of the gentleman from Fayette that chain stores such as the Atlantic and Pacific Tea Company—I assume that is the company to which the gentleman referred—collaborated in the preparation of this bill and are very desirous of having it passed. As I understand the problem of their manufacture, they have the articles manufactured under their name—they do not manufacture the goods but merely have the commodities boxed under certain titles or trade names, various products which they sell.

To use an illustration, I do not understand the Atlantic and Pacific Tea Company to be a manufacturer.

Mr. CAVALCANTE. I thank the gentleman from Allegheny for his permission to be interrogated.

Mr. WALKER. That is perfectly all right, Mr. President, any time the gentleman from Fayette desires information I will be very glad to give it to him if it is within my knowledge.

Mr. CAVALCANTE. Mr. President, I wish to add a little of my information to the information imparted to us by the gentleman from Allegheny. The oil companies mentioned, and those not named, who do process crude oil into by-products are classified in this Commonwealth as manufacturers and hence they are going to be excluded from this bill.

Also this information: the Atlantic and Pacific Stores and a few more like those stores manufacture many of their own commodities and sell them over their counters and I am not amazed in the least that when the Atlantic and Pacific Store officials were permitted to sit in on the deliberations on this bill they were perfectly willing to accept the amendments which exclude manufacturers.

I do hesitate, like I have hesitated in times past, to vote against a bill the purpose of which when introduced was logical and just but which after having undergone the processes of this Senate, came out of committee mutilated such as this bill is, it excludes the manufacturers, I have no hesitancy in me to vote against a bill of this character.

It is very evident here, and I say parenthetically in view of the position taken by some very good members of this body on previous legislation, that we want to be sincere and honest, we want to do things constructive and now, when we look at this bill if we vote for a bill of this character, is it something constructive or something destructive.

I hesitate at this time to inject in any talk concerning this bill the phrase "special privilege" but now, gentlemen, clearly whenever you take this bill as introduced which applies generally to all persons who deal in commodities, and then see it as it comes out of committee and now before us, with the manufacturers excluded, how can you say that it is not a bill for special privileges? Those interests who are excluded and denominated in this bill as manufacturers, now they are excluded.

Can you honestly say then this bill is not a bill that sets special privilege on the one side, special interests defined as manufacturers, and allow the provisions of this bill to apply solely to those small people, to those poor retailers that we have so many of along the country roads and in the little towns and cities and hamlets of our Commonwealth?

Here is what this bill will open the door to: since it does not apply to manufacturers—let us take some oil company—you may have a gasoline station on one corner of the street and they charge you one price for the gasoline and their products that they sell to you for you to retail to the general public and then if they do not like you they go right across the street to the next corner, where your competitor is, and they can sell him the same goods they sell you at prices lower than at which they sell you and give your competitor a chance to sell cheaper than you and drive you out of business.

That can be also applied to other manufacturers here under this bill. Truly, if you look at this bill sincerely and honestly, will not the effect of the bill, if passed, be that it will permit that to be done? Do you want it done or don't you want it done? Personally I think we ought not to open the door; I think the bill ought to be general and ought to apply to all of them and to manufacturers as well as retailers in this case.

My mind has been open up until this point, and the more I think of it the more I think we ought to defeat this bill or send it back to committee and remove from it the provision that excludes the manufacturers from its provisions.

Mr. WALKER. Mr. President, two years ago on the floor of this Senate, during the 1939 session, the very distinguished gentleman from Fayette in debate of another bill accused me of representing various oil companies. I would like to report to the gentleman from Fayette at this time his suggestion fell on stony ground—I still do not represent them.

There is always a suggestion that mysterious figures lurk in the background. I might say, Mr. President, the purpose of eliminating manufacturers was explained in the interrogatories between the gentleman from Fayette and myself. We cannot legislate against sin and we are not trying to do it.

But, Mr. President, we can attempt to correct something in the merchandising field which those who are engaged in it, including the little fellows in the hamlets and little cities and towns, are trying to do.

Two years ago a somewhat similar bill was presented by the very distinguished gentleman from Indiana, Senator Wolfenden, from the very famous county of Indiana, and a number of the members of the Senate at that time

voted for the bill and the bill was later sent over to the House and passed but was vetoed by the Governor, due to the enforcement provision in the bill.

This bill was drafted after a lot of careful consultation with the attorney general in order to escape running aground on the Governor's veto.

The bill has been approved by the various people representing all phases of the merchandising industry and like every proud parent I am awfully anxious to become a father of a bill.

I failed a few minutes ago by the overwhelming decision of 37 to 12.

This bill I believe to be needed in the merchandising industry and this bill has been approved by all those so engaged, they are anxious to have the protection this bill affords and I would respectfully request my colleagues' aid.

Mr. SHAPIRO. Mr. President, I made a statement against a similar bill to this in 1939, and I do not agree that this bill has corrected the objections that the Attorney General had that the Governor had against this bill in 1939.

I add to what has already been stated by the gentleman from Fayette in connection with the manufacturers' exemption granted here the fact that this exempts a large class of people, such as tailors, who manufacture their own suits and sell them at retail, gasoline stations on one corner which are operated by manufacturers of gasoline who may be exempt, whereas on the other corner a station operated by an individual will not be exempted.

The other thing I object to in the bill is that you will find a druggist who manufactures his own preparation on one corner and a chain store company, manufacturing the same product, operating a similar drug store, and the same product as was manufactured by the druggist, would be exempted, whereas a similar article not manufactured but purchased by the chain store would not be exempt. What effect this bill can have in my opinion with this provision is rather problematical.

This bill does not apply when the price of merchandise is made in good faith to meet competition. What is meant by meeting competition? If my competitor on the other side sells an article at ten cents and I want to sell and compete with him I think I have the right under that phrase to sell for nine and a half cents.

This bill, however, says I cannot sell it unless I add two per cent, and yet if I want to meet competition it says I have a right to do that and the bill does not apply.

Now, Mr. President, the objection to the bill by the Governor is contained in these words, in his veto; as follows:

"The bill would impliedly repeal the act of July 1, 1937, P. L. 2672."

I am now reading from page 177 of Vetoes by the Governor.

"The act of 1937 has been held unconstitutional by two county courts of the Commonwealth, primarily because it prohibited sales below cost, regardless of injury or of the seller's intent. The bill, however, would require such intention to injure, or injury to consumers or competitors of the seller." The same requirement is still in this act.

The veto message continues:

"This requirement of proof of intention or of injury would cause almost insurmountable difficulty of enforcement, for which no appropriation was made. District attorneys would be expressly saddled with the duty of enforcing a measure regulating everyday business tactics, whereof the proof of violation requires a staff of investigators, auditors and appraisers—yet they are provided with no funds for the purpose. It has been proved in other states that legislation of this kind is always most difficult to enforce. However, if this bill were to become a law, district attorneys would be expected to enforce it by depleting their own meager appropriations intended and necessary for securing the punishment of common law criminals; if they would fail to do so the law would be a useless piece of paper for lack of enforcement. In either event, the public interest will be better served if this measure is not signed under the present condition of county finances throughout the Commonwealth."

Now, Mr. President, I call your attention to the fact that under section 4 of this act any violation of the law is made a criminal offense. The man who desires today to sell his article at a price, which he ought to have the right to do, is faced with a fine on conviction and in order to be convicted if he goes before a magistrate on summary conviction, as is here provided, the question of accounting will immediately arise.

Can you picture the situation of coming before a magistrate in Philadelphia and arguing with him whether a certain discount, which according to this bill may or may not be included, shall be included in order to determine the price, and if the magistrate does not believe the accountant, or if he does not like the accountant produced by one side or the other, the magistrate can then fine that man summarily according to the act.

Is that the kind of a law which we are going to pass today?

That will also do other things. You will ask magistrates to become accountants or every business man shall engage accountants and take them to a magistrate's court to prove this two per cent added to the cost and then you will get into the question of what is the cost, and you have not defined it here.

It seems to me this kind of regulation is going a little too far with the rights of public or private enterprise; a man has a right to be free from that kind of harrassment in his business and for that reason I am going to vote against the bill because I think it is not any better now than it was the last time.

Mr. BARR. Mr. President, I agree with the gentleman from Fayette when he said this bill when introduced was a good bill but I do think the amendments weakened the bill. I am going to vote for the bill and I would ask the sponsor of the bill to appear with me before a committee of the House for a hearing.

Mr. WALKER. Mr. President, I might say I will be very glad to appear with my distinguished colleague from Allegheny at a hearing in the House. I am glad to know there is somebody in the Senate who has some control in the House and can automatically get a hearing.

This morning we had a discussion here by the distinguished gentleman from Jefferson in which the question was raised as to whether or not he was qualified to speak and vote on a bill. May I say, Mr. President, I do not represent any grocery chains or any grocery stores or any merchants who would be directly or indirectly affected by this bill.

Mr. SHAPIRO. Mr. President, I desire to announce I just recalled my office represents a grocery chain. Whether it is affected by this bill or is not I do not know but I

shall therefore not vote on the bill. I would have voted "no" if I could vote.

Mr. JAMES. Mr. President, I am in the same situation.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—43

Barr,	DiSilvestro,	Mallery,	Tallman,
Bartlett,	Edmonds,	McGinnis,	Taylor,
Becker,	Farrell,	McQuiddy,	Thomas,
Carr,	Frey,	Miller,	Tyler,
Cavalcante,	Geltz,	Mundy,	Wade,
Chapman,	Haluska,	Reed,	Walker,
Coleman,	Heyburn,	Ruth,	Watkins,
Cox,	Homsher,	Scarlett,	Wilson, H. I.,
Crider,	Jaspan,	Snowden,	Woodward,
Crowe,	Lanius,	Stevenson,	Ziesenheim,
Dent,	Letzler,	Stiefel,	

NAYS—3

Ealy,	Kephart,	Wilson, T. B.,

PRESENT—3

Deitrick,	James,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 58, as follows:

An Act to further amend section nine of the Act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred sixty-three) entitled "An Act relating to the organization jurisdiction and procedure of the Orphans' Court the powers and duties of the judges thereof and appeals therefrom" as amended on the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred forty-nine) by extending the jurisdiction of the Orphans' Court to supervision and enforcement of gifts for charitable uses even though such gifts have passed out of fiduciaries now subject to the jurisdiction of the Orphans' Court directly to corporations or others charged with their administration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the Act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws three hundred sixty-three) entitled "An Act relating to the organization jurisdiction and procedure of the Orphans' Courts the powers and duties of the judges thereof and appeals therefrom" as amended on the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws three hundred forty-nine) is hereby further amended to read as follows

Section 9 The jurisdiction of the several Orphans' Courts whether separate or otherwise shall extend to and embrace

(a) The appointment control removal and discharge of the guardians of minors and the settlement of their accounts

(b) The appointment of trustees for any persons interested in the real or personal estate of any decedent and the control removal discharge and settlement of the accounts of trustees so appointed and of testamentary trustees whether the testamentary trustees be appoined nominatim or virtute officii

(c) The appointment of trustees for absent persons the control removal and discharge of trustees so appointed and the settlement of their accounts

(d) The control removal and discharge of executors and administrators deriving their authority from the register of the respective county and the settlement of their accounts

(e) The distribution of the assets and surplusage of the estates of decedents among creditors and others interested

(f) The sale of real estate of decedents for payment of their debts

(g) The disposition of the title to real estate of decedents and of persons disabled from dealing therewith in order to render the same freely alienable and productive to the living owners thereof

(h) The partition of the real estate of decedents among the parties entitled thereto the valuation of such real estate and the sale thereof for the purpose of distribution

(i) The specific execution of contracts made by decedents to sell and convey any real estate of which such decedents shall die seized and of contracts made by decedents to purchase any real estate

(j) Proceedings for the collection or enforcement of payment or delivery of all legacies whether pecuniary specific or otherwise and whether charged on real estate or not

(k) Proceedings for the discharge of real estate of decedents from the lien of debts of decedents and for the discharge of real and personal estates from the liens of legacies annuities dower recognizances and other charges

(l) All cases within their respective counties wherein executors administrators guardians or trustees may be possessed of or are in any way accountable for any real or personal estate of the decedent

(m) All appeals from the orders or decrees of the registers of wills of their respective counties and all proceedings removed from said registers by certifications

(n) The control removal discharge and settlement of accounts of trustees of trusts inter vivos

(o) The control removal discharge and settlement of accounts of trustees of life insurance trusts whether taking effect during the lifetime or at or after the death of the insured or settlor

(p) The supervision and control of all corporations unincorporated societies or associations or individuals engaged either wholly or in part in the administration of any charitable religious or educational use or trust whether created pursuant to bequests of testators gifts inter vivos or otherwise or the recipient for a specific purpose of any legacy devise or gift under any will or trust inter vivos to the extent of the enforcement of the terms and provisions of any such charitable use bequest or gift or specific purpose

[(q) The exercise of all other powers needful to the doing of anything which is or may be hereafter required] or permitted to be done in said court whether incidental to the powers hereinbefore enumerated or in addition thereto

And such jurisdiction shall be exercised under the limitations and in the manner provided by law

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	DiSilvestro,	Letzler,	Tallman,
Bartlett,	Ealy,	Mallery,	Taylor,
Becker,	Edmonds,	McQuiddy,	Thomas,
Carr,	Farrell,	Miller,	Tyler,
Cavalcante,	Geltz,	Reed,	Wade,
Chapman,	Haluska,	Ruth,	Walker,

Coleman,	Heyburn,	Scarlett,	Watkins,
Cox,	Homsher,	Shapiro,	Wilson, H. I.,
Crider,	James,	Snowden,	Wilson, T. B.,
Crowe,	Jaspan,	Stevenson,	Woodward,
Deitrick,	Kephart,	Stiefel,	Ziesenheim,
Dent,	Lanius,		

NAYS—3

Frey,	McGinnis,	Mundy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 125, entitled:

An Act abating certain tax penalties and interest on unpaid county, (except counties of the second class) city (except cities of the first and second class), borough, town, township, school district (except school districts of the first class) poor district (except in counties of the second class) and county institution district (except in counties of the second class) taxes prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

RECONSIDERATION OF SENATE BILL NO. 125

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 125, passed second reading?

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye."

Mr. EDMONDS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. EDMONDS. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I do not like to object to the motion but I think as sponsor of this bill I have not had too much consideration in the matter. If it is going to be sent back to a committee again and reamended and so on I would suggest that they amend the sponsorship of the bill and give it to somebody else.

Mr. President and members of the Senate, a few months ago this bill first appeared on the Senate floor. I tried to work out the various details and the objections that were made to the bill. I have been very amenable and asked that any amendments that were reasonable be presented and we have examined every amendment that was offered; one particular amendment was offered three times and was kicked out twice. I think the time has come when we should have to vote on this question of tax abatement. If there are any details in this bill still remaining that are not right I do not think we can pass any bill here which will meet the entire satisfaction of the House members and perhaps we are just wasting more time by sending it back to second reading for amendment, let it lay over for printing, and vote on it. If there are not enough votes to pass it, then let us defeat the bill but let us once and for all have this particular bill off the Calendar. We have been here quite a few weeks and this bill has been in since the first week and I suggest that we defeat this motion to send it back on second reading because if the motion carries I am going to make a motion the bill be sent back to the pickling barrel and there let it die and then let an intelligent House pass a bill.

I think the Senate is dilly-dallying on this bill; I do not know whether we have the courage to vote on it but if we do not, let us have the courage to vote against it. This is one of my rare occasions of being a statesman.

Mr. MUNDY. Mr. President, there have been many speeches made about leadership in the Senate today and in many of them the members have objected to following party leadership, but let me just add this, that this is just another example of absence of intelligent leadership.

All through this session we have stood here, from early in January until this time, and have accomplished practically nothing and I say all the embarrassment of the members here, particularly the embarrassment of the presiding officer of this Senate, in my opinion, is brought about by the absence of proper direction and proper leadership and I hope sometime some of us will get fixed on where we are going and when we are going there.

Mr. MALLERY. Mr. President, I would suggest to the gentleman from Westmoreland that he need not despair of passing this bill. I still have hopes this will pass. I would have been satisfied to have voted for the bill just as in its original form but I have been so much interested in having a bill passed that will abate penalties and interest on delinquent taxes that I have been willing to meet with whomsoever was interested in such a measure.

I am frank to confess, Mr. President, that I have had to yield quite a bit and the amendments which I am about to offer represent a yielding on my part, but I do so in the hope the bill will finally pass.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Blair.

The PRESIDENT. Will the gentleman from Blair permit himself to be interrogated?

Mr. MALLERY. Yes, Mr. President.

Mr. HALUSKA. Mr. President, will the gentleman from Blair tell me the intent of the amendments he proposes to offer?

Mr. MALLERY. Well, Mr. President, the principal amendment is one changing the provision applying to the optional feature in the bill; an amendment which I propose and which I believe is necessary in order to secure passage is one that now will require the taxing authority to elect to accept the bill.

Mr. HALUSKA. In other words, Mr. President, am I to understand it will be mandatory rather than optional?

Mr. MALLERY. No, Mr. President, it is optional.

Mr. HALUSKA. You are making it optional by this amendment?

Mr. MALLERY. That is right, Mr. President.

Mr. HALUSKA. It is a very bad amendment, Mr. President, I would say.

Mr. DENT. Mr. President, the bill is now optional; the only difference in it is a matter of opinion; it is a matter of rejection instead of acceptance, so therefore it is purely a technicality. If the taxing body has to meet to reject the provisions of the act it can just as well meet and accept the provisions.

What it has really done is this: the reason the rejection feature was put into the bill was that many taxing au-

thorities who are perfectly satisfied with the bill will have to have a meeting to accept it and under this provision, which is nothing but a stab in the back if you please, they have to meet; they must meet to accept the bill and therefore I want to say with due regard to the gentleman from Blair, he has worked conscientiously and honestly for the passage of this bill, but I want him to know that I am tired of being led around by persons on this Senate floor who are not for the bill in any form, and I do not want him to be a sucker any longer and that is all he is; he puts one amendment in to please people and then he has to take it out. I know it because I have worked with him but I say to him that if we cannot pass this bill in its present form we should let an intelligent House take on where we leave off.

Mr. COX. Mr. President, and members of the Senate, I am not a sponsor of the bill. I would have been very happy to have been a sponsor, however, of a tax abatement bill. Four tax abatement bills passed in the Senate during the depression, which were taken advantage of by the bankers, by the mortgage forclosure houses and by the building and loan associations, and now for the first time we have an opportunity of passing a tax abatement bill which will have the effect that we originally intended it to have.

I cannot speak for the gentleman from Jefferson—I do not know what financial difficulties he has had out in his district—but I do know the financial difficulty in Allegheny County and particularly with the 355,000 people from the forty-fifth Senatorial district.

This depression has wrecked employment one hundred per cent. I know there have been many families, good hard working conscientious men who prior to the depression tried to accumulate a little money in order to secure a home, on which there was a mortgage, and because of the total lack of employment had very great difficulty to even get food, let alone paying taxes, and I know from personal experience if we pass this act they will have the advantage of it.

I am sick and tired and disgusted with the obstruction this bill has met in its passage through this Senate and I think it is a disgrace to the Senate when I pick the history up and see what has happened to the bill while it has been in this Senate.

It is a picayune thing, I say, that we must once again recommit this bill simply because there are certain people who do not want it.

The bill now provides if a board, municipality or political sub-division does not wish to take advantage of it that they must reject it. I can see no reason for this amendment.

I am not interested personally because my taxes to date have been paid and I can take no advantage of this bill. I represent no bankers or no building and loan associations or any other person who can have a personal advantage in the bill, but I am sincerely interested in these people of Allegheny County in my senatorial district who can take advantage of it and if it comes to the worst, if the only possible way it is possible to pass this bill is to again amend it, then of course I will have to vote to amend the bill.

I want to thank the gentleman from Blair, Mr. Mallery, and some of the other gentlemen on the right who have worked hard and conscientiously and sincerely for passage of this bill and who have worked toward the many compromises and I think if we have to take a bill which is a compromise in order to accomplish the thing that is what we must do.

Mr. HENRY I. WILSON. Mr. President, evidently there is some feeling on the other side of the House as to what the opinion of the gentleman from Jefferson on any particular bill may be. I have only a few words to say now.

From the very beginning every courtesy has been extended by myself to the author of this bill and those who have prepared it; every time I pointed out fully and completely the errors there were in it and it seems to me that some people refuse to be told. In the first place, the title did not tell the optional feature, and I called attention to it, and in section 6 the latter part of it was not clear and a lien could be lost by it. Amendments were made again and again upon my suggestion but not upon dictation, to make it a constitutional bill and to make it one that would be acceptable to all people.

This bill is being put through for a specific purpose, for specific people, and it is not my purpose to stand in the road of it. I have been indicating all of those things and they have now the amendments and I am pleased to say that would make this bill acceptable to those who have been in opposition to it, I think. It is not entirely the way we hoped and there are one or two bad features yet, but here is a thought on the subject. Why should you put a great majority of the people to the trouble and expense of acceptance, in the matter of acceptance, the question of whether you will take the act or not? Why will you compel everyone who does not want to accept the act —and they are far in the majority—to go about it and say that we must go forward within thirty days and so forth? There will be only a few who will accept this act, we are sure, for specific purposes known to us and with which I am in sympathy. Those people should be given a chance and this is the time that you will have to do it, show that we want them to come in. To make a long story short, I will have to oppose the bill if you put the responsibility on the taxing authorities to reject the bill, but if they will leave it up to the taxing authorities to accept the bill and leave us out of all this trouble and they have corrected the title and they have made several other things clear about it, I think it will be all right.

Since March 3 this has been going on and it is recognized, it must be recognized by the people themselves, it was not right and it was not in proper form and they have heard from home and I am just merely saying it is only fair and I would be very glad to assure the gentleman from Blair, Senator Mallery, although there is one feature about it, the question of abatement of 1941 taxes—I am opposed to that—but I will step aside and say I will vote for this bill, for those amendments if they go through.

Mr. DENT. Mr. President, may I interrogate the gentleman from Jefferson?

The PRESIDENT. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. HENRY I. WILSON. Indeed I will, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Jefferson tell me whether he voted for this bill in 1939—the tax abatement bill?

Mr. HENRY I. WILSON. Mr. President, I do not know whether I did or not—I think I did but my special attention was not called to the defective parts of it. There were

many things to take care of. That 1939 bill was not properly drawn and I learned that because the taxing authorities questioned me on it and analyzed it out and when my attention was drawn to it I saw it was not constitutional and was not properly covered and those errors are recognized by the author of this bill and by the people who want to put it through and these are not captious suggestions and are not intended to hamper the bill. I merely wanted to be constructive and at no time wanted to defeat this bill, but now that the bill has been considered again, although even now it will not be perfect from my standpoint or the Senator from Blair, Mr. Mallery, and those who are interested in this matter, I will be glad to go along providing they carry out this little last part of the agreement.

Nearly all legislation is more or less of a compromise and we felt it was unfair to the taxing authorities who do not want to go along with this act to compel them within thirty days, townships, boroughs, school boards and so on —should be forced to take this action.

Mr. DENT. Mr. President, I thank the gentleman from Jefferson kindly.

I just want to point out this bill is identical in title and identical in wording and he is now trying to place amendments in the act passed by the majority of the Republican Senators and members of the House in 1939. The bill was never contested in court and therefore I maintain we ought to vote "no" on this bill in its present form as it is identically the same bill in those particular instances they want now amended that they voted for in 1939.

Mr. EALY. Mr. President, I think there is one feature about this bill which is very bad, which makes it the worst tax abatement bill ever proposed in this Senate. I do not find fault with the fact that it has taken a good while to work this bill into shape.

Pennsylvania is so diverse in conditions and industries that necessarily it takes a good bit of time in order to get a bill which will meet the conditions of the various communities.

I am willing to vote for a tax abatement bill provided it has an optional feature but a bill which requires the taxables to pay only one-tenth of the tax which is back will never accomplish anything. This bill, of course, will be of benefit to banks, building and loan associations, and coal companies but in its present form it will not be of very much advantage to the little home owner.

It is said during the next two or three years employment will increase and taxes can be paid. That may be true. Then why require the taxable to pay only one-tenth of the taxes? If he were required to pay one-fifth, or even less, the first year and half the balance the second year and all the balance the third year, the little home owner may save his home.

The bill in its present form encourages him not to pay taxes but to have them pile up and have him lose his home.

There were some signs the country was returning to a sane sound form of government and economy, and I had hoped we were going to accomplish something, but I presume I was a little too optimistic because I have learned the Federal government is still paying money to the farmers not to raise wheat, notwithstanding the fact that prices are increasing; I have learned the Federal Government is encouraging people to go into debt, to build houses which they cannot afford to build and for which everyone knows they will not be able to pay.

We had an instance here the other week where this department for the relief of social security workers brought in a great volume to show us what is going on in the Department of Public Assistance, where employees increase and prices of administering the department go up.

Everyone must know waste and extravagance is going on all around us, which will bring us into chaos, a depression which will make the so-called depression of 1932 look like an era of plenty.

Mr. President, if those people who are back in taxes really are earnest about wanting to save their homes and pay the taxes, they should be given a period of two, three or four years at the outside to do it and not encourage them to let the taxes go until another depression falls on them again.

I feel the bill in its present form is the worst tax abatement bill ever introduced in the Senate and in its present form I cannot vote for it.

Mr. CAVALCANTE. Mr. President, this bill was intended to relieve the taxpayers; the purpose of it when introduced was to give relief to the taxpayers. Its purpose was not to give power to the taxing authorities to decide whether the abatement should be given or not. Now, you will read the title and see that was the purpose of the bill introduced in this body. If the amendments of the gentleman from Blair are permitted to be placed in this bill, then the purpose of the bill is changed. It ceases to be a bill abating penalties and interest, and becomes a bill giving the taxing authorities the right to say whether there should be an abatement or not.

I want to distinctly call the President's attention to section 1 of article 3 of the constitution which says: "No law shall be passed except by bill and no bill shall be altered or amended on passage through either House as to change its original purpose.

Now, Mr. President, admittedly the amendments offered here, or attempted to be offered by the gentleman from Blair, change the purpose of this bill as I have already indicated; it makes the bill a bill granting power to the taxing body to say whether there shall be abatement or not; but the bill when introduced, in its title says, "abating certain tax penalties and interest on unpaid county (except counties of the second class) or city (except cities of the first and second class) borough townships school districts (except school districts of the first class) poor district (except in counties of the second class) and county institution districts (except in counties of the second class) taxing prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof."

Now, Mr. President, these amendments will make this bill unconstitutional and they ought not to be permitted in this bill.

Mr. MALLERY. Mr. President, I would like to inform the gentleman from Fayette that the proposed amendments also include an amendment to the title.

Mr. CAVALCANTE. But, Mr. President, my objection is that the title cannot be changed so as to change the purpose of the bill from the original purpose.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—37

Barr,	Ealy,	Letzler,	Thomas,
Bartlett,	Edmonds,	Mallery,	Tyler,
Becker,	Farrell,	McGinnis,	Wade,
Carr,	Frey,	Miller,	Walker,
Chapman,	Geltz,	Scarlett,	Watkins,
Coleman,	Heyburn,	Snowden,	Wilson, H. I.,
Cox,	Homsher,	Stevenson,	Wilson, T. B.,
Crider,	James,	Tallman,	Woodward,
Crowe,	Kephart,	Taylor,	Ziesenheim,
Deitrick,			

NAYS—12

Cavalcante,	Haluska,	McQuiddy,	Ruth,
Dent,	Jaspan,	Mundy,	Shapiro,
DiSilvestro,	Lanius,	Reed,	Stiefel,

So the question was determined in the affirmative.

And the question recurring,

Will the Senate agree to the bill on second reading?

The first section of the bill was read as follows:

Section 1 All penalties and interest imposed on unpaid delinquent county (except counties of the second class) city (except cities of the first and second class) borough town township school district (except school districts of the first class) poor district (except in counties of the second class) and county institution district (except counties of the second class) taxes for the tax year one thousand nine hundred and forty and all previous years assessed and levied against any parcel or parcels of real estate and on delinquent county poll taxes levied for any of such years are hereby abated without the necessity of further action by the authority levying the tax if said delinquent taxes are paid as hereinafter provided unless the authority levying the tax shall notify the county treasurer within thirty days after this act becomes effective that the taxing authority has rejected by a majority vote the provisions of this act

In order to receive the benefits of the installment system of payment provided by this act ten per centum or more of the unpaid delinquent taxes due for the year one thousand nine hundred and forty and for all previous years shall be paid on or before the first day of November one thousand nine hundred and forty-one ten per centum or more on or before the first day of November one thousand nine hundred and forty-two ten per centum or more on or before the first day of November one thousand nine hundred and forty-three ten per centum or more on or before the first day of November one thousand nine hundred and forty-four and the unpaid balance on or before the first day of November one thousand nine hundred and forty-five Provided That the taxes on such parcel or parcels of real estate levied for the year one thousand nine hundred and forty-one together with any interest and penalties due thereon shall be paid on or before the first day of November one thousand nine hundred and forty-one And provided further That the respective current taxes on such parcel or parcels of real estate and on delinquent county poll taxes levied for the years subsequent to the year one thousand nine hundred and forty-one during such installment periods assessed and levied by such taxing authority shall be paid before they become delinquent For the purposes of this act a tax shall be deemed to become delinquent on the date when a penalty attaches to the tax If and whenever any of the said current taxes or any of the said installments are not paid when due and payable as herein provided then and in that event the total amount of the abated penalties and interest shall be revived and added to the unpaid taxes with the same force and effect as if such abated penalties and interest or portion thereof had never been abated and the taxpayer shall not thereafter be entitled to any further benefits or privileges under this act

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, I move to amend section 1, page 2, lines 7 and 8, by striking out the following: "and on delinquent county poll taxes"; Amend section 1 page 2, line 9 and 10, by striking out the following: "without the necessity for further action by the authority levying the tax"; Amend section 1, page 2, line 11, by striking out after the word "provided" the word "unless" and inserting in lieu thereof the following: "and"; Amend section 1, page 2, line 12, by striking out after the word "shall" the word "notify" and inserting in lieu thereof the following: "have notified"; Amend section 1, page 2, line 14, by striking out after the word "has" the word "rejected" and inserting in lieu thereof the following: "accepted"; Amend section 1, page 3, lines 10 and 11, by striking out the following: "and on delinquent county poll taxes".

Mr. EDMONDS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

POINT OF ORDER

Mr. DENT. I desire to interrogate the gentleman from Blair.

The PRESIDENT. Will the gentleman from Blair permit himself to be interrogated?

Mr. MALLERY. I will, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Blair tell me why he is amending the bill to take out the delinquent poll tax?

Mr. MALLERY. Mr. President, as one of the Senators suggested, the amount of the poll taxes would be so small that poll taxes should not be—penalties and interest on poll taxes should not be abated, and I agree with them.

Mr. DENT. Mr. President, I believe when you start to do something and you know what you want that you ought to go along but you should not go along when the majority use your name to serve their own purposes.

Delinquent poll taxes, as we all know, are a matter of private collections in the State of Pennsylvania, and by levying penalties and interest on unpaid delinquent poll taxes, you allow enough margin for private collection agencies to step into the picture and collect delinquent poll taxes.

Mr. President, I claim and say honestly that I do not want my name to be part or parcel of any such maneuver, and therefore I say to the gentlemen of the Senate that if you want a tax abatement bill with that particular feature in it, with the additional feature of the next amendment to be offered, if that amendment is to go into the bill, then I as the sponsor am not getting the results that I wanted when I introduced the bill.

Mr. President, if you do not agree with me, if you do not think what I wanted is right, that is perfectly all right, but do not let me suffer the humiliation of having a bill passed that does not do what I promised my people it would do. Therefore I ask you to do one thing for me, and I say this honestly, if you intend to vote for these amendments, then I ask you to drop the bill from the Calendar and put in your own bill, those who want to sponsor it along those lines. I so move, Mr. President.

All right, let us vote on the amendment just—

POINT OF ORDER

Mr. CAVALCANTE. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Fayette will state his point of order.

Mr. CAVALCANTE. Mr. President, the amendments to this bill, as the bill was originally introduced, change the purpose of the bill, and my reference is not only to the amendments now being made but to all the other amendments made prior to these particular amendments, they would change the purpose of the bill.

MOTION TO RECOMMIT BILL

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 125 be recommitted to the committee on whatever it is.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, the point of order raised by the gentleman from Fayette has not yet been acted on.

Mr. WOODWARD. Maybe I am out of order, Mr. President.

The PRESIDENT. The question is on the point of order raised by the gentleman from Fayette, Mr. Cavalcante, who raises the point that all amendments to this bill since its original introduction change the purposes of the bill.

The Chair rules that the point is not well taken for the reason, the bill has proceeded up to this point containing those amendments and the Senate in voting for these amendments decided the constitutionality of the bill, and not the Chair.

MOTION TO RECOMMIT

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 125 be recommitted to the Committee on Judiciary General.

In making that motion, Mr. President, I have taken into consideration the attitude of the sponsor of this bill, the gentleman from Westmoreland, Senator Dent, who is sick and tired of the way the bill has been kicked around, and I know the sponsor of the bill, Mr. Dent, said he is sick and tired of this bill and, I know he could have moved to strike it from the Calendar and I would have been glad to second the motion. That is not the policy, however, but it is perfectly all right to move to recommit. I know the sponsor of this bill himself is disgusted and I know from experience this bill is drawn to somewhat suit certain individuals and that is always a bad feature. There is also the question between ten per cent and twenty per cent—there was an agreement it would be twenty per cent and it is still ten per cent.

It seems to me as there are so many vulnerable spots in this bill and as the gentleman from Somerset thinks it is the worst tax abatement bill ever introduced in this state, I think it would be very nice to recommit it.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Westmoreland will state his point of information.

Mr. DENT. Mr. President, isn't it true before we vote on the motion of the gentleman from Philadelphia we must vote on whether we accept the amendments or not.

The PRESIDENT. The question now before the Senate is on the adoption of the amendments, and that is the only question before the Senate.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. DENT and were as follows, viz:

YEAS—35

Bartlett,	Ealy,	Mallery,	Tyler,
Becker,	Edmonds,	McGinnis,	Wade,
Carr,	Farrell,	Miller,	Walker,
Chapman,	Geltz,	Scarlett,	Watkins,
Coleman,	Heyburn,	Snowden,	Wilson, H. I.,
Cox,	Homsher,	Stevenson,	Wilson, T. B.,
Crider,	James,	Tallman,	Woodward,
Crowe,	Kephart,	Taylor,	Ziesenheim,
Deitrick,	Letzler,	Thomas,	

NAYS—13

Cavalcante,	Frey,	Lanius,	Reed,
Dent,	Haluska,	McQuiddy,	Ruth,
DiSilvestro,	Jaspan,	Mundy,	Shapiro,
			Stiefel,

So the question was determined in the affirmative

Mr. HALUSKA. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made that the roll be verified. The Clerk will verify the votes in the affirmative.

Those voting in the affirmative were as follows:

Bartlett,	Ealy,	Mallery,	Tyler,
Becker,	Edmonds,	McGinnis,	Wade,
Carr,	Farrell,	Miller,	Walker,
Chapman,	Geltz,	Scarlett,	Watkins,
Coleman,	Heyburn,	Snowden,	Wilson, H. I.,
Cox,	Homsher,	Stevenson,	Wilson, T. B.,
Crider,	James,	Tallman,	Woodward,
Crowe,	Kephart,	Taylor,	Ziesenheim,
Deitrick,	Letzler,	Thomas,	

The PRESIDENT. The affirmative votes were 35. Are there any corrections? The Chair hears none. The affirmative roll stands as verified.

Mr. JASPAN. Mr. President I desire to be recorded as voting "no."

The PRESIDENT. The vote of the gentleman from Philadelphia will be so recorded.

The Clerk will verify the votes in the negative.

Those voting in the negative were as follows:

Cavalcante,	Haluska,	McQuiddy,	Ruth,
Dent,	Jaspan,	Mundy,	Shapiro,
DiSilvestro,	Lanius,	Reed,	Stiefel,
Frey,			

The PRESIDENT. The negative votes were 13. Are there any corrections? The Chair hears none. The roll will stand as verified.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The PRESIDENT. The Clerk will read the second section of the bill.

Mr. DENT. Mr. President, in order to clear up one thing here, particularly the ten per cent proposition, it was

not mine, if you look over the original bill; the optional feature was not mine, if you look over the original bill, and therefore the bill has now become something that I am not acquainted with and is not a brain child of mine.

MOTION TO RECOMMIT

Mr. DENT. I therefore move, Mr. President, in all sincerity, that Senate Bill No. 125 be recommitted to the Committee on Judiciary General for the purpose of changing sponsorship.

The PRESIDENT. Is there a seconder?

Mr. WOODWARD. Mr. President, that is what I intended to do and I was not recognized.

In seconding the motion of the gentleman from Westmoreland I simply wish to repeat that it is bad practice to draft legislation in the interest of individuals, as has been done in this case, and I think the ten per cent feature is so bad that if for no other reason it ought to go back to committee, in my opinion. Therefore I second the motion.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, I just listened to the motion made by the gentleman from Westmoreland. My point of information is can a bill be sent back to committee for the purpose of changing sponsorship?

The PRESIDENT. The Chair is of the opinion that in view of the fact that only the amendments to Section One have been adopted what we should adopt is the section as amended, and then a motion would be in order. Now that is the position of the Chair and unless it can be shown that the Chair is in error, he thinks we ought to dispose of the section as amended.

MOTION TO RECOMMIT

Mr. THOMAS B. WILSON. Mr. President, I move that Senate Bill No. 125 be recommitted to the Committee on Judiciary General for further consideration.

Mr. WOODWARD. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Librarian advises in order to clarify the matter; if the motion prevails made by the gentleman from McKean, seconded by the gentleman from Philadelphia, the bill goes back on second reading with the only first section amended.

MOTION TO TABLE MOTION

Mr. COLEMAN. Mr. President, I move that the motion of the gentleman from McKean be tabled.

Mr. COX. I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. THOMAS B. WILSON. Mr. President—

POINT OF ORDER

Mr. COLEMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Lackawanna will state his point of order.

Mr. COLEMAN. Mr. President, I submit a motion to table is not debatable and anything the gentleman says with respect to the motion is definitely out of order.

The PRESIDENT. The Chair can not determine that until the gentleman from McKean has made a statement.

Mr. THOMAS B. WILSON. Mr. President, I desire to withdraw my motion. I do not want to enter into the middle of this parliamentary situation. If you have not completed what you are going to do in amending this bill, I withdraw my motion.

The PRESIDENT. The bill can be amended in committee.

Mr. THOMAS B. WILSON. I stick to my position.

The PRESIDENT. Does the gentleman from McKean wish to withdraw his motion?

Mr. THOMAS B. WILSON. Mr. President, I shall stick to my motion. Let us find out.

The PRESIDENT. The question is on the motion of the gentleman from Lackawanna, seconded by the gentleman from Washington, to table the motion.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, my point of information is this: is the motion made by the gentleman from Westmoreland out of order.

The PRESIDENT. There is no motion on the part of the gentleman from Westmoreland; it was not seconded.

Mr. HALUSKA. Mr. President, I understood the gentleman from Westmoreland made a motion which was seconded by the gentleman from Philadelphia, Mr. Woodward.

The PRESIDENT. That was disposed of by the Chair stating the section should be adopted as amended, and no motion was made subsequent to that.

The question now is on the motion made by the gentleman from Lackawanna to lay on the table the motion made by the gentleman from McKean, to send Senate Bill No. 125 back to the Committee on Judiciary General, for further consideration.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. T. B. WILSON and were as follows, viz:

YEAS—11

Cavalcante,	Frey,	McQuiddy,	Stiefel,
Coleman,	Mallery,	Mundy,	Watkins,
Cox,	McGinnis,	Shapiro,	

NAYS—37

Bartlett,	Edmonds,	Lanius,	Taylor,
Becker,	Farrell,	Letzler,	Thomas,
Carr,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Reed,	Wade,
Crider,	Heyburn,	Ruth,	Walker,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Dent,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Kephart,	Tallman,	Ziesenheim,
Ealy,			

So the question was determined in the negative.

The PRESIDENT. The question now is on the motion to recommit Senate Bill 125.

Mr. REED. Mr. President, what is the motion to recommit?

The PRESIDENT. The motion is to recommit Senate Bill No. 125 to the Committee on Judiciary General for further consideration.

Mr. REED. Mr. President, I would like to amend that motion. This bill is so mutilated, and so sick, I would like to amend the motion so that it will be taken back to the Committee on Health where it will have a doctor to take care of it.

Mr. FREY. Mr. President, in view of the remarks just made by the gentleman from Washington that this bill has been mutilated, I suggest that if he really wants a good bill, he should read and study Senate Bill No. 285, another tax abatement bill, and he will find a good bill in Senate Bill No. 285.

Mr. FREY. Mr. President, in view of the remarks just of the gentleman from Allegheny, Mr. Frey, I want to say that we have had quite an experience with Senate Bill No. 285, which reminds me of some of the tribulations of the gentleman from Westmoreland, Mr. Dent—it is just like sending out a dove in the morning and having a rayen come back home at night.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—34

Bartlett,	Edmonds,	Letzler,	Taylor,
Carr,	Farrell,	Mallery,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Crider,	Heyburn,	Mundy,	Wade,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Dent,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Kephart,	Tallman,	Ziesenheim,
Ealy,	Lanius,		

NAYS—14

Becker,	Frey,	Reed,	Stiefel,
Cavalcante,	Haluska,	Ruth,	Walker,
Coleman,	McGinnis,	Shapiro,	Watkins,
Cox,	McQuiddy,		

So the question was determined in the affirmative.

Mr. CAVALCANTE. Mr. President, I ask that the roll be verified.

The PRESIDENT. The Clerk will verify the votes in the affirmative.

The votes in the affirmative were as follows:

Bartlett,	Edmonds,	Letzler,	Taylor,
Carr,	Farrell,	Mallery,	Thomas,
Chapman,	Geltz,	Miller,	Tyler,
Crider,	Heyburn,	Mundy,	Wade,
Crowe,	Homsher,	Scarlett,	Wilson, H. I.,
Deitrick,	James,	Snowden,	Wilson, T. B.,
Dent,	Jaspan,	Stevenson,	Woodward,
DiSilvestro,	Kephart,	Tallman,	Ziesenheim,
Ealy,	Lanius,		

The PRESIDENT. The votes in the affirmative are 34. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will verify the votes in the negative.

The votes in the negative were as follows:

Becker,	Frey,	Reed,	Stiefel,
Cavalcante,	Haluska,	Ruth,	Walker,
Coleman,	McGinnis,	Shapiro,	Watkins,
Cox,	McQuiddy,		

The PRESIDENT. The votes in the negative are 14. Are there any corrections? The Chair hears none. The roll will stand as verified.

Senate Bill No. 125 is recommitted to the Committee on Judiciary General.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, do I understand that Senate Bill No. 125 is back in the Committee on Judiciary General again?

The PRESIDENT. That is right.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

APPOINTMENT AS MEMBER OF JUDGE OF SUPERIOR COURT IN PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1941.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles E. Kenworthey of Ardmore, Montgomery County, for appointment as Judge of the Superior Court of Pennsylvania, vice William M. Parker, resigned, to serve until the first Monday of January, 1942.

ARTHUR H. JAMES.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act to amend section eight hundred one and nine hundred seventy-siv of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand three hundred thirty-three) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further defining parties and political bodies providing procedure for rejection of nomination petitions papers or certificates in certain cases imposing duties on the Governor and the Attorney General and imposing additional duties on county boards of elections the Secretary of the Commonwealth and the courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (Pamphlet Laws one thousand three hundred thirty-three) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and

election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended to read as follows

Section 801 Definition of Political Parties and Political Bodies

(a) Any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate is hereby declared to be a political party within the State and shall nominate all its candidates for any of the offices provided for in this act and shall elect its delegates and alternate delegates to the National convention State committeeman and also such party officer including members of the National committee as its rules provide shall be elected by a vote of the party electors in accordance with the provisions of this act

(b) Any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county is hereby declared to be a political party within said county and shall nominate all its candidates for office in such county and in all political districts within said county or of which said county forms a part and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors in accordance with the provisions of this act

(c) Any political body which is not a political party as hereinabove defined but which has nominated candidates for such general or municipal election by nomination papers in the manner provided by this act shall be deemed to be a political body within the meaning of this act but such political body shall not be entitled to nominate its candidates or elect its party officers at primaries held under the provisions of this act

(d) Provided however That the words "political party" and the words "political body" as hereinabove defined shall not include any political party political organization or political body composed of a group of electors whose purposes or aims or one of whose purposes or aims is the establishment control conduct seizure or overthrew of the Government of the Commonwealth of Pennsylvania or the United States of America by the use of force violence military measures or threats of one or more of the foregoing

Section 2 Section nine hundred seventy-six of the said act is hereby amended to read as follows

Section 976 Examination of Nomination Petitions Certificates and Papers Return of Rejected Nomination Petitions Certificates and Papers When any nomination petition nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act it shall be the duty of the said officer or board to examine the same No nomination petition nomination paper or nomination certificate shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material alterations made after signing without the consent of the signers or (c) it does not contain a sufficient number of genuine signatures as required by law or (d) in the case of nomination petitions if nomination petitions have been filed for printing the name of the same person for the same office except the office of judge of a court of record upon the official ballot of more than one political party or (e) in the case of nomination papers if the candidate named therein has filed a nomination petition for the same office for the ensuing primary or has been nominated for the same office by nomination papers previously filed or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office or (g) in the case of nomination papers the appellation set forth therein is identical with or deceptively similar to the words used by any existing party or by any political body which has already filed nomination papers for the same office or if the appellation set forth therein contains part of the name or an abbreviation of the name or part of the name of any existing political party or of a political body which has already filed nomination papers for the same office The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet The action of said officer or board in refusing to receive and file any such nomination petition certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the office of such officer or board Provided however That said officer or board shall be entitled to a reasonable time in which to examine any petitions certificates or papers and to summon and interrogate the candidates named therein or the persons presenting said petitions certificates or papers and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing

Upon completion of any examination if any nomination petition certificate or paper is found to be defective it shall forthwith be rejected and returned to the candidate or one of the candidates named therein together with a statement of the reasons for such rejection

Provided further That no nomination petition nomination paper or nomination certificate shall be permitted to be filed if the political party or political body referred to therein shall be composed of a group of electors whose purposes or aims or one of whose purposes or aims is the establishment control conduct seizure or overthrow of the Government of the Commonwealth of Pennsylvania or the United States of America by the use of force violence military measure or threats of one or more of the foregoing The authority to reject such nomination petition paper or certificate for this reason shall when filed with the Secretary of the Commonwealth be vested in a committee composed of the Governor the Attorney General and the Secretary of the Commonwealth and when filed with any county board of elections shall be vested in such board If in such case the committee or board as the case may be shall conclude that the acceptance of such nomination petition paper or certificate should be refused it shall within two days of the filing of such nomination petition paper or certificate fix a place and a time five days in advance for hearing the matter and notice thereof shall be given to all parties affected thereby At the time and place so fixed the committee or board as the case may be shall hear testimony but shall not be bound by technical rules of evidence The testimony presented shall be stenographically recorded and made a part of the record of the committee or board Within two days after such hearing the committee or board if satisfied upon competent evidence that the said nomination petition paper or certificate is not entitled to be accepted and filed it shall announce its decision and immediately notify the parties affected thereby Failure to announce decision within two days after such hearing shall be conclusive that such nomination petition paper or certificate has been accepted and filed The decision of said committee or board in refusing to accept and file such nomination petition paper or certificate may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel it reception as of the date when presented to the Secretary of the Commonwealth or such board The application for such writ of mandamus shall be made within two days of the time when such decision is announced If the application is properly made any judge of said court may fix a time and place for hearing the matter in dispute of which

notice shall be served with a copy of said application upon the Secretary of the Commonwealth or the county board of elections as the case may be At the time so fixed the court or any judge thereof assigned for the purpose shall review the record made before the committee or board No new testimony shall be taken before such court which shall be limited to the determination of the regularity of such decision and whether it was reasonable in the light of the competent evidence If after such hearing the said court shall find that the decision of the Committee or the board was erroneous it shall issue its mandate to the committee or board to correct its decision and to accept and file the nomination petition paper or certificate It shall be the duty of the said court to fix the hearing and to announce its decision within such period of time as will permit the Secretary of the Commonwealth or the county board of elections to permit the names of the candidates affected by the court's decision to be printed on the ballot if the court should so determine

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. REED. Mr. President, I desire to interrogate one of the sponsors of this bill.

The PRESIDENT. Which one?

Mr. REED. The gentleman from Allegheny, Mr. Walker.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. If the co-sponsor will yield, I will be glad to.

Mr. CAVALCANTE. With the greatest of pleasure, Mr. President.

Mr. REED. Mr. President, I would like to ask the gentleman from Allegheny whether under the Shapiro amendment the Governor of the Commonwealth has been consulted and has agreed to serve on this board of three, consisting of His Excellency, the Governor, the Attorney General and the Secretary of the Commonwealth.

Mr. WALKER. Mr. President, in answer to the gentleman's question, it has been my understanding that the legislative branch of the government is independent of the executive branch. We can not tell the Governor where to go, but we can tell him what he is to do. If we lay down certain duties or responsibilities for the chief executive of the Commonwealth I understand we do not have to get his permission in order to foist these responsibilities upon him. Personally I have not consulted the Governor about this or any other matter.

Mr. REED. Mr. President, I would like to further interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. REED. Mr. President, does not the gentleman from Allegheny believe that for efficiency under this bill, if it passes, the Governor should have been consulted.

Mr. WALKER. Mr. President, may I say in answer to the question of the gentleman from Washington, my answer would be no. May I point out that what I think is wrong primarily with the amendment that is now in the bill, is the very unfortunate tag that the gentleman from Washington hung on it when he started his interrogatory. when he called this the Shapiro amendment. I do not want to say he is blessing the bill but he is not killing it with kindness either. I think that is primarily what is wrong with the amendment. It was very unfortunate the gentleman who came up with the idea that is incorporated in this bill came in when the committee had adjourned and therefore the amendment was substituted for one that was placed in the bill at the suggestion of the attorney general.

May I state for the information of the Senate that the amendment that is now in the bill was submitted to the attorney general—I do not like to quote cabinet members—but I understand in his opinion, as well as mine, that the amendment that is in the bill now and has been so unfortunately called the Shapiro amendment is superior to the one that was in the bill originally.

Mr. REED. Mr. President, I do not think anyone who is on the Committee on Judiciary General will dispute the fact that these amendments were presented by the gentleman from Philadelphia.

Now as to the other proposition which brings the Governor into the committee that will sit on these petitions, I frankly say I think the Governor should not be lowered to that standard. I think his position is much higher and more honorable than to place him on a committee in reality which will sit and pass on election matters.

I know what will happen when that committee meets. Those who have subversive tendencies will delight in circulating among their friends the idea that they are going to appear before his Excellency, the Governor of the Commonwealth, and I say to you members of the Senate, that this in my humble opinion is far beneath the dignity of the chief executive of Pennsylvania. I think his name should be removed and if some other person in high position in the Commonwealth wants to be or should be put on this committee in his stead that would be all right, but after having fairly considered this amendment I still contend that the Governor of the Commonwealth should not participate in deciding those perplexing problems and listening to a lot of people who in reality are there for no good.

Mr. CAVALCANTE. Mr. President, I yielded to the gentleman from Allegheny, my co-sponsor, to the interrogation made by the gentleman from Washington, but I disagree with part of the answer given to the gentleman from Washington.

I think that we are going to tell the Governor where to go when these amendments are passed. We are going to tell the Governor the Commander in Chief of our National Guard, and other defense organizations we have in these troublesome times, we are going to tell him that from the first date upon which a petition may be filed until the last date, he must stay here at the seat of the Government to wait and see if some of these communistic organizations are going to file a petition. He cannot go any place, because this bill says he must be here, and within two days, within a very limited time, he must have a hearing, must hear these people ranting as we have heard them before, and then decide whether the petition shall be rejected or not.

Mr. President, I agree with my colleague from Washington, that it is beyond the dignity of his Excellency the Governor to place him in a position where he must sit in on one of these here ranting parties, always demanded by those people that believe in communism, and I tell you

frankly that if I were his Excellency the Governor, if this bill should come to my desk for approval, I surely would veto it. I would not pass this bill with this amendment in it, and as I stated at the beginning here, when this bill was on the floor once before, and the gentleman from Washington called attention to the fact also, there are two different ways to kill a good bill, one is to pickle it in committee and the other is to kill it by amendment. Of course, there is a third way, to bring a bill out on the floor and vote it down, but this bill is being killed by the amendment placed in it, because the author of the amendment ought to know that the Governor should not be asked to approve a bill such as this one.

Now, there is also one other objection to this bill, Mr. President, and the objection is that under the present law, a legitimate petition filed not by a communist but by a real good citizen, if a good citizen files a petition and the Secretary of the Commonwealth should disagree with you when you file the petition, she rejects your petition and the only recourse you have is not to the Governor or the Attorney General or anybody else but you must go right to the Courts of Dauphin County, where these matters should be decided.

Now, Mr. President, why give these communists something more than you give the person who files a petition, and to which petition there is no tinge of communism attached to it. That should not be allowed, Mr. President. These communists should not be given this added privilege; their petitions should be allowed to be disposed of as the other petitions are. After all, we pride ourselves in having a government with three departments, legislative, judicial and executive. Here, Mr. President, we are going to pass a bill that is going to put judicial power, judicial discretion, in the Governor of the Commonwealth, the Attorney General and the Secretary of the Commonwealth. Now certainly we know that the Governor appoints the Attorney General and the Governor has the power to remove him, and we know the Governor appoints the Secretary of the Commonwealth and the Governor has the power to remove the Secretary. So therefore, if you will analyze these amendments, it makes the Governor himself the pivot, and the person who has to decide whether the people petitioning are communists or not. Now, it definitely puts in the hands of the Governor and asks the Governor to take judicial power, to exercise judicial power. The determination of whether a party filing a petition is a communist or not is a matter of judicial determination, and should be left up to the courts not to the Chief Executive of this Commonwealth.

I think along the same lines with the gentleman from Washington that at least if this amendment is permitted to stand we ought to at least strike out of it the Governor. Let us put somebody else in there; let us not degrade the Governor by putting him in a position where he must humiliate himself and probably sit for a day or two listening to the ranting of people who do not deserve to be listened to, if they stand for the overthrow of the government by force or by violence.

Mr. DENT. Mr. President, I thought the communist bill or the anti-communist bill was number 78. I understand we are now considering Senate Bill No. 172. This bill in my mind is an anti-minority bill beyond the embellishment, of course, due to the phraseology of the bill, which some persons would hide behind and say that it is this or that, it is against those persons who would overthrow this government by force. After talking with a great many senators privately I find that they agree with me it is a bad bill but for political expediency they will vote for it.

Personally, Mr. President, I suppose I may be the only one on the Senate floor who will vote against this bill but I do so with full knowledge of what I do and I do so believing I am only giving to those who come after me the same privileges I have enjoyed to date and therefore I as an American intend to vote "no" on this bill.

Mr. WALKER. Mr. President, we have heard a great deal of discussion this afternoon about co-sponsorship and sponsorship of bills being kicked around. May I first say, this is not the first committee on which the chief executive has been placed by legislative action. I think the Governor has been on several other committees. If my memory serves me correctly he was recently placed on the Committee on National Defense and that is not any more important than defending the ballot or to save the ballot from subversive activities. May I suggest to the gentleman from Fayette the purpose of giving those with subversive activities more leeway before we throw them off the ballot is very apparent. At the present time when you file a petition with the Secretary of the Commonwealth seaking to be placed on the ballot, if the Secretary of the Commonwealth rules your petition can not be received, the purpose or the reason for that order is because of a latent defect in the petition itself and it is all wrapped up in there and your entire cause of action comes with the petition itself and you can go to the Dauphin County Court and argue the legal questions presented in the petition.

Here, Mr. President, you have a different situation. You are calling upon people to declare that certain nominees or people desirous of becoming nominees, political bodies or political parties are in fact traitors traitors to this country, that they are attempting to overthrow this government by force and in spite of the flag waving I appreciate that is a serious charge to make.

Now, Mr. President, in order to make certain that inadvertently a hardship is not worked upon innocent bystanders, the machinery is set up in this proposed bill whereby the Governor, the Attorney General and the Secretary of the Commonwealth can determine whether or not proposed nominee or a political party or political body has as its objective the overthrow of this country or this government by force. If they so determine then the party so affected or injured can appeal to the Dauphin County court just the same as any other injured party can today, and in order to cut down on the so-called ranting I call attention of the Senate to the fact that there is no denovo hearing before the court; that is predicated upon the record made before this committee in the court's determination or adjudication of the issue.

It is true a subversive group or the communist party, if you care to label it as such, is given an additional safeguard an additional special procedural step before they are thrown off the ballot and I think due to the seriousness of the charges, due to the fact we have to endeavor to protect minority parties who are not subversive parties on our ballot, this is not a superfluous step which could be eliminated.

Mr. President, I appreciate the fact that when I stand up here and defend minority parties I am laying myself

open to a lot of criticism, because as has been pointed out on this floor this afternoon, I by virtue of the Royal Oak party, am a member of the Senate of Pennsylvania and we do not caucus; if we did we would caucus in a telephone booth because I have the distinction of being the ranking member of the Royal Oak party in the Senate; in fact, on a check up, I am the only member, and I am perfectly willing to admit that inadvertently I am defending a minority party, I am defending Father Coughlin's party which brought me into the Senate—whether that is a blessing or a travesty on justice remains to be seen

In my opinion, Mr. President, this amendment strengthens the bill, in my opinion it safeguards to the best of the ability of the committee who formed the phraseology, the sacred traditions of Americanism and our democracy, to the best of our ability. I object to the suggestion being made that it kills the bill because it does not; in my opinion it strengthens the bill.

May I suggest to my colleagues we are not placing an undue burden on the Governor of the Commonwealth, we are merely permitting him as the chief executive of the Commonwealth and also by virtue of the fact that he is commander in chief of our national defense forces, we are placing in his hands an opportunity to rule on a very important and very sacred question.

Mr. HALUSKA. Mr. President, I desire to interrogate the gentleman from Fayette.

The PRESIDENT. Will the gentleman from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. Gladly, Mr. President.

Mr. HALUSKA. Mr President, will the gentleman from Fayette tell me whether or not this bill, as it now reads, will further complicate the preemption of a third party in Pennsylvania.

Mr. CAVALCANTE. No, Mr. President.

Mr. HALUSKA. Mr. President, did I understand the gentleman from Fayette to say that if any citizen wishes to preempt a party the Secretary of the Commonwealth would have the right to make a rejection; did the gentleman say that?

Mr. CAVALCANTE. No, Mr. President.

Mr. HALUSKA. Mr. President, the record I think will show the gentleman said "yes."

Mr. CAVALCANTE. I do say it now, Mr. President.

Mr. HALUSKA. The record will show I think, Mr. President, the gentleman from Fayette suggested if any group of persons wished to preempt a party or permit any party to be placed on the ballot the Secretary of the Commonwealth would have the right to reject that petition.

Mr. CAVALCANTE. That is correct, Mr. President.

Mr. HALUSKA. Then he did say it, Mr. President.

Mr. CAVALCANTE. No, I am just answering the question, Mr. President. The gentleman said if a political group would present a petition to the Secretary of the Commonwealth to preempt a party, if that group was a group that believed in force and violence, under the present bill the Secretary of the Commonwealth could not refuse the petition but would have to take the petition and file it.

Mr. HALUSKA. That is all.

Mr. WOODWARD. Mr. President, apparently the microphones were so far apart the two Senators could not hear each other.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Ealy,	Letzler,	Stiefel,
Bartlett,	Edmonds,	Mallery,	Tallman,
Becker,	Farrell,	McGinnis,	Taylor,
Carr,	Frey,	McQuiddy,	Thomas,
Cavalcante,	Geltz,	Miller,	Tyler,
Chapman,	Haluska,	Mundy,	Wade,
Coleman,	Heyburn,	Reed,	Walker,
Cox,	Homsher,	Ruth,	Watkins,
Crider,	James,	Scarlett,	Wilson, H. I.,
Crowe,	Jaspan,	Shapiro,	Wilson, T. B.,
Deitrick,	Kephart,	Snowden,	Woodward.
DiSilvestro.	Lanius,	Stevenson,	Ziesenheim,

NAYS—1

Dent,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. SNOWDEN. Mr. President, I move that Senate Bill No. 344, on third reading, entitled:

An Act to amend further section five of the act, approved the thirteenth day of June, one thousand eight hundred and thirty-six (P. L. 551), entitled "An act relating to roads, highways, and bridges," as amended, by making the maximum width of a public road two hundred feet.

be recommitted to the Committee on Highways for the purpose of further study.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE, and were as follows, viz:

YEAS 47

Barr,	Ealy,	Letzler,	Tallman,
Bartlett,	Edmonds,	Mallery,	Taylor,
Becker,	Farrell,	McGinnis,	Thomas,
Carr,	Frey,	McQuiddy,	Tyler,
Chapman,	Geltz,	Miller,	Wade,
Coleman,	Haluska,	Mundy,	Walker,
Cox,	Heyburn,	Ruth,	Watkins,
Crider,	Homsher,	Scarlett,	Wilson, H. I.,
Crowe,	James,	Shapiro,	Wilson, T. B.,
Deitrick,	Jaspan,	Snowden,	Woodward,
Dent,	Kephart,	Stevenson,	Ziesenheim,
DiSilvestro,	Lanius,	Stiefel,	

NAYS 2

Cavalcante,	Reed,

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. MILLER, Mr. President, I ask unanimous consent that Senate Bill No. 78, on second reading, entitled:

An Act to amend section eight hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further defining political parties and political bodies; excluding therefrom parties or bodies desiring to overthrow the Government of the United States by force.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897-1937), entitled, "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights, obligations and procedure thereunder.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. DENT. Mr. President, due to the fact that the House has passed a bill on this question, and due to the fact that there is another bill introduced in the Senate on this question, although they did not go to the same committee from which this bill came, as one of the co-sponsors of the bill and admitting all of the good features that are in this bill, I think the proper thing to do here on the Senate floor is to send this bill back to the Committee on Compensation, in order that all three bills can be looked into at the same time, in order that the good features of this bill can be agreed to, plus whatever good features may be desirable in the other bills.

MOTION TO RECOMMIT

Mr. DENT. Therefore, Mr. President, as a co-sponsor of this bill I now move that it be recommitted to the Committee on Workmen's Compensation in order that it may be studied in conjunction with the other bills.

Mr. COLEMAN. I second the motion, Mr. President.

On the question.

Will the Senate agree to the motion?

Mr. HENRY I. WILSON. Mr. President, this morning I spoke about this very matter, and still it is continued with the idea that the work we did all last summer and into the fall, in which the gentleman from Westmoreland took a part, must be confused with the alleged work that is being done by somebody else and if this motion is adopted this whole mess will be thrown over into my committee before we can act on this bill.

I am opposed to this motion and every other motion that pertains to the same subject in the same manner, and I hope the Senate will vote down his motion and that we will act on this bill now on second reading in its entirety.

Mr. EDMONDS. Mr. President, may I interrogate the gentleman from Jefferson?

The PRESIDENT. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. HENRY I. WILSON. Gladly, Mr. President.

Mr. EDMONDS. Does this bill now contain all the amendments referred to by the gentleman from Jefferson?

Mr. HENRY I. WILSON. It does, Mr. President.

Mr. EDMONDS. Is it as letter perfect now, Mr. President, as the Committee can make it?

Mr. HENRY I. WILSON. No, Mr. President, I would not say it is letter perfect in all of its aspects but we approve it and recommend it.

Mr. DENT. Mr. President, it seems peculiar to me some people are perfect in the world and other people make so many mistakes. This bill we understand from one of the co-sponsors, is a final work in legislative preparation, no word can be said against the preparation of this bill or the features of it because to do so would be sacriligious. A minute ago I was logrolled all over the Senate floor by the same gentleman on the preparation of the tax abatement bill.

I want to say very frankly I told the committee in committee meeting not once but twice that I intended to do this very thing I am doing now because the understanding of the committee which has studied this bill, and I worked on it I think as diligently as the other members all summer and we have made at least twenty-one very good amendments in this bill and I do not think that can be improved upon insofar as the subject matter covered by the amendments is concerned, but I want to say here and now the attitude taken upon the matter of scheduled payments and number of weeks for which payments are to be made, is the same type of reactionary attitude which has been taken during all the years workmen's compensation payments have been made in the State of Pennsylvania and that is why in 1935 when the Democrats gained control of the House all labor rose enmasse demanding that certain amendments be made in the Workmen's Compensation Act in order that more liberal payments be given to injured workmen. When this bill was passed there was a top limit of fifteen dollars and a time limit of thirteen weeks.

I introduced the original Unemployment Compensation Bill in the State of Pennsylvania, for which I was called a radical and few other names. However, the bill finally became law.

I want to say here and now, Mr. President, unless you take up the question of payments—

POINT OF ORDER

Mr. HENRY I. WILSON. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Jefferson will state his point of order.

Mr. HENRY I. WILSON. Mr. President, there is only one question before the House and that is the question of whether this motion prevails. It is not necessary to go into the history of Workmen's Compensation.

Mr. DENT. Mr. President, I believe I still have the floor.

Mr. HENRY I. WILSON. Mr. President—

The PRESIDENT. The gentleman from Westmoreland has the floor. Does the gentleman from Jefferson wish to raise a point of order?

Mr. HENRY I. WILSON. Mr. President, the gentleman from Westmoreland is not discusing the question before the Senate.

The PRESIDENT. The Chair rules the point of order of the gentleman from Jefferson is well taken. The question before the Senate is a motion to recommit and the subject matter of the bill cannot be discussed.

Mr. COLEMAN. Mr. President—

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna.

Mr. COLEMAN. Mr. President, I yield the floor to the gentleman from Westmoreland. I submit nobody has any right to question what he is discussing.

The PRESIDENT. The Chair would suggest the gentleman from Lackawanna read the rules of the Senate.

Mr. COLEMAN. Mr. President, it has always been my impression when anybody questions the right of a senator or a member of the House of Representatives on the floor to discuss a matter before us any other member of the General Assembly can arise in his place and if he is recognized by the Chair can yield the floor to any gentleman in the Senate and his right to discuss any matter from that time on cannot be questioned.

I ask for a ruling on my point, Mr. President.

The PRESIDENT. The Chair rules the point of order of the gentleman from Lackawanna is not well taken.

Mr. DENT. Mr. President, I do not want to play on ragged nerves but I only want to say this, I will not discuss the pertinent facts pertaining to the bill except to say this—we have had experience in the past—oh, what is the use? I submit, Mr. President, we have listened for hours here on the Senate floor to discussions and I am not by far the worst violator. When I want to speak about the features of this bill. Mr. President, I want to give the Senate my reasons for my action because I am co-sponsor and I am not in any way backing up on any agreement I made with the other co-sponsors and I am clearly telling you and the other members of this Senate unless we have the courage to take into consideration the matter of weekly payments and the number of weeks to be paid, then we have not courage to face conditions as they are.

I have offered amendments to the committee and they were not even considered, I offered recommendations to the committee and they were not even considered. The Chairman of that committee takes the attitude, and he has taken it before, and I know this to be true, when his name is upon something it is perfect, and so therefore, Mr. President, I still insist that my motion be voted upon to send this bill back to committee. I will rise on a question of personal privilege at some other time and give you my reasons for so doing.

Mr. SHAPIRO. Mr. President, in discussing what I am about to say, I do not intend to discuss the merits of the bill but I do intend to make two points as a result of what has happened here. There is a co-sponsorship on this bill, which since its original introduction in the Senate has changed its purpose. The bill originally, as I understand—and I am now only discussing procedure and not the merits—this was a procedural bill to correct certain defects which everyone agreed should be corrected.

As I now understand it, Mr. President, the bill adds, in addition to the procedural matters, some other matters; it adds controversial subject as to what should be the schedule of compensation.

I have listened today to several of these things happening; I have been watching the course of legislation of this bill for some time and I am frank to say I do not care whose fault it is but the fact remains—and I am willing to take my share of the responsibility and maybe this side of the Senate should also take their share of the responsibility—but the fact remains that we are not legislating and we are not getting anywhere and unless we do something we are going to be properly and severely criticized and I am suggesting if the co-sponsor of this bill objects to the fact there are certain things that have been put into the bill which it was not his intention to join in originally when the bill was placed in the Senate, in common decency he is entitled to have that bill either put back into committee and have it come out with the responsibility of those persons who want to assume it, or it may stay in. It is not fair, in my opinion, when people have obligations to their respective communities that a bill shall first take one form in which they are willing to join and then come out in another form to which one or more of the co-sponsors are not willing to join.

I am suggesting, Mr. President, that sooner or later—and I am going to do my part in making it sooner—we better get a couple of members from each side of this House and a couple of members from the other House and sit down and get rid of important legislation upon which we can agree and then if there is some portion of this bill that other members of the Senate want, let them asume the responsibility, if it is controversial, and submit it to the Senate so they can vote on every phase of the bill that it is possible to put into bill of joint sponsorship but I do not think, if there is going to be joint sponsorship, some of the things should be included which one or more of the sponsors object to; I do not think that is proper legislation; and if the gentleman from Westmoreland's position is correct this bill ought to go back so that he will not have that responsibility and the responsibility may be assumed by those who want it.

Mr. HEYBURN. Mr. President, the gentleman from Philadelphia, Mr. Shapiro, is grossly misinformed as to Senate Bill 80. It was never a purely a procedural bill. This question was tabled and taken up in committee and has been worked on for two years now and the gentleman from Westmoreland is a member of that committee and he has been working hard with the rest of us and there have been some twenty-four liberalizing amendments placed in this bill. I do not want to discuss this bill in detail, Mr. President, but I must say a lot of misinformation has been broadcast here this afternoon. A lot of people are trying to appeal to the so-called labor

vote and have so told me. They are not frank at all or sincere in their position.

The understanding was that this bill was to be non-controversial, it was agreed upon by all parties, and the understanding was this bill was to pass and then all con-controversial measures were to be taken up in a separate bill.

The fact is that the gentleman from Westmoreland is one of the co-sponsors of the bill and the only reason he is a co-sponsor is because it is non-controversial, non-partisan, and non-political and I purposely had him co-sponsor the bill with the rest of the members of the Senate on that committee.

This bill is the result of two years of study and it is a crime to send it back to committee; it was sent back to committee before. This bill liberalizes benefits to the workers to the extent of five million dollars per year. It was back in committee once before, a week ago. And at that time the gentleman from Westmoreland took up the amendments which were rejected—as a matter of fact he was late getting to the committee meeting.

Mr. President, I beseech my fellow Senators not to send this bill back to committee.

Mr. DENT. Mr. President, half truth is worse than a deliberate lie. There is a great deal of truth in the statement made by the gentleman from Delaware. I did agree to a non-controversial bill, I did agree to the type of schedule presented in this bill but I never agreed to the amounts, contained therein. The amounts contained therein were left purely a matter of controversy, to be worked upon by the committee, and I submit, Mr. President, and members of this Senate, the committee never once endeavored to call in interested parties on the matter of the schedule, or the amount of money to be paid out if the weekly amounts were raised.

What are the liberalizing features, Mr. President? Fifty cents a week on the payment, that is the only liberalizing feature. I propose to transgress upon the decency of the president by divulging matter in this bill of interest to the Senators and to the Chair, I want to say frankly you are only fooling yourselves when you think you are passing a bill here that takes care of the schedule of payments. It does not. We could be the so-called statesmen we often try to be by now, as I suggested to the committee, amend the bill to increase weekly payments, amend the bill to increase the number of weeks.

Here is another thing: All the money is being poured into Washington, D. C. because many states have features in their bills more liberal than ours and W shington, D. C. has made a rule that they are going to take the amounts, that are paid in and disburse them over the forty-eight states and the employers in Pennsylvania are going to have higher payments than those in the various southern and western states who have those liberalizing features. We have a large amount of money built up in our own fund which is all to be taken and given to other states. I further said this, Mr. President, if we amended the bill and made it more liberal there should be a safety clause in it, a sliding scale, when, if the fund reaches a level where we determine it would be enough by actuarial figures—

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. Mr. President, the gentleman from Westmoreland is not speaking on the question before the Senate.

Mr. DENT. Mr. President, if the gentleman from Allegheny had left me alone half a minute longer I would have finished.

Mr. GELTZ. Mr. President, that is what we thought fifteen minutes ago.

Mr. DENT. That is not correct by twelve minutes, Mr. President.

The Chair wishes to make a statement, that he thinks he is being imposed upon by the gentleman from Westmoreland. The Chair is familiar, so is every other Senator, with Rule No. 9, which says in part motion to commit precludes debate on the original subject.

When the senator from Westmoreland first started speaking he was speaking on the provisions of the bill. The Chair permitted him to proceed until a point of order was raised.

That same point of order could have been raised at practically every meeting of the session of this Senate this year. The Chair was compelled to rule as he did.

Then the Chair immediately recognized the Senator from Westmoreland and for a time he debated on why the bill should not go back to committee but then he did transgress that rule commenced to debate on the subject matter of the bill, which is incorrect.

The Chair wants to be fair and suggests to the Senators on a motion of that kind that they try to adhere to the rules at least.

The point of order is well taken.

Mr. MALLERY. Mr. President, in order that I may vote intelligently on the question before the Senate I should like to ask the gentleman from Westmoreland just one question.

May I interrogate the gentleman from Westmoreland?

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. MALLERY. Mr. President, will the gentleman from Westmoreland tell me whether the bill in its present form is essentially different from the bill which he co-sponsored?

Mr. DENT. No, Mr. President, it is not.

Mr. MALLERY. The reason I asked that question, Mr. President, is that I want to be consistent and if that were so I was going to vote "aye" on the motion to recommit.

I might further say that explains my vote on the tax abatement bill. I voted to recommit that bill because it was insisted that the tax abatement bill had been mutilated.

I want to say that, Mr. President, as a matter of record.

Mr. DENT. Mr. President, with the kind indulgence of the Chair I would like to make a brief remark concerning the statement of the gentleman from Blair, because I would like to have that distinctly understood. I want to say briefly—if the gentleman from Allegheny will allow me—the bill is in practically the same form as it was but the understanding which we had—which may not be exactly the same thing—is not the same. The matter of the schedule is open, it is controversial, and it has never been taken up by the committee.

That I want understood.

The PRESIDENT. The question is on the motion of the gentleman from Westmoreland, seconded by the gentleman from Lackawanna, to recommit the bill for further consideration.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—13

Barr,	DiSilvestro,	Lanius,	Mundy,
Coleman,	Frey,	McGinnis,	Shapiro,
Cox	Jaspan,	McQuiddy,	Stiefel,
Dent.			

NAYS—36

Bartlett,	Edmonds,	Mallery,	Thomas,
Becker,	Farrell,	Miller,	Tyler,
Carr,	Geltz,	Reed,	Wade,
Cavalcante,	Haluska,	Ruth,	Walker,
Chapman,	Heyburn,	Scarlett,	Watkins,
Crider,	Homsher,	Snowden,	Wilson, H. I.,
Crowe,	James,	Stevenson,	Wilson, T. B.,
Deitrick,	Lephart,	Tallman,	Woodward,
Ealy,	Letzler,	Taylor,	Ziesenheim,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, That said bill as amended be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 161, on second reading, entitled:

An Act to amend section thirty of the act approved the twenty-ninth day of April, one thousand nine hundred and thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," further regulating the check-up of registered electors and the cancellation of their registration by the commission.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 169, on second reading, entitled:

An Act to amend the act approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," abolishing the existing registration commission for cities of the second class and providing that the county commissioners of each county in which any such city is located shall act as a registration commission therefor, providing for the consolidation of the second class city general register with the general register of cities of the third class and boroughs, towns and townships of the county, providing for the transfer of the registration of electors upon change of residence from a third class city, borough, town or township in the same county, changing the period during which changes of enrollment of political party may be made, eliminating preparation and distribution of preliminary street lists, and permitting the destruction of certain records.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 197, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships, and school districts to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims, and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 206, entitled:

An Act to further amend subsection (a) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of property of deserters; and providing procedure," by providing for the furnishing of statements to persons against whom claims are due for support, maintenance and assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, entitled:

An Act abating certain tax penalties and interest on unpaid delinquent city taxes in cities of the first and second class on unpaid delinquent school taxes in school districts of the first class, and on unpaid delinquent poll, poor district, institution district and county taxes in counties of the second class prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 301, entitled:

An Act providing for practical arts and vocational agriculture, home economics, industrial and commercial schools and classes, through public school districts and in cooperation with employment offices, for the training, retraining, instruction, and adjustment of out-of-school, unadjusted individuals, in order to enable them to enter, re-enter, or continue employment under changing conditions; conferring powers and imposing duties upon the Superintendent of Public Instruction; and making an appropriation.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to have the bill transcribed for a third reading?

BILL RECOMMITTED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 301, the bill just read, be recommitted to the Committee on Appropriations.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 325, entitled:

An Act to further amend section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five, (P. L. 452) entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of emirent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing that no new project shall be begun without specific authority from the General Assembly and approval of the Governor and providing for a limitation of the cost thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. T. B. WILSON. Mr. President, I move that Senate Bill No. 338, on second reading, entitled:

An Act to further amend sections four and five of the act, approved the sixth day of April, one thousand nine hundred thirty-five (P. L. 90), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class A, by providing that city and school taxes within such territorial limits shall be assessed, levied, and collected upon the basis of the assessments for taxation for county purposes; and requiring the furnishing of tax duplicates by the county taxing authorities to such cities and to school districts coterminous therewith; abolishing the department of assessors in cities of the second class A; consolidating tax statements covering city, school, county and poor taxes therein, and making uniform the time for levy and collection of said taxes respectively, and regulating the discounts therefrom and penalties thereon," by further regulating discounts for prompt payment of taxes and penalties and interest imposed on said taxes and by changing the date of certain tax payments.

be recommitted to the Committee on Municipal Government.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I desire to interrogate the gentleman who made the motion to recommit Senate Bill No. 338.

The PRESIDENT. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. Yes, Mr. President.

Mr. COLEMAN. Mr. President, will the gentleman from McKean state the reason for the motion?

Mr. THOMAS B. WILSON. Mr. President, this bill makes a change in the discounts that are allowed on payment of taxes and makes a change in the time of payment of same and before that is done I thought it would be better for the bill to go back to committee for further consideration.

Mr. COLEMAN. In what political subdivision, Mr. President?

Mr. THOMAS B. WILSON. In cities of the second class.

Mr. COLEMAN. Of which there is only one in the Commonwealth, Mr. President, is that correct? Second Class A. I wonder if the gentleman is familiar with the fact that this bill applies only to the City of Scranton?

Mr. THOMAS B. WILSON. I am, Mr. President.

Mr. COLEMAN. Mr. President, will the gentleman from McKean tell me whether or not anybody in the City of Scranton wants this bill?

Mr. THOMAS B. WILSON. I do not know that, Mr. President; I cannot say.

Mr. COLEMAN. Will the gentleman from McKean tell me whether he shares my belief or does he believe he is the only one in the Senate of Pennsylvania familiar with what the people of his senatorial district want.

Mr. THOMAS B. WILSON. The answer is no, Mr. President.

Mr. COLEMAN. Mr. President, I introduced this bill in the 1939 session and I have sat through this session of the Senate, particularly today, listening with calm fortitude to the discussions on both sides of this Senate. As I say, I introduced this bill in the 1939 session—

POINT OF ORDER

Mr. GELTZ. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. GELTZ. I submit, Mr. President, there is nothing before the Senate but the motion to recommit; the Senator from Lackawanna is not discussing that motion.

The PRESIDENT. The Chair is of the opinion the gentleman from Lackawanna has not proceeded far enough for the Chair to determine that. He may assign his reasons why it should not go back. The Chair does not yet know whether he is discussing the bill or not.

Mr. GELTZ. I submit, Mr. President, the gentleman from Lackawanna started to talk about having introduced a bill in the 1939 Session.

The PRESIDENT. That is correct.

Mr. GELTZ. Which, Mr. President, would have nothing to do with the motion to recommit.

The PRESIDENT. That may lead up to the reason why the gentleman is opposed to the motion to recommit this bill.

Mr. COLEMAN. Mr. President, I would like to suggest to the gentleman that since he asked for it, I am going to ask that every bill on the Calendar of the Senate of Pennsylvania be read at length, properly considered and agreed to on three different days in accordance with the provisions of the Constitution, and then maybe the monotonous prattling of the reading clerk—and I do not say this unkindly, may be conductive to some constructive and real thinking on the part of the opposition.

If the gentleman persists in his motion to recommit a bill which affects only the City of Scranton, which I happen to represent in the Senate of Pennsylvania, I am going to insist that every bill be read at length and considered on three different days. Not only that, Mr. President, but I will make motions to recommit many bills and ask for roll calls on those motions.

I think it is about time, Mr. President, we find out whether, as I understand under the Constitution of the State of Pennsylvania, the legislative authority is vested in a General Assembly comprising a House of Representatives and a State Senate, or whether there is some sinister force behind the action of the gentleman from McKean. I want to know, Mr. President, whether we have a Doctor Jekyll and Mr. Hyde who professes friendship for me and interest in my bill on the one hand and holds a dripping knife in the other, killing a piece of legislation which the Republican County Chairman in Lackawanna and the Democratic County Chairman in Lackawanna and the Republican and Democratic newspapers are all in accord with.

Mr. President, if the gentleman persists in his motion to recommit this bill I will yield the floor.

The PRESIDENT. The question is on the motion of the gentleman from McKean, to recommit Senate Bill No. 338 to the Committee on Municipal Government.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. T. B. WILSON and were as follows, viz:

YEAS 33

Bartlett,	Edmonds,	Letzler,	Thomas,
Becker,	Farrell,	Mallery,	Tyler,
Carr,	Geltz,	McGinnis,	Wade,
Chapman,	Haluska,	Scarlett,	Walker,
Crider,	Heyburn,	Snowden,	Watkins,
Crowe,	Homsher,	Stevenson,	Wilson, H. I.,
Deitrick,	James,	Tallman,	Wilson, T. B.,
Ealy,	Kephart,	Taylor,	Woodward,
			Ziesenheim,

NAYS 13

Cavalcante,	Frey,	McQuiddy,	Reed,
Coleman,	Jaspan,	Miller,	Ruth,
Dent,	Lanius,	Mundy,	Stiefel,
DiSilvestro,			

So the question was determined in the affirmative.

Mr. COLEMAN. Mr. President, I ask that Senate Bill No. 360 be read at length.

The PRESIDENT. It is not necessary for the gentleman to make the request. The Chair is familiar with the rules.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 360, as follows:

An Act creating a commission to make a thorough investigation of all matters that might interfere with carrying out of the National Defense Program within the Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings to the Legislature or to the Governor together with its recommendations as to such regulatory legislation as may be needful to promote the production of implements of defense authorizing the commission to employ counsel and employees and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas the explosions fires and other unnatural occurrences recently happening within the Commonwealth lead to the conclusion that they owe their origin to and are the result of the un-American activities of those persons or organizations who are plotting against the effectual carrying out of the National Defense Program and

Whereas if this Commonwealth and its patriotic people are to contribute their full share of assistance in safeguarding and defending the Nation the cause of these occurrences must be found and means determined upon for the frustration of further plots to interfere with the prompt and adequate production of implements of defense and

Whereas so long as subversive and treasonable teachings are permitted within the Commonwealth and so long as those responsible for the damage to industry are at large and unmolested the defense program will lag and our danger will increase

Section 1 There is hereby created a commission to be known as Defense of American Freedom Commission which shall be composed of nine competent persons three

to be appointed by the Governor three to be appointed by the President pro tempore of the Senate and three to be appointed by the Speaker of the House of Representatives whose duty it shall be to immediately proceed with a full and thorough investigation of (1) the numerous fires explosions and other unnatural occurrences which have and may hereafter interfere with the prompt and effectual carrying out of the National Defense Program (2) un-American organizations whose purpose or aims or one of whose purposes or aims is the establishment control conduct seizure or overthrow of the Government of Pennsylvania or of the United States by the use of force violence military measures or threats and (3) organizations suspected of attempting or conspiring to attempt to interfere or interfering with the National Defense Program

Section 2 The persons appointed as members of said commission shall meet immediately after appointment and select one of their number to act as chairman of the commission The commission may employ a secretary and an attorney and such clerks stenographers investigators and interpreters as they deem necessary to perform the duties imposed by this act and fix their compensation The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties If any vacancy occurs in the membership of the commission the vacancy shall be filled by the person making the appointment of the member whose death or resignation created the vacancy

Section 3 The said commission shall have power to issue subpoenas under the hand of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases

Section 4 The commission shall make a report of its findings and recommendations to the Legislature if in session or otherwise to the Governor as soon and as frequently as it determines such report necessary and shall make a final report not later than February 1 1943 containing such drafts or legislation if any as the commission deems necessary to safeguard and render most effective the National Defense Program

Section 5 This act shall become effective immediately upon final enactment

Section 6 The sum of fifty thousand ($50,000) dollars is hereby specifically appropriated to the said commission for the purpose of paying the expenses of the members and the salaries and traveling expenses of employes and any other necessary expenses incident to the work of said commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

MOTION TO ADJOURN

Mr. COLEMAN. Mr. President, I move you that the Senate now adjourn to meet at 10 o'clock a. m., Wednesday, April 9, 1941.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY PROCEDURE

Mr. WALKER. Mr. President, I rise on a question of parliamentary procedure.

The PRESIDENT. The gentleman from Allegheny will state his question of parlimentary procedure.

Mr. WALKER. Mr. President, since we have started the reading of these bills at length, I notice quite a number of the senators quite suddenly have discovered business elsewhere. If some of us have to take it I don't know why the others should not be here.

POINT OF ORDER

Mr. WALKER. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. WALKER. Mr. President, I raise the question as to whether or not the Sergeant-at-Arms can be instructed to lock the doors and insure that the Senators remain. We may as well all take it.

The PRESIDENT. The Chair is of the opinion that is not necessary as long as there is a quorum present and the Chair is of the opinion a quorum is present.

And the question recurring,

Will the Senate agree to the motion:

The yeas and nays were required by Mr. COLEMAN and were as follows, viz:

YEAS 5

Cavalcante,	Cox,	DiSilvestro,	Mundy,
Coleman,			

NAYS 38

Bartlett,	Geltz,	McQuiddy,	Thomas,
Becker,	Haluska,	Miller,	Tyler,
Carr,	Heyburn,	Ruth,	Wade,
Chapman,	Homsher,	Scarlett,	Walker,
Crider,	James,	Snowden,	Watkins,
Crowe,	Jaspan,	Stevenson,	Wilson, H. I.,
Deitrick,	Kephart,	Stiefel,	Wilson, T. B.,
Ealy,	Lanius,	Tallman,	Woodward,
Edmonds,	Letzler,	Taylor,	Ziesenheim,
Farrell,	Mallery,		

So the question was determined in the negative.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. Yes, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Lackawanna if he requests that this bill be read in detail.

Mr. COLEMAN. Yes, Mr. President, in detail, at length and considered on three different days.

Mr. WALKER. Mr. President, I desire to further interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be further interrogated?

Mr. COLEMAN. Willingly, Mr. President.

Mr. WALKER. Mr. President, I respectfully suggest to the gentleman from Lackawanna if he continues with his threat to have bills read at length we will be establishing a very bad precedent.

I am sorry, Mr. President, I did not know about this sooner or we might have started this before but may I suggest as evidence of one way we can meet the suggestion of the gentleman from Allegheny, Mr. Geltz, that the

gentleman from Lackawanna reconsider that motion and allow the Senate to revert to the time honored custom of bouncing through the bills on second reading.

Mr. COLEMAN. Mr. President, I do not recall that I made any threat and I resent the implication of the gentleman from Allegheny. I merely suggested, Mr. President, I was going to insist on the constitutional provision that all bills be read at length and considered on three separate occasions.

Mr. WALKER. Mr. President, I desire further to interrogate the gentleman from Lackawanna.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be further interrogated?

Mr. COLEMAN. Willingly, Mr. President.

Mr. WALKER. Mr. President, I just want to suggest to the gentleman from Lackawanna that I distinctly heard him say—and if I am in error I hope he will correct me—but I think I heard the gentleman from Lackawanna state if the gentleman from McKean insisted on his motion to send the bill back to committee, the gentleman from Lackawanna stated he would demand that bills be read at length and it was on that I predicated the word threat. Perhaps the word threat is ill-advised but, Mr. President, my vocabulary is very limited and it sounded like a threat to me and I became properly frightened and now I am seeing the results of that action and I desire to ask the gentleman from Lackawanna if he will not reconsider his demand that bills be read at length and permit the Senate to bounce them through second reading.

Mr. COLEMAN. Mr. President, in turn I desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. Gladly, Mr. President.

Mr. COLEMAN. Mr. President, how did the gentleman from Allegheny vote on my motion that the Senate adjourn?

Mr. WALKER. Mr. President, I voted no because I firmly believe that we are in a position here where we are divided between two different schools of thought—where we can either sit down and work out a procedure or else we shall have to go through with the very painful process.

Through my experience with the gentleman from Lackawanna I have found him to be a scholar and a gentleman and I feel somewhere along this beaten path we can find some common ground on this procedure we are going through and out of the respect to our time honored custom in the Senate I suggest that we revert to our original practice.

The PRESIDENT. The Chair is prepared to stay here all night.

Mr. WALKER. Mr. President, it begins to look to me like that is what we will have to do. It seems to me certainly we have lost most of the dignity this body once held and I would like to urge upon the gentleman from Lackawanna that we revert to our time honored custom and that he reconsider his motion.

I might say, however, Mr. President, I sympathize deeply with the gentleman from Lackawanna in the position in which he finds himself.

Mr. COLEMAN. Somewhere, Mr. President, some great philosopher expressed a truism which has gone down through the ages, when he said, "Consistency, thou are a jewel." I am quite certain the gentleman who expressed that great philosophy could not have had my good friend the Senator from Allegheny Mr. Walker in mind because while on the one hand he finds fault with this monotonous reading of bills at length, on the other hand he turned down a splendid opportunity to adjourn by voting against my motion that the Senate adjourn.

I would say, Mr. President, his plea was clothed in such beautiful language and he is such a keen student of human nature, saying all of the nice things he did and knowing that while many politicians are considered too heartless and soulless, old rascals, some of us are human, and so my answer to the gentleman from Allegheny, after his nice way of putting that request is that I could never say no.

So, Mr. President, I will withdraw temporarily my insistence that the bills be read at length.

Mr. MUNDY. Mr. President, I realize that the Senator from Lackawanna has been placed in a very peculiar position.

If there was any threat implied in his original request, which has been so stated on the floor, I rise to insist that all bills be read three different times on each Calendar day, and I do this, not as any threat but in resentment against what I have previously spoken about, the absolute lack of leadership upon the floor of the Senate and the lack of co-operation and everything else.

I believe and I believe most Senators should believe when a matter affecting a district entirely alone, out of the courtesy the Senate of Pennsylvania should allow the decision in that particular district to be made by the Senator from that district and until that is enforced and the gentleman from Lackawanna is given the courtesy due him I still insist on all bills being read at length.

Mr. WALKER. Mr. President, may I impose upon the Senate for just a moment at this time to thank the gentleman from Lackawanna for his very splendid response to my invitation.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 411, (House Bill No. 583, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such price as may be agreed upon two certain adjoining plots of land together with the improvements thereon erected situate in Clearfield County Plot number one containing 1,103 acres located in Lawrence Township adjacent to Clearfield Borough facing River Street and Old Mill Road and plot number two containing .7427 acres located in Lawrence Township adjacent to Clearfield Borough and adjoining rear property line of plot number one facing Old Mill Road title to which plots of ground is in the Commonwealth and to make and execute a deed in the name of the Commonwealth to the purchaser thereof The moneys received as the purchase price of said plots of ground shall be paid into the General Fund of the State Treasury

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 417, (House Bill No. 688), entitled:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons and to make uniform the law with reference thereto

The first section of the bill was read as follows:

Section 1 Reciprocal Agreements The Department of Public Assistance subject to the approval of the Attorney-General is hereby authorized to enter into reciprocal agreements with corresponding state agencies of other states regarding the interstate transportation of poor and indigent persons who do not require institutional care because of physical or mental infirmity and to arrange with the proper officials in this state for the acceptance transfer and support of persons receiving public aid in other states in accordance with the terms of such reciprocal agreements provided that this state shall not nor shall any political subdivision of this state be committed to the support of persons who are not in the opinion of said Department of Public Assistance entitled to public support by the laws of this state

On the question,

Will the Senate agree to the section?

Mr. BARTLETT. Mr. President, I move to amend

Sec. 1, page 1, line 2, by inserting after the word "Assistance" the following: (with respect to persons of the classes provided for in the Public Assistance Law) and the Department of Welfare (with respect to persons for whom the County Institution Districts are responsible under the County Institution District Law); Amend Sec. 1, page 1, line 3, by striking out the word "is" and inserting in lieu thereof the following: are; Amend Sec. 1, page 1, lines 6 and 7, by striking out the following: who do not require institutional care because of physical or mental infirmity; Amend Sec. 1, page 2, line 4, by inserting after the word "Assistance" the following: and the said Department of Welfare; Amend Sec. 1, page 2, line 5, by inserting after the word "state" the following All such reciprocal agreements entered into by the said Department of Welfare shall be binding upon the County Institution Districts of this state.

Mr. GELTZ. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

POINT OF INFORMATION

Mr. WALKER. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Allegheny will state his point of information.

Mr. WALKER. I suggest, Mr. President, a quorum of the Senate is not present. I ask that the roll be called.

The PRESIDENT. Inquiry has been made as to whether a quorum of the Senate is present. All Senators will take their seats. The Clerk will call the roll.

The Clerk called the roll and the following Senators responded when their names were called:

Bartlett,	Ealy,	Lanius,	Stevenson,
Becker,	Edmonds,	Mallery,	Tallman,
Chapman,	Farrell,	McQuiddy,	Taylor,
Coleman,	Geltz,	Miller,	Thomas,
Crider,	Haluska,	Mundy,	Tyler,
Crowe,	Heyburn,	Ruth,	Wade,
Deitrick,	Homsher,	Shapiro,	Walker,
Dent,	James,	Snowden,	Watkins,
DiSilvestro,	Kephart,	Stiefel,	Wilson, H. I.,
			Wilson, T. B.,

The PRESIDENT. The calling of the roll, in response to the question raised by the gentleman from Allegheny, as to whether a quorum of the Senate was present, revealed that thirty-seven Senators responded when their names were called. A quorum is therefore present.

The Clerk will continue with the reading of the bill.

The second, third and fourth sections of the bill were read as follows and agreed to:

Section 2 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it

Section 3 Short Title This act may be cited as the Uniform Transfer of Dependents Act

Section 4 Time of Taking Effect This act shall take effect immediately upon final enactment

The title of the bill was read as follows and agreed to:

An Act concerning reciprocal agreements for the Interstate Transportation and the support of poor and indigent persons and to make uniform the law with reference thereto.

And said bill as amended having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDENT. The Chair announces he has had a lot of pleasure today.

ADJOURNMENT

Mr. GELTZ. Mr. President, I move that the Senate do now adjourn until Wednesday, April 9, 1941, at 11:00 o'clock a. m.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:32 o'clock, p. m., until Wednesday, April 9, 1941, at 11:00 o'clock, a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, April 8, 1941

The House met at 1 p. m.
The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Rev. DONALD McFALL offered the following prayer:

Forgive us, our Heavenly Father, every disloyal thought, every moment of doubt as we were offended in our Saviour because we were not great enough to follow Him. And, we pray Thee, make us sensitive to Thy leadings and alert to heed Thy merciful warnings when we are in danger of going astray.

O God, open our eyes to see ourselves just as we are, as we would be if Thou hadst not befriended us. And if we must fall into sin ere we become conscious of our own wretchedness and need, do Thou lift us up by Thy redeeming and ever-patient love. We ask this for Jesus' sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. TROUT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FALKENSTEIN asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Mr. HIRSCH. HOUSE BILL No. 1128.

An Act to further amend section one thousand three hundred seven of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs; and revising, amending, and consolidating the law relating to boroughs," by further regulating notices to taxables by tax collectors.

Referred to the Committee on Boroughs.

By Mr. CHUDOFF. HOUSE BILL No. 1129.

An Act to further amend subsection (a) of section six of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages or real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contacts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," eliminating requirements for advertising and for appointment of masters where value of estates of presumed decedents is not in excess of five hundred dollars.

Referred to the Committee on Judiciary General.

By Mr. KILROY. HOUSE BILL No. 1130.

An Act making an appropriation to the Veterans of Foreign Wars, Department of Pennsylvania, towards expenses of the National Encampment in Philadelphia.

Referred to the Committee on Appropriations.

By Mr. AUKER. HOUSE BILL No. 1131.

An Act requiring each political subdivision to file in the office of the county commissioners a statement of their annual rate of tax levy and providing for the recording and indexing of the same at the cost of the county.

Referred to the Committee on Municipal Corporations.

By Messrs. LEVY and LYONS. HOUSE Bill No. 1132.

An Act to further amend section ten of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" further regulating applications for and renewals and transfers of retail dispensers' licenses to new locations or to other licensees and hearings in such proceedings and providing adequate notice of such applications renewals and transfers.

Referred to the Committee on Liquor Control.

By Messrs. LEVY and LYONS. HOUSE BILL No. 1133.

An Act to further amend section four hundred and two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the

premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" further regulating applications for renewals and transfers of hotel liquor licenses restaurant liquor licenses or club liquor licenses to new locations or to other licensees and hearings in such proceedings and providing adequate notice of such applications renewals and transfers.

Referred to the Committee on Liquor Control.

By Mr. SORG. HOUSE BILL No. 1134.

An Act to amend clause (c) of section three of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts, providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint. the conducting of a hearing and the making of an order, emplowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," changing the definition of "employers."

Referred to the Committee on Labor.

By Messrs. AUKER and GEORGE E. JONES.
HOUSE BILL No. 1135.

An Act authorizing the Department of Property and Supplies to acquire on behalf of the Commonwealth certain land upon which the historic Fort Roberdeau once stood in Blair County, as a memorial; providing for the control, management, supervision, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof, and making an appropriation.

Referred to the Committee on State Government.

By Mr. HEATHERINGTON. HOUSE Bill No. 1136.

An Act to amend section three of the act, approved the twenty-fifth day of March, one thousand nine hundred and three (P. L. 54), entitled "A supplement to an act, entitled 'An act creating a Bureau of Health in the Department of Public Safety in cities of the second class; defining the powers and duties thereof and the officers thereunder; prescribing rules, regulations and laws respecting the public health, and authorizing and imposing fines, penalties and punishments for violations thereof,' approved June twenty-sixth, one thousand eight hundred and ninety-five," authorizing the Department of Health of such cities to inspect tenement houses, apartments and basements used for living purposes and to issue certificates of fitness therefore; and prohibiting the leasing of such living quarters without such certificates.

Referred to the Committee on Cities—Second Class.

By Messrs. BENTLEY and GOODWIN.
HOUSE BILL No. 1137.

An Act to further amend section one thousand and one of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for compensation, expenses and help of township auditors.

Referred to the Committee on Townships.

By Mr. ELDER. HOUSE BILL No. 1138.

An Act to amend section eight hundred and fifteen of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by controlling certain shooting throughout the year.

Referred to the Committee on Game.

By Messrs. POLEN and PETTIT.
HOUSE BILL No. 1139.

An Act to amend section one hundred twenty of the act, approved the fourteenth day of April, one thousand eight hundred thirty-four (P. L. 333), entitled "An act relative to the organization of the Courts of Justice," prescribing procedure permitting the service of jurors as petit jurors or general jurors or both.

Referred to the Committee on Judiciary General.

By Messrs. GOODWIN and RONALD L. THOMPSON.
HOUSE BILL No. 1140.

An Act to further amend section six hundred twenty-two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by increasing amount allowed delegates of townships for expenses while attending the annual meeting of the state association.

Referred to the Committee on Townships.

By Messrs. RONALD L. THOMPSON and HARMUTH.
HOUSE BILL No. 1141.

An Act to amend section one of the act, approved the nineteenth day of June, one thousand nine hundred and thirty-nine (P. L. 433), entitled "An act authorizing the abatement of certain portions of the interest charges, expenses or debt claims imposed or assessed for improvements or for the abatement of nuisances, by any city, county, borough, incorporated town, township, school district or institution district," authorizing such political subdivisions to enter into agreements with property owners regarding the abatement of liens and judgments upon their respective properties.

Referred to the Committee on Municipal Corporations.

By Mr. McDOWELL. HOUSE BILL No. 1142.

An Act to amend subsection (e) of section eight of the act, approved the first day of June, one thousand nine hundred and thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State Government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order, empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," limiting the evidence on which orders on complaints of unfair labor practices may be made.

Referred to the Committee on Labor.

By Mr. COOPER. HOUSE BILL No. 1143.

An Act to prevent or minimize injuries to ice hockey players by requiring the installation of padding or other protective material or device, around the barrier or enclosing wall of any rink where ice hockey matches are played and for which admission is charged.

Referred to the Committee on Aeronautics.

By Mr. FINESTONE. HOUSE BILL No. 1144.

A Joint Resolution proposing an amendment to article one, section six of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

By Mr. FINESTONE. HOUSE BILL No. 1145.

A joint resolution proposing an amendment to article one of the Constitution of the Commonwealth of Pennsylvania by aiding thereto section six A

Referred to the Committee on Constitutional Amendments.

By Mr. BENTLEY. HOUSE BILL No. 1146.

An Act relieving all political subdivisions of the Commonwealth of Pennsylvania from liability for damages because of personal injuries or property damage sustained by persons in this Commonwealth resulting from the defective or dangerous condition of public highways in such political subdivisions.

Referred to the Committee on Municipal Corporations.

By Mr. BENTLEY. HOUSE BILL No. 1147.

An Act to amend section one hundred two of and to add section one hundred two and one-tenth to, the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent.

Referred to the Committee on Education.

By Mr. McGRATH. HOUSE BILL No. 1148.

An Act to amend section one thousand one hundred thirty-five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for the payment of minimum salaries of district superintendents by the Commonwealth.

Referred to the Committee on Education.

By Mr. McGRATH. HOUSE BILL No. 1149.

An Act requiring executive directors of county boards of assistance to certify names of certain applicants for public assistance to the nearest office of the Work Projects Administration for employment; and prescribing penalties for failure to do so.

Referred to the Committee on Welfare.

By Mr. HABBYSHAW. HOUSE BILL No. 1150.

An Act to amend sections one thousand two hundred four and two thousand five, and to repeal section two thousand six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions, and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," transferring certain functions of the Department of Highways to the Department of Internal Affairs.

Referred to the Committee on State Government.

By Mr. WOODSIDE. HOUSE BILL No. 1151.

An Act transferring money from the Motor License Fund to the General Fund and providing for the subsequent return from the General Fund of the transferred money.

Referred to the Committee on Appropriations.

By Mr. WOODSIDE. HOUSE BILL No. 1152.

An Act making a deficiency appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years ending May thirty-first, one thousand nine hundred and forty-one: and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred thirty-nine.

Referred to the Committee on Appropriations.

By Mr. AUKER. HOUSE BILL No. 1153.

An Act imposing a State tax payable by those herein defined as manufacturers and distributors and by others on soft drinks; carbonated beverages and certain malt or brewed beverages used, sold, transported, or delivered within the Commonwealth, prescribing the method and manner of evidencing the payment and collection of such tax, conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale, or in the transportation of such drinks and beverages, taxable hereunder, providing penalties.

Referred to the Committee on Ways and Means.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 1154.

An Act to amend section one of the act, approved the twenty-third day of May, one thousand eight hundred eighty-seven (P. L. 158), entitled "An act relating to the competency of witnesses, and to the rules of evidence in civil and criminal cases, revising, declaring and consolidating some of the existing acts and rules of law upon these subjects, and also extending some of the provisions of the same," by eliminating the requirement that evidence for the defendant shall not be heard upon hearings before a grand jury.

Referred to the Committee on Judiciary General.

By Mr. MARSHALL M. COHEN. HOUSE BILL No. 1155.

An Act relating to the evidence to be heard by grand juries when considering indictments; providing a procedure whereby the defendant may secure the right to testify before the grand jury in his own behalf, subject to certain limitations; imposing certain additional duties upon district attorneys, grand juries and courts; and providing for the quashing of indictments found contrary to the provisions of this act.

Referred to the Committee on Judiciary General.

By Mr. HARKINS. HOUSE BILL No. 1156.

An Act to add section one thousand six hundred and seven and one-tenth to article sixteen of the act, appproved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teaching in the public schools of principles of democratic government and patriotism and imposing certain duties on the Superintendent of Public Instruction.

Referred to the Committee on Education.

By Messrs. LONGO and FLYNN. HOUSE BILL No. 1157.

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways, a reasonable quid pro quo for such contracts, and to authorize, ratify, confirm and validate payments on such contracts by the Township, and to provide that no Township Supervisor shall be subject to surcharge for payments made on such contract.

Referred to the Committee on Townships.

By Messrs. BRETH and PETTIT.
HOUSE BILL No. 1158.

An Act to further amend the title and the act, approved the eleventh day of May, one thousand nine hundred and twenty-one (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commssioners providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city borough, town, and township officers and employes, directing and providing penalties," by substituting the Dog Control Commission for the Secretary of Agriculture, and authorizing said commission to supervise the operation of said act: permitting unleased dogs on kennel owners' property; exempting dogs belonging to licensed non resident hunters; changing provisions relating to killing of trespassing dogs; making it unlawful for the payment of damages, medical and burial expenses of the first and second class); providing procedure for making claims therefor; and providing and changing penalties.

Referred to the Committee on Game.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 50. (HOUSE BILL No. 1159).

An act providing that the Commonwealth of Pennsylvania and its political subdivisions employ only citizens of the United States.

Referred to the Committee on State Government.

SENATE BILL No. 401. (HOUSE BILL No. 1160).

An act repealing and abandoning as a State highway State highway route 15181 in Chester County and providing for the reversion thereof to the township.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By. Mr. DOLON. RESOLUTION No. 71.

In the House of Representatives, April 8, 1941.

Whereas, Many of the highways of this Commonwealth are presently in a deplorable and impassible condition; and

Whereas, In many instances, main highways are separated from pavements by gaps of three to eight inches, and tarred roads contain many heaves and ruts, causing numerous accidents daily; and

Whereas, Road crews of the Highway Department appear to be under-manned for the task that must be performed, particularly with respect to cindering operations

where it appears to be the practice of the Department to engage private trucks, many of which are too small and in poor condition and cannot adequately correct existing conditions; and

Whereas, It appears that those conditions are due to inadequate and improper maintenance operations conducted by the Highway Department, endangering the lives of the citizens and motorists of this Commonwealth; and

Whereas, Unless immediate and drastic action is taken, such roads will deterioriate to an extent that will unduly burden succeeding administrations endeavoring to correct the results of this vicious and evil practice; therefore be it

Resolved, That the Speaker of the House appoint a committee of seven members to investigate these conditions, to confer with the Department of Highways in order to be informed of the Department's present and future policy with regard to road maintenance and to report back to this House, as soon thereafter as possible.

Referred to the Committee on Rules.

By Mr. HOLLAND. (Concurrent) RESOLUTION No. 72.

In the House of Representatives, April 7, 1941.

Whereas, Gasoline price wars arise periodically in the county of Allegheny, causing great loss of money, especially to independent operators and owners of gasoline filling stations, and frequently resulting in the loss to such independent operators of their entire capital invested in their business; and

Whereas, It is often difficult to determine, on the surface and without formal investigation, where the responsibility for instigating such price wars rests; therefore be it

Resolved, (if the Senate concur), That the Speaker of the House of Representatives appoint a committee of three members of the House, and the President pro tempore of the Senate appoint a committee of three members of the Senate to act as a legislative committee to investigate the cause of gasoline price wars in Allegheny County with a view to discovering the responsibility therefor and preventing the same; and be it further

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman, requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas may be served upon any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the committee, because of the urgency of the situation, report to the General Assembly as speedily as possible with appropriate recommendations, and such remedial legislation as it shall deem effective to remedy such conditions and to prevent recurrances.

Referred to the Committee on Rules.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 26, 1941.

Whereas, The Department of Public Assistance has and is at the present time compelling all persons that apply or are receiving Public Assistance cancel any Life Insurance Policy whether held by the relief recipient or by any member of his family in excess of $500.00, and

Whereas, Many persons have paid premiums on such Life Insurance Policies for as long as thirty-five years and now are compelled to cancel these policies at a great loss and thereby depriving their dependents from any recovery after death in excess of $500.00, therefore be it

Resolved, (if the House concur), That the Department of Public Assistance be requested and notified to at once raise the maximum amount of Insurance permitted to be carried by a relief recipient or by any or all members of his or her family directly affected from $500.00 to not less than $1,000.00 in the aggregate in policy or policies either paid up or in premium paying period, and be it further

Resolved, That the Department of Public Assistance is requested to notify its various County Boards of Assistance of this request and resolution immediately upon it's passage.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 2, 1941.

The Hospitals of the Commonwealth are its safeguards and bulwarks against attacks by disease and accident upon the health, safety and well being of our people,

These well equipped fortresses of mercy with their modern equipment and efficient staffs of trained physicians, surgeons and nurses have reduced the toll of death within this Commonwealth and have brought relief and happiness to most of its citizens,

Those physicians and surgeons have given freely and generously of their services for the alleviation of suffering among those who otherwise could ill afford the cost of such aid;

Those who manage the necessary business and financial affairs of our hospitals likewise contribute valuable services in the interests of humanity,

Those nurses who tirelessly and ceaselessly lend their cheerful aid to the task of bringing relief and comfort to those inmates who are seeking a way back to life and health, are, in turn, a major part in the united work of restoring health to the afflicted. They are true apostles of that great English woman Florence Nightingale who dedicated her life to the relief of the suffering and raised a menial task to an heroic profession,

It is as fitting and proper to observe and celebrate the achievements of a living institution as to observe and celebrate the glories of the past; therefore be it

Resolved (if the House concur) That in recognition of the work performed by the hospitals of the Commonwealth and the splendid achievements of their staffs of physicians, surgeons and nurses the Governor of the Commonwealth is hereby requested to issue his proclamation designating May twelfth, one thousand nine hundred and forty-one, the anniversary of the birth of Florence Nightingale, as Hospital Day as a tribute to the splendid service rendered the citizens of this Commonwealth by our hospitals and those responsible for their operation: and be it further

Resolved, That a copy of this resolution shall be immediately transmitted to his Excellency the Governor.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

TUSCARORA TOWNSHIP SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House this afternoon the students of the fifth, sixth, seventh and eighth

grades of the Tuscarora Township School who are the guests of the gentleman from Perry, Mr. Stambaugh.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Owens for Mr. CHERVENAK for to-day's session on account of illness.

QUESTION OF PERSONAL PRIVILEGE

Mr. CORDIER: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Lackawanna will state his question of personal privilege.

Mr. CORDIER. Mr. Speaker, on page 865 of the Legislative Journal of March 24, 1941, in voting on amendments to House Bill 136, I am recorded as voting "aye". I voted "no" in a loud and distinct voice, and I make this statement in order to clear the record.

REPORTS FROM COMMITTEES

Mr. FINNERTY, from the Committee on Cities-First Class reported as committed, House Bill No. 35, entitled:

An Act prohibiting the taxation of income, salaries and wages by political subdivisions of this Commonwealth.

Mr. YESTER, from the Committee on State Government, reported as committed, House Bill No. 252, entitled:

An Act to further amend clause nine of section eight of the act approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," permitting employes to change from the one one-hundred-sixtieth to the one one-hundredth class of contributors to the State Employes' Retirement Fund within a certain time.

Mr. GERARD, from the Committee on Appropriations, reported as committed, House Bill No. 772, entitled:

An Act making an appropriation to state teachers colleges to enable such institutions to add certain courses to their curricula.

Mr. EDWIN F. THOMPSON, from the Committee on Public Utilities reported as committed, House Bill No. 810, entitled:

An Act to promote the safety of travelers upon street railways in cities of the first class, by requiring a crew of two on each street railway car.

Mr. McCLANAGHAN, from the Committee on Judiciary General, reported as committed, House Bill No. 865, entitled:

An Act to amend section one of the act, approved the fourth day of April, one thousand nine hundred and nineteen (P. L. 38), entitled "An act relating to the parties to writs of scire facias sur mortgage in certain cases, and to the title acquired by a sale on a judgment of foreclosure in such cases," making provision for cases where the original mortgagor is dead; and validating past proceedings and titles acquired thereby.

Mr. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 1032, entitled:

An Act making an appropriation to the Department of Agriculture for use in controlling, combatting or exterminating Japanese beetles.

Mr. McDERMOTT, from the Committee on State Government, reported as committed, House Bill No. 1126, entitled:

An Act to further amend part of section three hundred and two, to amend section three hundred and seven and part of section fifteen hundred and one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State Government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," establishing the Surplus Commodities Stamp Fund; and authorizing the State Treasurer to disburse money from said fund upon requisition of the Secretary of Public Assistance.

Mr. STANK, from the Committee on Appropriations, reported as committed, House Bill No. 1049, entitled:

An Act creating a temporary State commission to investigate all State hospitals; conferring powers and duties on said commission; and making an appropriation.

Mr. MARKS, from the Committee on Elections reported as committed, House Bill No. 860, entitled:

An Act to amend sections nine hundred twenty-two and one thousand four of the act approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that any candidate defeated for nomination to an office at a primary election, shall not be a candidate for the same office at the succeeding election.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 1092, entitled:

An Act making an appropriation for the expenses of the

committee of the House of Representatives created by House Resolution Serial Number forty-nine, adopted the nineteenth day of February, one thousand nine hundred forty-one.

Mr. LEONARD, from the Committee on Cities-Second Class, reported as committed, House Bill No. 1098, entitled:

An Act to amend section four hundred eight of article four of the act approved the third day of June, one thousand nine hundred thirty-three (P. L. 1449), entitled "An act establishing a court of record in the County of Allegheny for control, care, guidance, treatment, trial, placement and commitment of delinquent, neglected and dependent children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging delinquency, neglect or dependency of children; defining the jurisdiction and powers of the courts, and regulating procedure therein; providing for the transfer thereto of certain powers, functions and duties from other courts, providing for the election of judges thereof, the appointment of probation officers, other necessary staff officials and assistants; providing for housing of same, and providing for detention facilities; making the contributing to or encouraging of the delinquency, neglect or dependency of children a misdemeanor; and providing penalties," to provide for the payment of the costs of maintenance of children under care of the Juvenile Court by the county institution district or by the city in which such child is residing at the time of assumption of jurisdiction by the court.

Mr. HEATHERINGTON, from the Committee on Townships, reported as committed, House Bill No. 827, entitled:

An Act to further amend section nine hundred and two of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further regulating the adoption of the annual township budget, the giving of public notice thereof, and the filing of a copy with the Department of Internal Affairs.

Mr. YOUNG, from the Committee on Elections, reported as committed, House Bill No. 691, entitled:

An Act to amend section one thousand three hundred one of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by extending the provisions relating to voting by persons in actual military service to primary elections.

Mr. McGRATH, from the Committee on Townships, reported as committed, House Bill No. 482, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities and boroughs, and regulating the proceedings pertaining thereto.

Mr. MARSHALL M. COHEN, from the Committee on Judiciary Special, reported as committed, House Bill No. 1005, entitled:

An Act to add section six hundred ninety-nine and six-tenth of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it unlawful for unauthorized persons to buy or exchange Federal food order stamps for currency and providing penalties.

Mr. MARSHALL M. COHEN, from the Committee on Judiciary Special, reported as committed, House Bill No. 1006, entitled:

An Act to add section six hundred ninety-nine and seven-tenth to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it unlawful for any person to accept Federal food order stamps for other than food or surplus food as defined by the United States Department of Agriculture; and providing penalties.

Mr. FRENCH, from the Committee on Cities-First Class, reported as committed, House Bill No. 892, entitled:

An Act authorizing a commission to study recreational facilities available in first class cities; imposing powers and duties on said commission; and making an appropriation

Mr. VOLDOW, from the Committee on Judiciary General, reported as committed, House Bill No. 911, entitled:

An Act making hospital records admissible in evidence in civil and criminal proceedings without being proven by the persons who made the same.

Mr. ROSENFELD, from the Committee on Judiciary Special, reported as amended, House Bill No. 365, entitled:

An Act to further amend section one of the act approved the ninth day of July, one thousand nine hundred and nineteen (P. L. 794), entitled, "An act providing that estates in buildings, ground, books, curios, pictures, statuary and other works of art, passing by will to any municipality, corporation, or unincorporated body, for free exhibition within Pennsylvania, shall not be subject to collateral inheritance tax, and, in certain instances, the date when such tax shall become due," providing for additional exemptions and for exemptions from collateral inheritance and transfer taxes; and extending the provisions of said act to property, money and funds, passing before or after the effective date of this act, including property, money and funds passing to any public educational institution, museum or gallery of art of or under control of and wholly or partially maintained or supported by the Federal Government.

Mr. CHAS. H. BRUNNER, from the Committee on Judiciary Special, reported as amended, House Bill No. 467, entitled:

An Act to amend subsection (f) of section six hundred twenty-eight of the act, approved the tweny-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," requiring licenses issued under the Uniform Firearm Act" to bear the fingerprints and photograph of the person to whom the license is issued.

Mr. HOLLAND, from the Committee on Appropriations, reported as committed, House Bill No. 639, entitled:

An Act requiring the Department of Property and Supplies, with the approval of the Department of Military Affairs to complete and thereafter maintain "The Twenty-eighth Division Shrine," at Boalsburg, Centre County; dedicating the same to the officers and men of the Twenty-eighth Division; and making an appropriation.

Mr. MELCHIORRE, from the Committee on Appropriations, reported as committed, House Bill No. 588, entitled:

An Act providing for the acquisition by the Department of Property and Supplies of a tract of land fronting on Lake Erie, situated in the township of North East, County of Erie, and for its development and maintenance as a state park by the Department of Forests and Waters; and making an appropriation.

Mr. McKINNEY, from the Committee on Judiciary General, reported as committed, House Bill No. 1084, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same, and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

Mr. READINGER, from the Committee on Appropriations, reported as committed, House Bill No. 437, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, gift, lease or condemnation, on behalf of the Commonwealth of Pennsylvania ten acres of land adjacent to the Daniel Boone Homestead, or so much thereof as may be necessary to properly honor the pioneer, Daniel Boone, on the spot where he was born; providing for the control, management, supervision, improvement, preservation and maintenance thereof; authorizing the Pennsylvania Historical Commission to make and enforce rules and regulations for the preservation and visitation thereof; and making an appropriation.

Mr. READINGER, from the Committee on Appropriations, reported as committed, House Bill No. 434, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for the improvement of roads and parking areas within the Daniel Boone Homestead.

Mr. READINGER, from the Committee on Appropriations, reported as committed, House Bill No. 426, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission, to cover the expenses of restoring and maintaining the Daniel Boone Homestead.

Mr. DiGENOVA, from the Committee on Cities-First Class, reported as amended, House Bill No. 1039, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further regulating retirement allowances, and providing for the return of contributions in certain cases.

Mr. MODELL, from the Committee on Judiciary General, reported as amended, House Bill No. 393, entitled:

An Act to amend sections one and two of the act approved the fifth day of June, one thousand nine hundred and thirty-five (P. L. 266), entitled "An act to protect trademark owners, distributors, and the public against injuries and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name," by extending the provisions thereof to vending equipment used in distributing such articles and further defining parties having a right of action for unfair competition.

PORT ROYAL JUNIOR HIGH SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the House the Senior Class of the Port Royal Junior High School, who are the guests of the gentleman from Juniata, Mr. Burris.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 527, entitled:

An Act fixing the salary of the controller in counties of the seventh and eight classes, and providing for a salary board to fix the number and salary or compensation of any deputies and clerks to assist the controller.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 532, entitled:

An Act to amend section one thousand and forty-seven of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended limiting the number of days for the completion of borough audits.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 360, entitled:

An Act to further amend section six hundred and twenty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maaintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for suitable pupil ceremonies affirming and developing allegiance to the Flag of the United States of America.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 392, entitled:

An Act authorizing county treasurers to execute and perfect deeds for seated lands sold for taxes by their predecessors in office.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1017, entitled:

An Act requiring the Governor of the Commonwealth to issue annual proclamations setting apart September thirteenth of each year as Commodore John Barry Day.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 525, entitled:

An Act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds not deemed to constitute a debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 534, entitled:

A Joint Resolution proposing an amendment to article nine section fifteen of the Consitution of the Commonwealth of Pennsylvania.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Amendments.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 530, entitled:

An Act to amend section three hundred and five of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1333), entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by providing for the reimbursement of counties by the Commonwealth for primary and election costs incurred in even-numbered years.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 528, entitled:

An Act to amend section 1081 of the act approved May fourth one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by changing the conditions of the tax collector's bond and fixing the time when the same shall be entered into.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WEISS. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 897, entitled:

An Act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated town and townships of the first class maintaining a police force creating a civil service commission in each borough incorporated town and townships of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing and repealing inconsistent laws.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BONEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for

the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 405, entitled:

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" by providing that student apprentices shall receive credit toward their apprenticeship for time spent in military training not exceeding one year.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 776, entitled:

An Act to amend subsection (b) of section one of the act approved the twentieth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 508) entitled "An act defining the rights powers and duties of collectors of county taxes except in counties of the second class and counties having local or special laws relating thereto and of collectors of city in cities of the third class borough town township school district and institution district, taxes providing for the collection of such taxes by suit distraint and lien and sale of the chattels of taxables and of the tenants on the real estate affected and from employers of delinquent taxables authorizing the appointment of deputies by the tax collectors defining certain defaults of tax collectors as embezzlements and imposing penalties" defining certain rights and duties of tenants on real property when demand is made on them for the payment of taxes assessed against such property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 121, entitled:

An Act approving ratifying and enacting into law the Ohio River Valley Water Sanitation Compact for the prevention abatement and control of pollution of the rivers streams and waters in the Ohio River drainage basin and making the State of Pennsylvania a party thereto creating the "Ohio River Valley Water Sanitation Commission" providing for the members of such commission from the State of Pennsylvania and providing for the carrying out of said compact.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 809, entitled:

An Act to amend section thirteen of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 415) entitled "An act relating to the qualification jurisdiction powers and duties of registers of wills and regulating proceedings before said registers and the costs thereof the effects of their acts and appeals therefrom" by imposing on registers of wills the duty when requested of recording releases in decedents estates and prescribing the effect of releases so recorded.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 808, entitled:

An Act to further amend section twenty-six and to amend sections twenty-eight and twenty-nine of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by making subpoena alias subpoena and publication in divorce proceedings returnable in twenty-one days.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 236, Printer's No. 126, was passed over at the request of Mr. HARKINS.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 646, as follows:

An Act establishing certain public roads and streets as a State highway and providing for their construction reconstruction and maintenance by the Department of Highways subject to certain terms and conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following various sections of public roads shall respectively be adopted by the Commonwealth as a State highway to be constructed reconstructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways except as hereinafter provided

Beginning at a point in the City of Pittsburgh on California Avenue at its intersection with Island Avenue thence over California Avenue (Ohio River Boulevard) to the intersection of California Avenue and Ohio River Boulevard thence by way of Ohio River Boulevard through the City of Pittsburgh Borough of Bellevue Avalon Borough Ben Avon Borough Emsworth Borough to the dividing line between Emsworth Borough and Kilbuck Township thence over a county road known as Beaver Road to the dividing line of Kilbuck Township and Glenfield Borough thence over Beaver Road in Glenfield Borough to a point in Glenfield Borough at the foot of Agnew's Hill where Beaver Road intersects Ohio River Boulevard thence by way of Ohio River Boulevard through the Boroughs of Glenfield Haysville Osborne Sewickley and Edgeworth to Edgeworth Lane in Edgeworth Borough thence by way of Edgeworth Lane in Edgeworth Borough to its intersection with Beaver Road in Edgeworth Borough thence by way of Beaver Road in the Boroughs of Edgeworth and Leetsdale to the dividing line between Allegheny County and Beaver County at the intersection of Beaver Road and State Route No 641 being approximately 13.5 miles in length

Section 2 Any portion or portions of the highways as

herein described which are located on or forming part of any city street shall be taken over for construction reconstruction and maintenance in accordance with the provisions of present or future laws relating to State highway routes in cities any portion or portions of the highways as herein described which are located on or forming a part of any borough street shall be taken over for construction reconstruction and maintenance in accordance with the provisions of present or future laws relating to main State highways in boroughs

Section 3 The highways established as State highway under the provisions of this act shall be taken over upon approval of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 206

Achterman,	French,	Marks,	Royer,
Allmond,	Gallagher,	Maxwell,	Rush,
Auker,	Gates,	McClanaghan,	Sarge,
Baker,	Gerard,	McClester,	Sarraf,
Balthaser,	Gillan,	McDermott,	Scanlon,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Skale,
Bradley,	Haberlen,	McMillen,	Snyder,
Breth,	Haines,	McSurdy,	Sollenberger,
Bretherick,	Hall,	Melchiorre,	Sorg,
Brown,	Hamilton,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,
Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor	VanAllsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Weiss,
D'Ortona,	Knoble,	Prosen,	Welsh, E. B.,
Duffy,	Kolankiewicz,	Rank,	Welsh, M. J.,
Early,	Komorofski,	Rausch,	Wilkinson,
Eckels,	Krise,	Readinger,	Williams,
Elder,	Lee, E. A.,	Reagan,	Winner,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wolf,
Ely,	Leisey,	Reese, R. E.,	Wood, L. H.,
Falkenstein,	Leonard,	Regan,	Wood, N.,
Finestone,	Lesko,	Reynolds,	Woodring,
Finnerty,	Levy,	Rhea,	Woodside,
Fisher,	Leydic,	Riley,	Wright,
Fiss,	Lichtenwalter,	Rooney,	Yeakel,
Fleming,	Longo,	Rose, S.,	Yoster,
Fletcher,	Lovett,	Rose, W. E.,	Young,
Flynn,	Lyons,	Rosenfeld,	Kilroy, Speaker
Foor,	Malloy,		

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 593, as follows:

An Act to amend section two hundred twelve to further amend sections two hundred thirteen two hundred fourteen seven hundred one and seven hundred nine and to amend section one thousand two hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by exempting the Department of Internal Affairs from the provisions of said sections and further defining powers of the Secretary of Internal Affairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twelve of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 212 Bureaus and Divisions The heads of the several administrative departments except the Auditor General [and] State Treasurer and the Secretary of Internal Affairs and the several independent administrative boards and commissions shall subject to the approval of the Executive Board establish such bureaus or divisions in their respective departments boards or commissions as may be required for the proper conduct of the work of such departments boards or commissions Provided That there shall always be in the Department of Internal Affairs a Bureau of Industrial Statistics

Section 2 Section two hundred thirteen of said act as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 213 Deputies The head of any administrative department except the Auditor General [and] State Treasurer and the Secretary of the Department of Internal

Affairs shall have the power with the approval of the Governor to appoint and fix the compensation of a deputy or such number of deputies as the Executive Board shall approve who shall in the absence of the head of such department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau or division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform

Whenever there shall be a vacancy in the office of the head of any department such deputy as the Governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled

With the approval of the Governor in writing the head of any department may authorize a named deputy to serve in his stead on any departmental administrative board or commission except the Board of Pardons of which such department head is a member ex-officio One of the Deputy Adjutants General shall possess the same qualifications in all respects as are required by law for the Adjutant General of the Department of Military Affairs

Section 3 Section two hundred fourteen of said act as amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 250) is hereby further amended to read as follows

Section 214 Employment and Compensation of Directors Bureau Chiefs and Other Employes Except as otherwise provided in Civil Service Act the heads of the several administrative departments except the Auditor General [and] State Treasurer and the Secretary of the Department of Internal Affairs and the independent administrative boards and commissions shall appoint and fix the compensation of such directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs expert scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants and employes as may be required for the proper conduct of the work of their respective departments boards or commissions Except as otherwise provided in this act the heads of the respective administrative departments shall appoint and fix the compensation of such clerks stenographers and other assistants as may be required for the proper conduct of the work of any departmental administrative bodies boards commissions or officers and of any advisory boards or commissions established in their respective departments

Except as otherwise provided in the Civil Service Act the number and compensation of all employes appointed under this section shall be subject to approval by the Governor and after the Executive Board shall have fixed the standard compensation for any kind grade or class of service or employment the compensation of all persons in that kind grade or class appointed hereunder shall be fixed in accordance with such standard

Section 4 Section seven hundred one of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1865) is hereby further amended to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General [and] the Treasury Department and the Department of Internal Affairs but before prescribing and requiring such installation the Governor shall consult with the Department of the Auditor General

(e) To prescribe forms for the accounts and financial records reports and statements for the several administrative departments boards and commissions except the Department of the Auditor General [and] the Treasury Department and the Department of Internal Affairs but before prescribing such forms the Governor shall consult with the Department of the Auditor General

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of sationery paper printing binding ruling lithographing color printing engraving paper envelopes and other printing and binding supplies (2) for fuel supplies furniture furnishings repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislative and judicial departments to allocate and from time to time to reallocate to the several administrative departments boards and commissions such portions of such appropriations as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Governor shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

(j) To grant to pilots engaged in the aeronautical work of the Department of Revenue commissions of such grades as the Governor may prescribe

Section 5 Section seven hundred nine of said act as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1865) and the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 2003 is hereby further amended to read as follows

Section 709 Executive Board Subject to the provisions of this act the Executive Board shall have the power

(a) To standardize the qualifications for employment and all titles salaries and wages of persons employed by the administrative departments boards and commissions except the Department of the Auditor General [and] the Treasury Department and the Department of Internal Affairs In establishing such standards the board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of bureaus and divisions by the administrative departments other than the Department of the Auditor General [and] the Treasury Department and the Department of Internal Affairs and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative departments and commissions and the efficiency of the organization and administration therof

and the better coordination of such departments boards and commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments or of independent administrative boards or commissions

(f) To make rules and regulations defining the expenses for which officers and employes of the executive branch of the State Government may be reimbursed

(g) To determine by what members of independent administrative boards and commissions fidelity bonds shall be given to approve or disapprove recommendations of department heads or of independent administrative boards or commissions for the bonding of officers or employes of their departments or members or officers or employes of departmental administrative boards or commissions or officers or employes of independent administrative boards or commissions to fix the amounts of the bonds of all such members officers or employes required to give bond and to require any bond or bonds to be executed by a surety or sureties even though the Commonwealth may have established its own indemnity fund as elsewhere in this act provided

(h) To approve or disapprove the establishment of branch offices outside of the Capital city by or for administrative departments boards or commissions

(i) From time to time to determine within what limits the Department of Property and Supplies shall procure liability insurance covering claims for damages against the Commonwealth and State officers and employes arising out of the operation of State automobiles by such officers and employes

(j) From time to time to determine the number and type of automobiles to be purchased by the Department of Property and Supplies acting either on its own behalf or as purchasing agency for any other department except the Department of the Auditor General [and] the Treasury Department and the Department of Internal Affairs or for any board or commission and to make rules and regulations for the use of State automobiles by State officers and employes except the Department of the Auditor General [and] the Treasury and the Department of Internal Affairs

(k) To approve or disapprove requests for and to direct the disposal of files of correspondence reports records or other papers which are not needed for the current or anticipated future operations of any administrative department board or commission and which date back a period of four years or more

Section 6 Section one thousand two hundred one of said act is hereby amended to read as follows

Section 1201 Powers and Duties Retained (a) Subject to any inconsistent provisions in this act contained the Department of Internal Affairs shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said department and the several former bureaus and bureau chiefs thereof and the Secretary of Internal Affairs

(b) The Secretary of Internal Affairs shall appoint and fix the compensation of such directors superintendents bureau or division chiefs assistant directors assistant superintendents assistant chiefs experts auditors inspectors statisticians scientists engineers surveyors draftsmen accountants secretaries marshals clerks stenographers bookkeepers messengers investigators and other assistants and employes as may be required for the proper conduct of the work of his department Such appointments shall be made without the approval of the Governor and shall not be subject to prior action by the Executive Board

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Model,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R.,
Cohen, R. E.,	Hersch	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, C. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. W.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Levdic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 755, as follows:

An Act to further amend section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers

and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing "as last amended by the act approved the twenty-third day of April one thousand nine hundred thirty-five (P. L. 49) is hereby further amended to read as follows

Exemption from Execution

Section 17 The right of a person to a member's annuity a State annuity or retirement allowance to the return of contributions any benefit or right accrued or accruing to any person under the provisions of this act and the moneys in the fund created under this act are hereby exempt from any State or municipal tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided and with the further exception that the assignment of any or all such rights as security for a loan not in excess of three hundred dollars ($300) the interest on which loan shall not exceed six per centum per annum discounted by a person to a credit union now or hereafter organized and incorporated under the laws of this Commonwealth or the "Federal Credit Union Act" (June 26 1934 c 750 48 Stat 1216) its amendments and supplements the membership of which credit union is limited solely to officers and employes of the Commonwealth of Pennsylvania shall be valid

In no case however may such rights of any person be assigned in whole or in part to more than one credit union as security for a loan

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 206

Achterman,	Foor	Mallov,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gillan,	McClester	Scanlon,
Baugher,	Gillette,	McDermott,	Schwab,
Bentley,	Gerard	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Grvskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Brown,	Haberlen,	McMillen,	Sollenberger,
Breth,	Hall,	McSurdy,	Sorg,
Bretherick,	Haines,	Melchiorre,	Stambaugh,
Brunner C H	Hamilton,	Mihm,	Stank,
Brunner P A,	Harbins	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
	Hering,	Muir,	Thompson, E. F.,
Cochran,	Herman,	Munley,	Thompson, R.L.
Cohen, M. M.,	Hersch,	Nagel,	Trout,
Cohen, R. E.,	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G E.,	Petrosky,	Wagner,
Dennison,	Jones, P. N.,	Pettit,	Watkins,
DiGenova,	Keenan,	Polaski,	Weiss,
Dix,	Kenehan,	Polen,	Weingartner,
Dolon,	Kline,	Powers,	Welsh, E. B.,
D'Ortona,	Knoble,	Prosen,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rank,	Wilkinson,
Early,	Komorofski,	Rausch,	Williams,
Eckels,	Krise,	Readinger,	Winner,
Elder,	Lee, E. A.,	Reagan,	Wood L. H
Elliott,	Lee, T H.,	Reese, D P.,	Wood, N.,
Ely,	Leisey,	Reese, R. E.,	Wolf,
Falkenstein,	Leonard,	Regan,	Woodring,
Finestone,	Lesko,	Reynolds,	Woodside,
Finnerty,	Levy,	Rhea,	Wright,
Fisher,	Levdic,	Riley,	Yeakel,
Fiss,	Lichtenwalter	Rooney,	Yester,
Fleming,	Longo,	Rose, S.,	Young,
Fletcher	Lovett,	Rose, W E.,	Kilroy,
Flynn,	Lyons,	Rosenfeld,	Speaker.

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 145, as follows:

An Act validating county treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect if in fact such acknowledgment was taken before a judge of the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the county treasurer in pursuance of such sale executed a deed for said lands and the acknowledgment of such deed by the county treasurer was defective in any respect or where the records of the court failed to show a minute of such acknowledgment in open court such sale and such deed shall not be invalidated by reason of such defective acknowledgment if in all other respects the laws relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before a judge of said county and all such treasurers' sales and treasurers' deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at such treasurers' sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been acknowledged in open court and a proper minute thereof made in full conformity with the law relating thereto.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 206

Auker,	Foor,	Lyons,	Rosenfeld,
Achterman,	French,	Malloy,	Royer,
Allmond,	Gates,	Marks,	Rush,
Baker,	Gallagher,	Maxwell,	Sarge,
Balthaser,	Gerard,	McClanaghan,	Sarraf,
Baugher,	Gillan,	McClester,	Scanlon,
Bentzel,	Gillette,	McDermott,	Schwab,
Bentley,	Goodwin,	McDowell,	Serrill,
Boles,	Greenwood,	McFall,	Shaffer,
Boney,	Gross,	McGrath,	Shaw,
Boorse,	Gryskewicz,	McIntosh,	Shepard,
Bower,	Gyger,	McKinney,	Simons,
Bradley,	Habbyshaw,	McLanahan,	Skale,
Breth,	Haberlen,	McLane,	Snyder,
Bretherick,	Haines,	McMillen,	Sollenberger,
Brown,	Hall,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Harkins,	Mihm,	Stank,
Burns,	Harmuth,	Modell,	Stine,
Burris,	Harris,	Monks,	Stockham,
Cadwalader,	Heatherington,	Mooney,	Tarr,
Chudoff,	Helm,	Moran,	Tate,
Cochran,	Hering,	Moul,	Taylor,
Cohen, M. M.,	Herman,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley,	Thompson, R. L.,
Cook,	Hewitt,	Nagel,	Trout,
Cooper,	Hirsch,	Nunemacher,	Turner,
Corrigan,	Holland,	O'Brien,	Van Allsburg,
Cordier,	Huntley,	O'Connor,	Verona,
Croop,	Imbrie,	O'Dare,	Vincent,
Cullen,	James,	O'Mullen,	Vogt,
Dalrymple,	Jefferson,	O'Neill,	Voldow,
Dennison,	Jones, G. E.,	Owens,	Voorhees,
DiGenova,	Jones, P. N.,	Petrosky,	Wagner,
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Watkins,
D'Ortona,	Kline,	Polen,	Weiss,
Duffy,	Knoble,	Powers,	Welsh, E. B.,
Early,	Kolankiewicz,	Prosen,	Welsh, M. J.,
Eckels,	Komorofski,	Rank,	Wilkinson,
Elder,	Krise,	Rausch,	Williams,
Elliott,	Lee, E. A.,	Readinger,	Winner,
Ely,	Lee, T. H.,	Reagan,	Wolf,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, L. H.,
Finestone,	Leonard,	Reese, R. E.,	Wood, N.,
Finnerty,	Lesko,	Regan,	Woodring,
Fisher,	Levy,	Reynolds,	Woodside,
Fiss,	Leydic,	Rhea,	Wright,
Fleming,	Lichtenwalter,	Riley,	Yeakel,
Fletcher,	Longo,	Rooney,	Yester,
Flynn,	Lovett,	Rose, S.,	Young,
		Rose, W. E.,	Kilroy, Speaker

NAYS 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 316, as follows:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public and requiring certification of their authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All officers on active duty with the armed forces of the United States holding the rank of at least major or lieutenant commander members of any general or special court martial all summary court officers and judge advocates are hereby authorized and empowered to act as notaries public with among others the right to take within or without this Commonwealth the acknowledgment of any deed or other instrument in writing Provided That the acknowledgment be accompanied by the certificate of the commanding officer or adjutant of the unit to which such officer is assigned and if unassigned the commanding officer or adjutant of the area or district to whom such officer reports for duty certifying that the officer taking the acknowledgment held such rank or was detailed to such duty at the time of taking said acknowledgment

Section 2 The following parts of acts are hereby repealed

Sections one and two of the act approved the twenty-second day of April one thousand eight hundred sixty-three (P. L. 572) entitled "An act to authorize certain military officers to take affidavits testimony and acknowledgments of the execution of deeds and other instruments of writing of persons in the military service of this state or the United States"

Section one of the act approved the fourteenth day of March one thousand nine hundred nineteen (P. L. 18) entitled "An act conferring upon judge advocates of the United States Army the powers of notaries public declaring the effect thereof validating notarial acts heretofore performed by judge advocates and declaring the effect thereof"

Section one of the act approved the seventh day of June one thousand nine hundred nineteen (P. L. 422) entitled "An act authorizing certain officers of the United States Army to take acknowledgments of deeds and other instruments in writing certain acknowledgments and repealing the act approved the first day of May one thousand nine hundred and nineteen"

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	French,	Maxwell,	Readinger,
Allmond,	Gallagher,	Marks,	Rush,
Auker,	Gates,	McClanaghan,	Sarge,
Baker,	Gerard,	McClester,	Sarraf,
Balthaser,	Gillan,	McDermott,	Scanlon,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Skale,
Bradley,	Haberlen,	McMillen,	Snyder,
Breth,	Haines,	McSurdy,	Sollenberger,
Bretherick,	Hall,	Melchiorre,	Sorg,
Brown,	Hamilton,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,
Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rausch,	Welsh, M. J.,
Eckels,	Komorofski,	Reagan,	Wilkinson,
Elder,	Krise,	Reese, D. P.,	Williams,
Elliott,	Lee, E. A.,	Reese, R. E.,	Winner,
Ely,	Lee, T. H.,	Regan,	Wolf,
Falkenstein,	Leonard,	Reynolds,	Wood, L. H.,
Finestone,	Lesko,	Rhea,	Wood, N.,
Finnerty,	Leisey,	Riley,	Woodring,
	Levy,	Rooney,	Woodside,

Fisher,	Levdic	Rose, S.,	Wright,
Fiss,	Lichtenwalter,	Rose, W. E.,	Yeakel,
Fletcher,	Longo,	Rosenfeld,	Yester,
Fleming,	Lovett,	Royer,	Young,
Flynn,	Lyons,	Rank,	Kilroy,
Foor,	Malloy,		Speaker.

NAYS 1

Dix,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 850, as follows:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Salaries The minimum salaries of the employes in the department of public works in each city of the first class in the positions hereinafter referred to shall be as follows

(1)	Truck Driver	$5.60 per day
(2)	Laborer	4.50 per day
(3)	Watchman	4.00 per day
(4)	Horseshoer	7.00 per day
(5)	Harnessmaker	7.00 per day
(6)	Junior harnessmaker	5.00 per day
(7)	Garageman	5.50 per day
(8)	Stable helper	4.50 per day
(9)	Mechanical sweeper operator	6.00 per day
(10)	Crane operator	6.00 per day
(11)	Tractor driver	6.00 per day
(12)	Flusher driver	6.00 per day
(13)	Wagon driver	5.00 per day
(14)	Flusher helper	4.50 per day
(15)	Lifter	4.50 per day
(16)	Inletman	4.50 per day
(17)	Gangman and alleyman	4.50 per day
(18)	Blockman	4.50 per day
(19)	Oiler	5.00 per day
(20)	Dumpman	5.00 per day
(21)	Winchman	4.50 per day
(22)	Dump helper	4.50 per day
(23)	Rollerman	6.00 per day
(24)	Baker	5.00 per day
(25)	Derrick operator	6.00 per day
(26)	Mixer	6.00 per day
(27)	Feeder	6.00 per day
(28)	Dispatcher	6.00 per day
(29)	Steam engineer	6.00 per day
(30)	Oiler	5.00 per day
(31)	Paver	6.00 per day
(32)	Rammer	5.50 per day
(33)	Comp operator	5.60 per day
(34)	Iron worker	7.00 per day
(35)	Tool maker	7.00 per day
(36)	Bridge carpenter	7.00 per day
(37)	Painter	7.00 per day
(38)	Electrician	7.00 per day
(39)	Rigger	7.00 per day
(40)	Mechanics	6.00 per day
(41)	Grease man	5.00 per day
(42)	Stokers	5.00 per day
(43)	Garbage cook	5.00 per day
(44)	Derrick operator	6.00 per day
(45)	Machinist	7.00 per day
(46)	Percolators	5.00 per day
(47)	Plumbers	7.00 per day
(48)	Electrician	7.00 per day
(49)	Bricklayer	7.00 per day
(50)	Engineer	6.00 per day
(51)	Filter machine operator	5.50 per day
(52)	Caulker first class	6.00 per day
(53)	Caulker and driller	6.00 per day
(54)	Skiller laborer	5.00 per day

Section 2 Salaries The minimum salaries of the employes in the department of public works in each city of the first class in the positions hereinafter referred to whose salaries are payable on yearly basis shall be as follows

(1)	Oiler	$1550.00 per year
(2)	Gauger water tender	1800.00 per year
(3)	Oiler (high pressure)	1550.00 per year
(4)	Operator's helper	1500.00 per year

Section 3 The employes of such department of public works of the cities of the first class shall have an annual vacation of not less than fourteen (14) days and shall receive their regular pay during the time of the said vacation

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VAN ALLSBURG. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Philadelphia, Mr. Shepard.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHEPARD. I shall, Mr. Speaker.

Mr. VAN ALLSBURG. Mr. Speaker, I would like the sponsor of this bill to please explain its purpose, for the information of myself and others.

Mr. SHEPARD. Mr. Speaker, this is a very simple bill. It simply calls for a raise in the salary of certain employees of the Department of Public Works in the city of Philadelphia. These truck drivers, laborers and watchmen and so forth as indicated in the bill are woefully underpaid. They are the hardest workers and do the most laborious work in the Department of Public Works and they are miserably underpaid. This is a method which we are using to get the Department of Public Works of the city of Philadelphia to give these laborers and workers the increase in salary that they are justly entitled to. They are the hardest working municipal employees that we have. They are in the lower brackets for the most part, their salaries at present are far below the prevailing wages. This is a bill to provide an increase in their salaries.

Mr. VOORHEES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Shepard.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHEPARD. I shall, Mr. Speaker,.

Mr. VOORHEES. Mr. Speaker, may I ask the gentleman from Philadelphia what is the proposal he has in mind to raise the money for this increase in salaries?

Mr. SHEPARD. Mr. Speaker, of course, that is up to the city officials where they raise the money. I suggest that if we would cut down the number of drones in City Hall, the people who do no work at all, and give this money to some of the people who actually work, we would have enough money to raise these salaries.

Mr. VOORHEES. Mr. Speaker, may I ask the gentleman

another question? Does the gentleman from Philadelphia favor House Bill 35 which was reported from committee today, which does not permit the present wage tax in Philadelphia?

Mr. SHEPARD. Mr. Speaker, I have not read that bill as yet. It has just been reported today and I haven't read it.

Mr. VOORHEES. Mr. Speaker, does the gentleman favor the wage tax in Philadelphia?

Mr. SHEPARD. Mr. Speaker, the wage tax in Philadelphia is already a law passed by the Republican controlled City Council taxing all peoples' wages. I was opposed to it then and I am opposed to it now because I think it is an unjust form of taxation.

Mr. VOORHEES. Mr. Speaker, may I ask the gentleman to offer a substitute for this tax.

Mr. SHEPARD. That is not my baby, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 205

Achterman,	French,	Marks,	Royer,
Allmond,	Gallagher,	Maxwell,	Rush,
Auker,	Gates,	McClanaghan,	Sarge,
Baker,	Gerard,	McClester,	Sarraf,
Balthaser,	Gillan,	McDermott,	Scanlon,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Skale,
Bradley,	Haberlen,	McMillen,	Snyder,
Breth,	Haines,	McSurdy,	Sollenberger,
Bretherick,	Hall,	Melchiorre,	Sorg,
Brown,	Hamilton,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,
Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Lee, E. A.,	Reagan,	Winner,
Ely,	Lee, T. H.,	Reese, D. P.,	Wolf,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, L. H.,
Finestone,	Leonard,	Regan,	Wood, N.,
Finnerty,	Lesko,	Reynolds,	Woodring,
Fisher,	Levy,	Rhea,	Woodside,
Fiss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett,	Rose, W. E.,	Young,
Foor,	Lyons,	Rosenfeld,	Kilroy,
	Malloy,		Speaker.

NAYS 1

Dix.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 650, as follows:

An Act to amend section seven of the Act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the motor license fund for the purpose of this act" as last amended by providing for the changing of width lines location or grades of streets in cities of the second class second class A and third class by the Department of Highways without the consent of the city in which said street is located relieving the city from liability for damages in such cases and imposing liability for damages upon the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the Act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as last amended is hereby further amended to read as follows

Section 7 The Department of Highways shall not change the width lines or grades of the streets taken over under the provisions of this act or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto and in the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto Provided however That whenever it shall appear to the

Secretary of Highways that any part or portion of a State highway route in a city of the second class second class A or third class as now or hereafter defined or described in this act is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the Secretary of Highways may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lesson the cost to the Commonwealth A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located In case the consent of the city is not obtained as herein provided the Department of Highways may proceed in the same manner as if the consent of the city had been given but the city shall not be responsible for the payment of any damages occasioned thereby such damages to be ascertained in accordance with the laws applicable thereto and paid by the Secretary of Highways out of the Motor License Fund

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 203

Achterman,	Flynn,	Lyons,	Rose, W. E.,
Allmond,	Foor,	Malloy,	Rosenfeld,
Auker,	French,	Marks,	Royer,
Baker,	Gallagher,	Maxwell,	Rush,
Balthaser,	Gates,	McClanaghan,	Sarge,
Baugher,	Gerard,	McClester,	Sarraf,
Bentley,	Gillan,	McDermott,	Scanlon,
Bentzel,	Gillette,	McDowell,	Schwab,
Boies,	Goodwin,	McFall,	Serrill,
Boney,	Greenwood,	McGrath,	Shaffer,
Boorse,	Gross,	McIntosh,	Shaw,
Bower,	Gryskewicz,	McKinney,	Shepard,
Bradley,	Gyger,	McLanahan,	Simons,
Breth,	Habbyshaw,	McLane,	Skale,
Bretherick,	Haberlen,	McMillen,	Sollenberger,
Brown,	Haines,	McSurdy,	Sorg,
Brunner, C. H.,	Hamilton,	Melchiorre,	Stambaugh,
Brunner, P. A.,	Harkins,	Mihm,	Stank,
Burns,	Harmuth,	Modell,	Stine,
Burris,	Harris,	Monks,	Stockham,
Cadwalader,	Heatherington,	Mooney,	Tarr,
Chudoff,	Helm,	Moran,	Tate,
Cochran,	Hering,	Moul,	Taylor,
Cohen, M. M.,	Herman,	Muir,	Thompson, E. F.,
Cohen, R. E.,	Hersch,	Munley,	Thompson, R. L.,
Cook,	Hewitt,	Nagel,	Trout,
Cooper,	Hirsch,	Nunemacher,	Turner,
Cordier,	Holland,	O'Brien,	Verona,
Corrigan,	Huntley,	O'Connor,	Vincent,
Croop,	Imbrie,	O'Dare,	Vogt,
Cullen,	James,	O'Mullen,	Voldow,
Dalrymple,	Jefferson,	O'Neill,	Voorhees,
Dennison,	Jones, G. E.,	Owens,	Wagner,
DiGenova,	Jones, P. N.,	Petrosky,	Watkins
Dix,	Keenan,	Pettit,	Weingartner,
Dolon,	Kenehan,	Polaski,	Weiss,
D'Ortona,	Kline,	Polen,	Welsh, E. B.,
Duffy,	Knoble,	Powers,	Welsh, M. J.,
Early,	Kolankiewicz,	Prosen,	Wilkinson,
Eckels,	Komorofski,	Rank,	Williams,
Elder,	Krise,	Rausch,	Winner,
Elliott,	Lee, E. A.,	Readinger,	Wolf,
Ely,	Lee, T. H.,	Reagan,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, D. P.,	Wood, N.,
Finestone,	Leonard,	Reese, R. E.,	Woodring,
	Lesko,	Regan,	Woodside,
Finnerty,	Levy,	Reynolds,	Wright,
Fisher,	Leydic,	Rhea,	Yeakel,
Fiss,	Lichtenwalter,	Riley,	Yester,
Fleming,	Longo,	Rooney,	Young,
Fletcher,	Lovett,	Rose, S.,	Kilroy,
			Speaker.

NAYS 3

Hall,	Snyder,	Van Allsburg,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 77, as follows:

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania to allow all employes of state penal and correctional institutions twenty-four consecutive hours of rest each week authorizing the Department of Welfare to provide additional employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Welfare of the Commonwealth of Pennsylvania shall allow and permit every employe of such state penal and correctional institutions to have at least twenty-four consecutive hours of rest in every calendar week and shall rotate the employes of such state penal and correctional institutions on a regular schedule except in emergency cases for riots or tumults pestilence or conflagrations without diminution of the salary or compensation fixed by the Department of Welfare Provided That no vacation or suspension periods of an employe of such penal institution shall be increased or reduced by reason of the fact that during such period such employe if working would have been entitled to one or more rest days under the provisions of this act

Section 2 Where there is not a sufficient number of employes in any state penal or correctional institution to permit such rest days to become effective the Department of Welfare shall direct that the warden or superintendent of such institution appoint additional employes in accordance with the law and the regulation of the Department of Welfare governing such appointments

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective on the first day of September one thousand nine hundred and forty-one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker, I desire to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I shall, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker. I would like to ask the gentleman whether House Bill No. 77, Printer's No. 151, was considered either officially or unofficially by the Appropriations Committee.

Mr. ACHTERMAN. It was not, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, I would like to ask the gentleman whether this bill if enacted into law would not have an effect upon the budget requirements.

Mr. ACHTERMAN. It undoubtedly would, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, may I ask the gentleman

whether he does not think the bill therefore should be recommitted to the Committee on Appropriations so that it can be given consideration before it is finally acted upon by the House?

Mr. ACHTERMAN. Mr. Speaker, possibly point that is raised is raised properly, and if the sponsor will agree I would suggest that it be put on the postponed third reading calendar until I will have an opportunity to study it.

The Speaker. For the information of the gentleman from Monroe, this bill has passed third reading and is now on final passage. It can, however, be placed upon the final passage postponed calendar.

On the question recurring.

Shall the bill pass finally?

BILL POSTPONED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be placed upon the final passage postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 648, as follows:

An Act to amend section 873 of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' providing roads to be county roads as soon as so determined and further providing for the repair construction and maintenance of such roads within the limits of boroughs and cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred and seventy-three of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 873 To be County Road as Soon as so Decreed All roads highways and parts thereof heretofore and hereafter decreed by the court under this or any former acts of Assembly to be a county road shall be subject to the control and supervision of the county commissioners Upon the decree or order making an existing township road or part thereof a county road the same shall immediately be kept in repair made constructed and maintained by the county and the township relieved of any duty thereto as a township road Provided That when any part or parts of a township through which runs a road which has been decreed or ordered by the court to be a county road shall by proper proceedings be created as a borough or be annexed to and become a part of a borough or city upon the signing of a decree or order creating such borough or annexing such part or parts of a township to a city or borough any portion or portions of county roads within the territory so created as a borough or annexed shall thereupon cease to be county roads and shall thenceforth be borough or city streets It shall be the duty of the city or borough as the case may be to repair improve and maintain the said streets and the county shall be relieved of any duty thereto as a county road And provided further That all roads highways and parts thereof heretofore decreed by the court to be county roads and which run through any part or parts of townships which part or parts have been by proper proceedings created as a borough or annexed to a city or borough are hereby declared to be city or borough streets as the case may be It shall be the duty of the proper city or borough to repair improve and maintain the said streets and the county is hereby relieved of any duty thereto as county roads

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Haberlen,	McLane,	Snyder,
Breth,	Habbyshaw,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stank,
Brunner, C. H.,	Hamilton,	Mihm,	Stambaugh,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weiss,
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 375, as follows:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An individual acting as co-fiduciary with a trust company or bank and trust company is hereby authorized with respect to moneys held by said trust company or bank and trust company and said individual as co-fiduciaries to consent to an investment thereof in a common trust fund maintained by said trust company or bank and trust company under the laws of the Commonwealth of Pennsylvania to the same extent that said trust company or bank and trust company as a sole fiduciary would be authorized to invest such moneys in such common trust fund Any consents heretofore given by individual co-fiduciaries are hereby validated The term "fiduciary" as used herein shall mean a trustee of a trust created by will deed or other instrument a guardian of a minor or incompetent or a committee of the estate of a lunatic or habitual drunkard and the term "co-fiduciary" as used herein shall mean a co-trustee of a trust created by will deed or other instrument a co-guardian of a minor or incompetent or a co-committee of the estate of a lunatic or habitual drunkard

Section 2 Nothing contained herein shall be construed to authorize any fiduciary to make or consent to any investment contrary to the directions in regard to investments contained in the will deed or other instrument creating the trust in his care nor to limit or restrict the authority conferred upon any such fiduciary with respect to investments by any such instrument

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cooper,	Hewitt,	Nunemacher,	Turner,
Cordier,	Hirsch,	O'Brien,	Van Allsburg,
Cook,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yeager,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 874 (Senate Bill No. 187), as follows:

An Act to amend section thirty-eight of article four of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death defining and taxing transfers made in contemplation of death defining as a transfer and taxing the right of survivorship in property as to which such right exists and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" changing the time within which a discount is allowed for the payment of said taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,

Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	C'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 579, as follows:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section1 Acknowledment Of Instruments Any instrument may be acknowledged in the manner and form now provided by the laws of this State or as provided by this Act

Section 2 Acknowledgment Within The State The acknowledgment of any instrument may be made in this State before

(1) A Judge of a court of record

(2) A Clerk Prothonotary or Deputy Prothonotary or Deputy Clerk of a court having a seal

(3) A Recorder of Deeds

(4) A Notary Public

(5) A Justice of the Peace Magistrate or Alderman

Section 3 Acknowledgment Within The United States The acknowledgment of any instrument may be made without the State but within the United States or a territory or insular possession of the United States or the District of Columbia or the Philippine Islands and within the jurisdiction of the officer before

(1) A Clerk or Deputy Clerk of any federal court

(2) A Clerk Prothonotary or Deputy Prothonotary or Deputy Clerk of any court of record of any State or other jurisdiction

(3) A Notary Public

(4) A Recorder of Deeds

Section 4 Acknowledgment Without The United States The acknowledgment of any instrument may be made without the United States before

(1) An Ambassador Minister Charge d'Affaires Counselor to or Secretary of a Legation or Consular Agent of the United States accredited to the country where the acknowledgment is made

(3) A Judge or Clerk of a court of record of the Country where the acknowledgment is made

Section 5 Requisites Of Acknowledgment The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who executed the instrument

Section 6 Acknowledgment By A Married Woman An acknowledgment of a married woman may be made in the same form as though she were unmarried

Section 7 Forms Of Certificates An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms

(1) By Individuals

State of .....

County of .....

On this the ..... day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... known to me (or satisfactorily proven) to be the person whose name ..... subscribed to the within instrument and acknowledged that ..... he ..... executed the same whereof I hereunto set my hand and official seal

....

Title of Officer

(2) By a Corporation

State of .....

County of .....

On this the .... day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... who acknowledged himself to be the ..... of ..... a corporation and that he as such ..... being authorized to do so executed the foregoing instrument for the purposes therein contained by signing the name of the corporation himself as .....

In witness whereof I hereunto set my hand and official seal

....

Title of Officer

(3) By an Attorney in Fact

State of .....

County of .....

On this the .... day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... known to me (or satisfactory proven) to be the person whose name is subscribed as attorney in fact for ..... and acknowledged that he executed the same as the act of his principal for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

....

Title of Officer

(4) By any Public Officer or Deputy thereof or by any trustee Administrator Guardian or Executor

State of .....

County of .....

On this the . . .day of ..... 19 ..... before me ..... the undersigned officer personally appeared ..... of the State (County or City as the case may be) (or satisfactorily proven) to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained

In witness whereof I hereunto set my hand and official seal

....

Title of Officer

Section 8 Execution Of Certificate The certificate of the acknowledging officer shall be completed by his signature his official seal if he has one the title of his office and if he is a Notary Public the date his commission expires

Section 9 Authentication Of Acknowledgments (1) If the acknowledgment is taken within this State or is made without the United States by an officer of the United States no authentication shall be necessary

(2) If the acknowledgment is taken without this State but in the United States a Territory or insular possession of the United States the District of Columbia or the Philippine Islands the certificate shall be authenticated by a certificate as to the official character of such officer executed if the acknowledgment is taken by a Clerk or Deputy Clerk of a court by the presiding judge of the court or if the acknowledgment it taken by a Notary Public by a Clerk of a Court of Record of the County Parish or District in which the acknowledgment is taken

(3) If the acknowledgment is made without the United States and by a Notary Public or a Judge or Clerk of a Court of Record of the country where the acknowledgment is made the certificate shall be authenticated by a certificate under the Great Seal of State of the country affixed by the custodian of such Seal or by a certificate of a diplomatic consular or commercial officer of the United States accredited to that country certifying as to the official character of such officer

Section 10 Acknowledgments Under Laws Of Other States Notwithstanding any provision in this Act contained the acknowledgment of any instrument without this State in compliance with the manner and form prescribed by the laws of the place of its execution if in a State a Territory or insular possession of the United Stes or in the District of Columbia or in the Philippine Islands verified by the official seal of the officer before whom it is acknowledged and authenticated in the manner provided by section 9 subsection 2 hereof shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this State for instruments executed within the State (except where the instrument is a deed by which a resident of this State purports to convey his homestead in this State and the deed is not additionally acknowleged in the form prescribed by the law of this State for the validity of a conveyance of a homestead)

Section 11 Acknowledgments Not Affected By This Act No acknowledgment heretofore taken shall be affected by anything contained herein

Section 12 Uniformity Of Interpretation This Act shall be so interpreted as to make uniform the laws of those States which enact it

Section 13 Name Of Act This Act may be cited as the Uniform Acknowledgment Act

Section 14 Time Of Taking Effect This Act shall take effect immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boles,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
	Hewitt,	Nunemacher,	Turner,
Cook,	Hirsch,	O'Brien,	Van Allsburg,
Cooper,	Holland,	O'Connor,	Verona,
Cordier,	Huntley,	O'Dare,	Vincent,
Corrigan,	Imbrie,	O'Mullen,	Vogt,
Croop,	James,	O'Neill,	Voldow,
Cullen,	Jefferson,	Owens,	Voorhees,
Dalrymple,	Jones, G. E.,	Petrosky,	Wagner,
Dennison,	Jones, P. N.,	Pettit,	Watkins,
DiGenova,	Keenan,	Polaski,	Weingartner,
Dix,	Kenehan,	Polen,	Weiss,
Dolon,	Kline,	Powers,	Welsh, E. B.,
D'Ortona,	Knoble,	Prosen,	Welsh, M. J.,
Duffy,	Kolankiewicz,	Rank,	Wilkinson,
Early,	Komorofski,	Rausch,	Williams,
Eckels,	Krise,	Readinger,	Winner,
Elder,	Lee, E. A.,	Reagan,	Wolf,
Elliott,	Lee, T. H.,	Reese, D. P.,	Wood, L. H.,
Ely,	Leisey,	Reese, R. E.,	Wood, N.,
Falkenstein,	Leonard,	Regan,	Woodring,
Finestone,	Lesko,	Reynolds,	Woodside,
Finnerty,	Levy,	Rhea,	Wright,
Fisher,	Leydic,	Riley,	Yeakel,
Fiss,	Lichtenwalter	Rooney,	Yester,
Fleming,	Longo,	Rose, S.,	Young,
Fletcher,	Lovett,	Rose, W. E.,	Kilroy,
Flynn,	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, as follows:

An Act to amend section one of the act approved the twenty-sixth day of August A D one thousand nine hundred thirty-two (P. L. 101) entitled "An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water-rents or rates in installments" by including counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-sixth day of August A D one thousand nine hundred thirty-two (P. L. 101) entitled "An act authorizing collectors of delinquent taxes except in cities of the first class to accept payments of delinquent taxes or water-rents or rates in installments" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representative of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the collector of delinquent taxes of any city except a city of the first class and of any county borough incorporated district township poor district or school district shall have the power at the request of any taxpayer to accept payment in installments of delinquent taxes or water-rents or rates both before and after the filing of liens therefor but he shall not be obliged to accept any installment of less than ten per centum (10%) of the face amount of the tax water-rent or rate when it became delinquent The acceptance of any installment or installments by any delinquent tax collector shall not prejudice the city county borough incorporated district township poor district or school district in the collection of any balance due or in any way impair the validity of any lien filed for such delinquent taxes water-rents or rates or any balance due thereon according to the provisions of any act of assembly applicable thereto nor shall any penalty be abated or diminished because of the acceptance of any such installment or installments but interest on the amount of any installment shall cease after the month in which such installment is paid

Section 2 This act shall become effective immediately upon its passage and approval by the Governor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Foor,	Malloy,	Royer,
Allmond,	French,	Marks,	Rush,
Auker,	Gallagher,	Maxwell,	Sarge,
Baker,	Gates,	McClanaghan,	Sarraf,
Balthaser,	Gerard,	McClester,	Scanlon,
Baugher,	Gillan,	McDermott,	Schwab,
Bentley,	Gillette,	McDowell,	Serrill,
Bentzel,	Goodwin,	McFall,	Shaffer,
Boies,	Greenwood,	McGrath,	Shaw,
Boney,	Gross,	McIntosh,	Shepard,
Boorse,	Gryskewicz,	McKinney,	Simons,
Bower,	Gyger,	McLanahan,	Skale,
Bradley,	Habbyshaw,	McLane,	Snyder,
Breth,	Haberlen,	McMillen,	Sollenberger,
Bretherick,	Haines,	McSurdy,	Sorg,
Brown,	Hall,	Melchiorre,	Stambaugh,
Brunner, C. H.,	Hamilton,	Mihm,	Stank,
Brunner, P. A.,	Harkins,	Modell,	Stine,
Burns,	Harmuth,	Monks,	Stockham,
Burris,	Harris,	Mooney,	Tarr,
Cadwalader,	Heatherington,	Moran,	Tate,
Chudoff,	Helm,	Moul,	Taylor,
Cochran,	Hering,	Muir,	Thompson, E. F.,
Cohen, M. M.,	Herman,	Munley,	Thompson, R. L.,
Cohen, R. E.,	Hersch,	Nagel,	Trout,
Cook,	Hewitt,	Nunemacher,	Turner,
Cooper,	Hirsch,	O'Brien,	Van Allsburg,
Cordier,	Holland,	O'Connor,	Verona,
Corrigan,	Huntley,	O'Dare,	Vincent,
Croop,	Imbrie,	O'Mullen,	Vogt,
Cullen,	James,	O'Neill,	Voldow,
Dalrymple,	Jefferson,	Owens,	Voorhees,
Dennison,	Jones, G. E.,	Petrosky,	Wagner,
DiGenova,	Jones, P. N.,	Pettit,	Watkins,
Dix,	Keenan,	Polaski,	Weingartner,
Dolon,	Kenehan,	Polen,	Weiss,
D'Ortona,	Kline,	Powers,	Welsh, E. B.,
Duffy,	Knoble,	Prosen,	Welsh, M. J.,
Early,	Kolankiewicz,	Rank,	Wilkinson,
Eckels,	Komorofski,	Rausch,	Williams,
Elder,	Krise,	Readinger,	Winner,
Elliott,	Lee, E. A.,	Reagan,	Wolf,
Ely,	Lee, T. H.,	Reese, David P.,	Wood, L. H.,
Falkenstein,	Leisey,	Reese, R. E.,	Wood, N.,
Finestone,	Leonard,	Regan,	Woodring,
Finnerty,	Lesko,	Reynolds,	Woodside,
Fisher,	Levy,	Rhea,	Wright,
Fiss,	Leydic,	Riley,	Yeakel,
Fleming,	Lichtenwalter,	Rooney,	Yester,
Fletcher,	Longo,	Rose, S.,	Young,
Flynn,	Lovett,	Rose, W. E.,	Kilroy,
	Lyons,	Rosenfeld,	Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 62, as follows:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department fire department and park guard for the purchase of their prescribed uniforms

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All uniformed officers and men employed by any city of the first class in the police department fire department or as park guards in the park service of said city shall be allotted the sum of fifty dollars per annum to be used for the purchase of their prescribed uniforms

Section 2 The act approved the ninth day of June one thousand nine hundred and thirty-nine (Pamphlet Laws 323) entitled "An act requiring cities of the first class to furnish free of charge to uniformed officers and men employed in the police department fire department and park guards the first uniform or part thereof made necessary by any changes made in the prescribed uniform" is hereby repealed absolutely

Section 3 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-two

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VOORHEES. Mr. Speaker, I would like to interrogate the sponsor of this bill, the gentleman from Philadelphia, Mr. Finnerty.

The Speaker. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FINNERTY. I will, Mr. Speaker.

Mr. VOORHEES. Mr. Speaker, how much is it estimated this will cost the city of Philadelphia?

Mr. FINNERTY. Mr. Speaker, the estimation of the total cost? I do not know the exact amount it will cost.

Mr. VOORHEES. I feel, Mr. Speaker, that I would be in order in taking a few moments to try to save Philadelphia because at this session I do not think we have saved Philadelphia at all.

We just voted on a bill to increase the wages of the employes of the Department of Public Works. Now we are voting on a bill to allot fifty dollars for the uniforms for police and firemen. Everyone here is in favor of more money for more people, and for giving uniforms to the police and firemen. Today we reported from committee—the committee of which Mr. Finnerty, the sponsor of this bill is chairman—House Bill 35, which prohibits the taxation of income, salaries and wages by political sub-divisions. The reason for the bill is to do away with the wage-tax in Philadelphia. We now have the Sterling Act on the books which does not permit the city to tax anything which the state taxes.

You all know that we are trying to tax everything that we have to support the city of Philadelphia. Philadelphia can have either a sales-tax or a wage-tax—either one. It is very easy to sit here and pass bills requiring Philadelphia to spend money, but it is a different matter to raise money. We now place another hindrance in the path of Philadelphia when we report out a bill which further limits the things we can tax. Money must be raised somewhere, and we place all kinds of hindrances in the way of the city. I only point these things out because here we are in a time when we are all facing the national emergency, when we should all be pulling together and making it easier for our local political units in the state of Pennsylvania, the citizens of Pennsylvania to do a good job, and yet we in the House of Representatives sit here and vote on legislation—

POINT OF ORDER

Mr. CHUDOFF. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. CHUDOFF. The gentleman, Mr. Speaker, is not speaking on the bill. He is speaking on House Bill No. 35.

The SPEAKER. The point of order is not well taken.

Mr. VOORHEES. Mr. Speaker, I feel that anything is in order that affects the budget of Philadelphia as this bill does, the whole thing is a unit, just as we in the House consider our budget. There are many things we want to vote on and want to make appropriations for, but it is a question of how much we can spend, and that is the problem that faces Philadelphia. As we pass on this bill that information should be presented to the House. I only have a few more words. I am going to vote for this bill and I ask the members of the House to support it, but in coming legislation I think it is up to the Members of the House to consider what the City Council of Philadeplhia must face when you vote on these bills.

Mr. FINNERTY. Mr. Speaker, in regard to House Bill 62, Printer's No. 207, I wish to inform the members that up to about the year 1932 the city supplied these uniforms. We then had a mayor, Mayor Moore, during whose administration this was taken away. Mayor Moore, by the way, is the mayor who went out around City Avenue and Lancaster Avenue, in which districts there are more automobiles to the square inch than in any other section of Philadelphia, and he came back the next day and said that nobody in Philadelphia was hungry, that everybody had an automobile. That is the time this was taken away from the police and firemen. By the time a policeman pays for assessments, tickets, insurance and the retirement fund he has very little left, and many times the policemen have told me they have had uniforms that are perfect, but the higher officials told them they must buy new uniforms, which was a very definite hardship on the policeman. Therefore, I ask the members to vote for this bill and give the police and firemen a break, because they will not get an increase in salary, and this is one opportunity to give them a break. I ask you all to support this bill.

Mr. SAMUEL ROSE. Mr. Speaker, I would like to state for the information of the gentleman from Philadelphia Mr. Voorhees it is rather late for him to come in here and try to save Philadelphia. He and his party have ruined Philadelphia for the last fifty years and it only will be when the Democratic Party takes over that Philadelphia will really be saved.

Mr. DIX. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Finnerty.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FINNERTY. I will, Mr. Speaker.

Mr. DIX. Mr. Speaker, I would like to ask Mr. Finnerty for information, is this a home rule bill.

Mr. FINNERTY. Well, Mr. Speaker, I would say it was just taking care of Philadelphia, and we being from Philadelphia I would say, yes, it is a home rule bill.

Mr. DIX. Does the gentleman mean, Mr. Speaker, it is a home rule bill when the state takes care of Philadelphia?

Mr. FINNERTY. Well, Mr. Speaker, if Council wants to set the salaries unfortunately this legislature can pass a law to regulate that procedure.

Mr. DIX. Mr. Speaker, is there any reason why Philadelphia cannot regulate that?

Mr. FINNERTY. Mr. Speaker, the only thing you can do is pass a law and take the power away from them.

Mr. DIX. Mr. Speaker, doesn't the city of Philadelphia have the power at the present time to set the salaries?

Mr. FINNERTY. I think not, Mr. Speaker.

Mr. DIX. Does the gentleman mean that the city of Philadelphia at the present time cannot purchase the uniforms?

Mr. FINNERTY. No, Mr. Speaker, they do not.

Mr. DIX. Does the gentleman mean, Mr. Speaker, that they cannot do it?

Mr. FINNERTY. They don't do it, anyhow, Mr. Speaker.

Mr. DIX. I didn't ask that, Mr. Speaker. I asked if it was not possible for Philadelphia or any first class city to furnish these uniforms to the police and firemen.

Mr. FINNERTY. As I am not a lawyer, Mr. Speaker, I could not decide that question. The only thing I can answer in a plain common sense manner, is that they do not do it, and when they do not do it they must not have the power.

Mr. DIX. Then, Mr. Speaker, does the gentleman think if Philadelphia does not do it, it is the duty and prerogative of the House of Representatives to force Philadelphia to do something they do not want to do?

Mr. FINNERTY. I think it is the duty of the Members from Philadelphia, the Democrats especially, to look after Philadelphia. I would like to say, and I do not know whether the gentleman had heard the rumor or not, that this is going to be a headache for us Democrats when we take over Philadelphia. I would say we are satisfied to take the headache and take care of the police and firemen.

Mr. DIX. Mr. Speaker, if the Democrats do not take care of Philadelphia any better than the Democrats take care of Pennsylvania I certainly feel sorry for them.

Mr. FINNERTY. Mr. Speaker, I wonder if the gentleman did not intend to state this: if the Democrats did not take any better care of Pennsylvania than the James administration takes care of it now, then it is a pretty small thing.

The SPEAKER. For the information of the gentleman from Wayne the Chair should be recognized in this interrogation. The gentleman asked to interrogate the gentleman from Philadelphia.

Mr. DIX. Mr. Speaker, I just tried to find out if it is a home rule bill. Evidently I cannot find out from the gentleman so I am deciding for myself that it is not a home rule bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	French,	Marks,	Royer,
Allmond,	Gallagher,	Maxwell,	Rush,
Auker,	Gates,	McClanaghan,	Sarge,
Baker,	Gerard,	McClester,	Sarraf,
Balthaser,	Gillan,	McDermott,	Scanlon,
Baugher,	Gillette,	McDowell,	Schwab,
Bentley,	Goodwin,	McFall,	Serrill,
Bentzel,	Greenwood,	McGrath,	Shaffer,
Boles,	Gross,	McIntosh,	Shaw,
Boney,	Gryskewicz,	McKinney,	Shepard,
Boorse,	Gyger,	McLanahan,	Simons,
Bower,	Habbyshaw,	McLane,	Skale,
Bradley,	Haberlen,	McMillen,	Snyder,
Breth,	Haines,	McSurdy,	Sollenberger,
Bretherick,	Hall,	Melchiorre,	Sorg,
Brown,	Hamilton,	Mihm,	Stambaugh,
Brunner, C. H.,	Harkins,	Modell,	Stank,
Brunner, P. A.,	Harmuth,	Monks,	Stine,

Burns,	Harris,	Mooney,	Stockham,
Burris,	Heatherington,	Moran,	Tarr,
Cadwalader,	Helm,	Moul,	Tate,
Chudoff,	Hering,	Muir,	Taylor,
Cochran,	Herman,	Munley,	Thompson, E. F.,
Cohen, M. M.,	Hersch,	Nagel,	Thompson, R. L.,
Cohen, R. E.,	Hewitt,	Nunemacher,	Trout,
Cook,	Hirsch,	O'Brien,	Turner,
Cooper,	Holland,	O'Connor,	Van Allsburg,
Cordier,	Huntley,	O'Dare,	Verona,
Corrigan,	Imbrie,	O'Mullen,	Vincent,
Croop,	James,	O'Neill,	Vogt,
Cullen,	Jefferson,	Owens,	Voldow,
Dalrymple,	Jones, G. E.,	Petrosky,	Voorhees,
Dennison,	Jones, P. N.,	Pettit,	Wagner,
DiGenova,	Keenan,	Polaski,	Watkins
Dolon,	Kenehan,	Polen,	Weingartner,
D'Ortona,	Kline,	Powers,	Weiss,
Duffy,	Knoble,	Prosen,	Welsh, E. B.,
Early,	Kolankiewicz,	Rank,	Welsh, M. J.,
Eckels,	Komorofski,	Rausch,	Wilkinson,
Elder,	Krise,	Readinger,	Williams,
Elliott,	Leisey,	Reagan,	Winner,
Ely,	Leonard,	Reese, D. P.,	Wolf,
Falkenstein,	Lee, E. A.,	Reese, R. E.,	Wood, L. H.,
Finestone,	Lee, T. H.,	Regan,	Wood, N.,
Finnerty,	Lesko,	Reynolds,	Woodring,
Fisher,	Levy,	Rhea,	Woodside,
Fiss,	Leydic,	Riley,	Wright,
Fleming,	Lichtenwalter,	Rooney,	Yeakel,
Fletcher,	Longo,	Rose, S.,	Yester,
Flynn,	Lovett,	Rose, W. E.,	Young,
Foor,	Lyons,	Rosenfeld,	Kilroy,
	Malloy,		Speaker.

NAYS—1

Dix.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 854, Printer's No. 206, was passed over at the request of Mr. SCANLON

RECONSIDERATION OF VOTE

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which House Bill No. 367, Printer's No. 117, entitled:

"Legalizing the operation of bowling alleys and participation in the sport of bowling on Sunday,"

was defeated on final passage Monday, March 31, be reconsidered.

Mr. SHAW. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. O'Brien, vote on the final passage of this bill?

Mr. O'BRIEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Shaw, vote on the final passage of this bill?

Mr. SHAW. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. O'BRIEN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FIRST READING

Mr. O'BRIEN asked and obtained unanimous consent for House Bill No. 1092 to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1092 entitled:

An Act making an appropriation for the expenses of the committee of the House of Representatives created by House Resolution Serial Number forty-nine, adopted the nineteenth day of February, one thousand nine hundred forty-one.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker requests all the new members on both the Republican and Democratic sides of the House to meet with him for a few minutes in the New House Caucus Room immediately after adjournment today. Also the majority and minority floor leaders.

HOUSE RESOLUTION NO. 66

Mr. DiGENOVA. Mr. Speaker, I desire to call up House Resolution No. 66, Printer's No. 209.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 1, 1941.

Whereas December 15 1941 will be the 150th anniversary of the ratification of the "Bill of Rights': 1791-1941; and

Whereas, The "Bill of Rights,' that expression of American genius which guarantees our fundamental freedoms of speech, press and worship, is an immortal monument of human liberties which serves as a "Guiding Light" to the people of all Democratic Nations; and

Whereas, The "Bill of Rights," on its 150th anniversary, should be duly honored by some outward manifestation of our gratitude and deference; and

Whereas, A national homage paid to this most important document in American history may well serve as an opportune reminder to all Americans that they are indeed fortunate to live under our democratic form of government, and how important it is for them to do their utmost to preserve our "Bill of Rights" and protect its principles from being ravaged or distorted; therefore be it

Resolved, That the Governor of this Commonwealth be and is hereby requested by the House of Representatives, to proclaim December 15, 1941 as "Bill of Rights Day"; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of this House to the Governor of this Commonwealth.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. HABBYSHAW. I desire to interrogate the Speaker of the House.

The SPEAKER. Will the Speaker permit himself to be interrogated? The Speaker will. The gentleman will proceed.

Mr. HABBYSHAW. Mr. Speaker, I understand that the gentleman from Allegheny, Mr. Cooper, introduced a bill in this House to pad and reinforce the equipment of our

hockey players for their protection. I would like to know to what Committee this bill has been referred.

The SPEAKER. To the Committee on Aeronautics.

For the information of the gentleman from Dauphin the reason the bill was referred to the Committee on Aeronautics was because after Hershey defeated Pittsburgh so decisively in the recent hockey play-offs, the Chair was of the opinion that the gentleman from Allegheny must be up in the air.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Building and Loan, Wednesday, April 9 at 12:30 p. m. in Room 330.

Cities-Third Class, Wednesday, April 9 at 11 a. m. in Room 325.

Constitutional Amendments, Wednesday, April 9 at 11:30 a. m. in Room 327.

Game, Wednesday, April 9 at 10:30 a. m. in Room 324.

Public Health and Sanitation, Wednesday, April 9 at 11 a. m. in Room 331.

Workmen's Compensation, Wednesday, April 9 at 12:30 p. m. in Room 522.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

There will be a Public Hearing before the Committee on State Government on House Bill No. 849 on Wednesday, April 16, 1941 at 6:00 p. m. in the Forum.

The newspaper "The First Termers Dilemma" will not appear this week due to the fact that the presses have been sabotaged.

There will be a meeting of First Term Democratic Members from Philadelphia immediately following the session at the new usual place to discuss ways and means of securing new presses.

Harrisburg Post No. 27 of the American Legion has asked me to extend to the Members of the House and Senate, who are War Veterans, a cordial invitation to attend a dinner on Tuesday, April 15, 1941, 6 p. m., at the Legion Home, 21 South Front Street, Harrisburg, Pennsylvania. This dinner will be held on their social night.

Will you kindly advise the office of the Secretary of the House, Dennis J. Mulvihill, as to whether or not you will attend this dinner?

(Signed) RAY E. TAYLOR.

CHIEF CLERK CONGRATULATED

The SPEAKER. The Chair wishes to compliment the Chief Clerk on the Bulletin showing bills referred, bills reported and announcements. The Members are advised that the Bulletin is prepared for their convenience.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 9, 1941, at 1 p. m.

The motion was agreed to, and (at 2:32 p. m.) the House adjourned.

UNIVERSITY OF ILLINOIS-URBANA
3 0112 073268028